

DATE August 29, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR LIVINGSTON AVENUE STORM SEWER TELEVISIONING, PRIORITY EXCAVATING LLC**

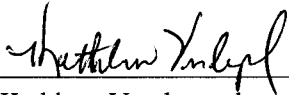
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer, showing the cost of the construction of the Livingston Avenue Storm Sewer Televisioning, 08-2010-001, in accordance with the contract approved between Priority Excavating LLC, Toby T. Torstenson, President, 773 NE 47th Place, Des Moines, IA 50313, under Roll Call No. 09-2062, of November 9, 2009, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$234,925.75 is the total cost, of which \$223,179.46 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$11,746.29 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

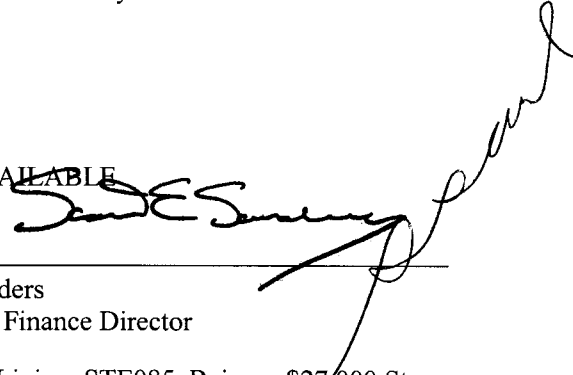
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:




Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE



Scott E. Sanders  
Des Moines Finance Director

 Funding Source: 2011-2012 CIP, Page Storm-13, Livingston Avenue Sewer Lining, STE085, Being: \$27,000 Storm Water Utility Funds; with the remaining \$207,925.75 in HUD Disaster funds from the Iowa Department of Economic Development for construction costs (Federal Jumpstart Infrastructure Assistance funds)

08-DRI-006

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

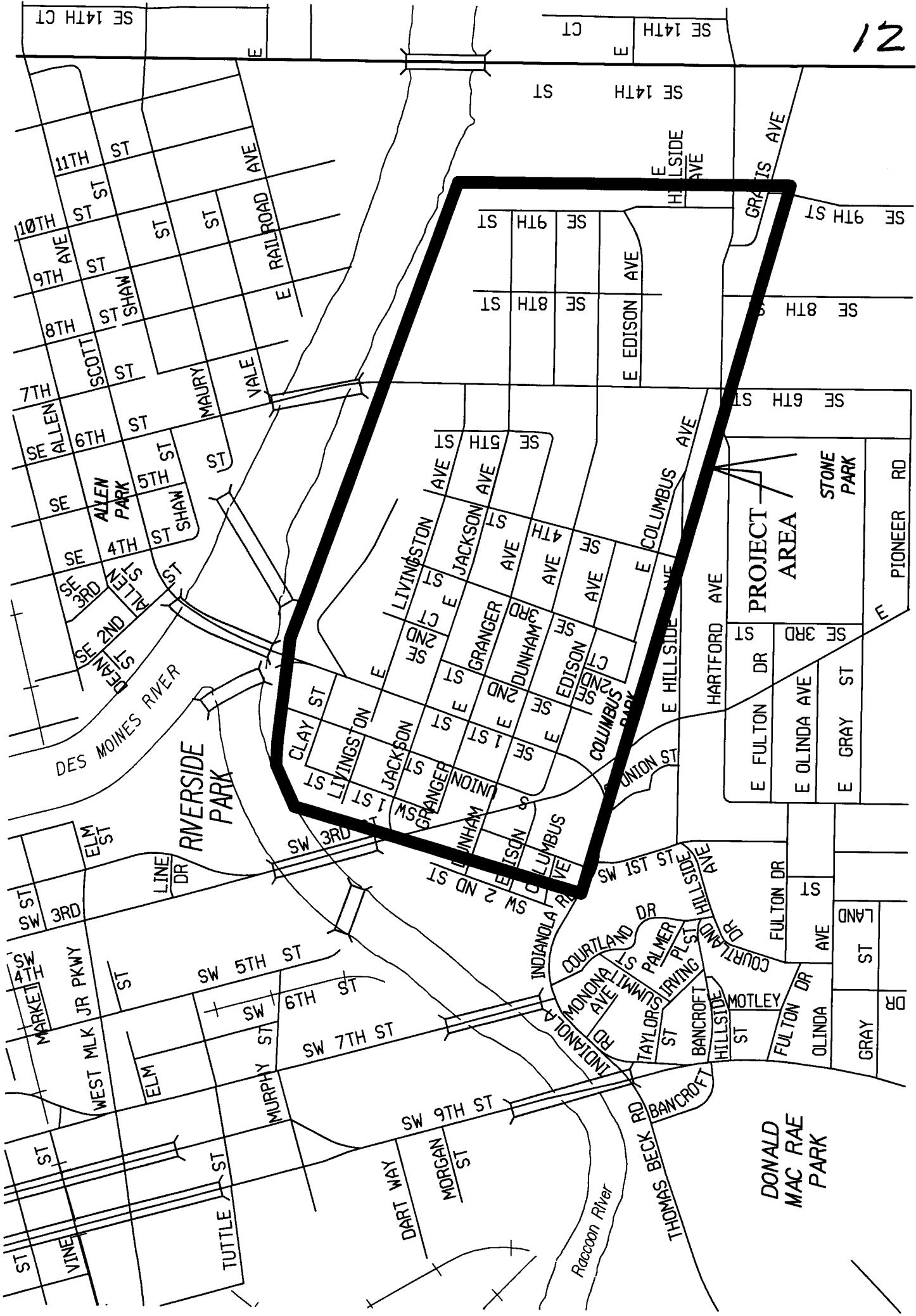
**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

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LIVINGSTON AVE. STORM SEWER TELEVISION ACT ID 08-2010-001

## PROJECT SUMMARY

### Livingston Avenue Storm Sewer Televising

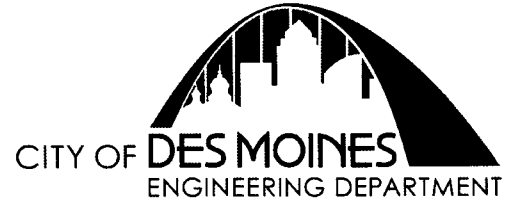
#### Activity ID 08-2010-001

On November 9, 2009, under Roll Call No. 09-2062, the Council awarded the contract for the above improvements to Priority Excavating LLC, in the amount of \$251,000.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	Engineering	10/13/2010 Repair street collapse at SE 3rd and Jackson.	\$23,868.75
2	Contractor	1/31/2011 Uncover manholes, root cutting, and traffic control.	\$1,771.00
3	Contractor	12/22/2010 Repair an open joint in the 42" storm sewer.	\$15,000.00
4	Engineering	12/22/2010 Repair storm sewer at SE 3rd & Jackson.	\$12,000.00
5	City	Adjust contract item amounts to as-built quantities.	\$(68,714.00)
<b>Original Contract Amount</b>			\$251,000.00
<b>Total Change Orders</b>			\$(16,074.25)
<b>Percent of Change Orders to Original Contract</b>			(6.40)%
<b>Total Contract Amount</b>			\$234,925.75

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August 29, 2011



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Livingston Avenue Storm Sewer Televising, Priority Excavating LLC.

**SYNOPSIS:**

Approve the Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

**FISCAL IMPACT:**

Amount: \$234,925.75 As-Built Contract Cost

Funding Source: 2011-2012 CIP, Page Storm-13, Livingston Avenue Sewer Lining, STE085, Being: \$27,000 Storm Water Utility Funds; with the remaining \$207,925.75 in HUD Disaster funds from the Iowa Department of Economic Development for construction costs (Federal Jumpstart Infrastructure Assistance funds)

**CERTIFICATION OF COMPLETION:**

On November 9, 2009, under Roll Call No. 09-2062, the City Council awarded a contract to Priority Excavating LLC, Toby T. Torstenson, President, 773 NE 47th Place, Des Moines, IA 50313 for the construction of the following improvement:

Livingston Avenue Storm Sewer Televising, 08-2010-001

The improvement includes cleaning and televising of approximately 23,000 lineal feet of 12" through 66" storm sewer; all in accordance with the contract documents including Plan File Nos. 508/-086/092 at an area bounded by S.W. 1st Street, the Des Moines River, S.E. 9th Street and E. Columbus Avenue in Des Moines, Iowa

I hereby certify that the construction of said Livingston Avenue Storm Sewer Televising, Activity ID 08-2010-001, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on November 30, 2009, and was completed on August 12, 2011.

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I further certify that \$234,925.75 is the total cost of said improvement, of which \$223,179.46 has been paid the Contractor and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$11,746.29 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.



Jeb E. Brewer, P.E.  
Des Moines City Engineer

**ESTIMATE OF CONSTRUCTION COMPLETED**  
**FOR WORK DONE FROM 7/22/11 TO 8/2/11**  
**PARTIAL PAYMENT NO. 10 (FINAL)**

ACTIVITY ID: 08-2010-001

DATE: 8/2/11

**PROJECT: LIVINGSTON AVE. STORM SEWER TELEVISION**  
**CONTRACTOR: PRIORITY EXCAVATING, LLC**

PARTIAL PAYMENT NO. 10 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	CLEAN 12" TO 24" STORM SEWER	LF	12,000	12,000	10,210.000	\$18,888.50
2	CLEAN 30" TO 42" STORM SEWER	LF	5500	5500	6,246.000	\$12,492.00
3	CLEAN 48" TO 66" STORM SEWER	LF	5500	5500	4,880.000	\$17,080.00
4	TELEVISION 12" TO 24" STORM SEWER	LF	12000	12000	10,210.000	\$10,210.00
5	TELEVISION 30" TO 42" STORM SEWER	LF	5500	5500	6,246.000	\$9,369.00
6	TELEVISION 48" TO 66" STORM SEWER	LF	5500	5500	4,002.000	\$6,003.00
7	SPOT REPAIR, 12" TO 36" STORM SEWER, PAVEMENT	EA	2	2	2.750	\$14,000.00
8	SPOT REPAIR, 42" TO 66" STORM SEWER, PAVEMENT	EA	2	2	0.5621	\$15,000.00
9	SPOT REPAIR, 12" TO 36" STORM SEWER, UNPAVED	EA	2	2	2.500	\$12,000.00
10	SPOT REPAIR, 42" TO 66" STORM SEWER, UNPAVED	EA	2	2	1.000	\$15,000.00
11	MANHOLE, STORM SEWER	EA	2	2	0.000	\$12,000.00
12	MANHOLE, ELECTRONIC LOCATE	EA	10	10	6.000	\$75.00
13	CLEANINGS, SEWER	TON	600	600	643.200	\$10.00
14	CLEANINGS, CONTAMINATED	TON	50	50	0.000	\$20.00
15	CAMERA RESET	EA	20	20	0.000	\$50.00
16	RAISE MANHOLE TO GRADE	EA	5	5	7.780	\$3,500.00
17	MOBILIZATION	LS	1	1	1.000	\$5,000.00
18	PROJECT SIGN	EA	1	1	1.000	\$300.00
19	SOIL BORING	EA	50	50	38.000	\$50.00
CO 1	SE 3RD & JACKSON	LS	1	1	1.000	\$25,868.75
CO 2	MHs, ROOT CUT, TRAFFIC CONTROL	LS	1	1	1.000	\$1,771.00
CO 3	SPOT REPAIR ( CONTRACT ITEM )					
CO 4	SPOT REPAIR ( CONTRACT ITEM )					
CO 5	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES					
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$234,925.75	
	PARTIAL PAYMENT NO. 1					
	PARTIAL PAYMENT NO. 2				\$13,122.49	
	PARTIAL PAYMENT NO. 3				\$11,517.85	
	PARTIAL PAYMENT NO. 4				\$82,277.41	
	PARTIAL PAYMENT NO. 5				\$24,363.70	
	PARTIAL PAYMENT NO. 6				\$6,044.37	
					\$36,024.00	

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PROJECT: LIVINGSTON AVE. STORM SEWER TELEVISION  
 CONTRACTOR: PRIORITY EXCAVATING, LLC

PARTIAL PAYMENT NO. 10 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS		TOTAL AMOUNT
			ESTIMATED	CONSTRUCTED TO DATE	
	PARTIAL PAYMENT NO. 7		\$9,213.82		
	PARTIAL PAYMENT NO. 8		\$21,996.25		
	PARTIAL PAYMENT NO. 9		\$18,619.57		
	THIS PARTIAL PAYMENT		\$0.00		
	TOTAL PARTIAL PAYMENTS		\$223,179.46		
	BALANCE		\$11,746.29		
Percent Complete			100%		
TOTAL					\$234,925.75
RETAINAGE					\$11,746.29
TOTAL LESS RETAINAGE					\$223,179.46
LESS PREVIOUS PAYMENT					\$223,179.46
AMOUNT DUE					\$0.00

PARTIAL PAYMENT NO. 10 (FINAL)

PREPARED BY: *John H. ...*  
 CHECKED BY: *John H. ...*