

DATE January 23, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR E. MCKINLEY AVENUE WIDENING - SOUTH UNION STREET TO S.E. 5TH STREET, REILLY
CONSTRUCTION CO., INC.**

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 E. McKinley Avenue Widening - South Union Street to S.E. 5th Street, 06-2007-002, in accordance with the contract approved between Reilly Construction Co., Inc., Chris R. Reilly, President, 110 E. Main Street, PO Box 99, Ossian, IA 52161, under Roll Call No. 09-1494, of August 10, 2009, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

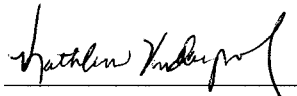
BE IT FURTHER RESOLVED: That \$1,378,343.39 is the total construction cost of which \$1,348,343.39 has been paid to the Contractor, with a final partial payment of \$3,173.37 to be paid now, and the remaining balance of \$30,000.00 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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.

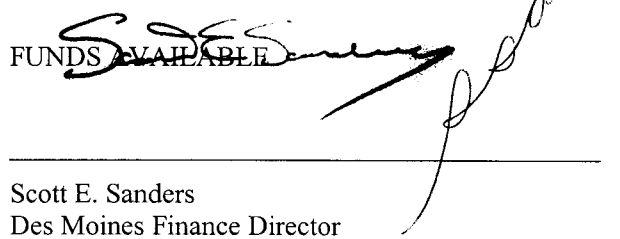
Moved by _____ to adopt.

FORM APPROVED:

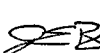


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Scott E. Sanders
Des Moines Finance Director

 Funding Source: 2011-2012 CIP, Page Street-18, McKinley Avenue Widening - Fleur Drive to E. Indianola Avenue, STR212, Being: \$1,288,865.89 in Federal Stimulus Funds from American Recovery and Reinvestment Act (ARRA) of 2009 (100% of construction costs \$1,400,000 maximum); \$87,629.50 from Des Moines Water Works for water main construction; and the remaining \$1,848 Non-Participating costs in G. O. Bonds

ESL-1945(757)--7S-77

★ Roll Call Number

Agenda Item Number

7B

DATE January 23, 2012

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

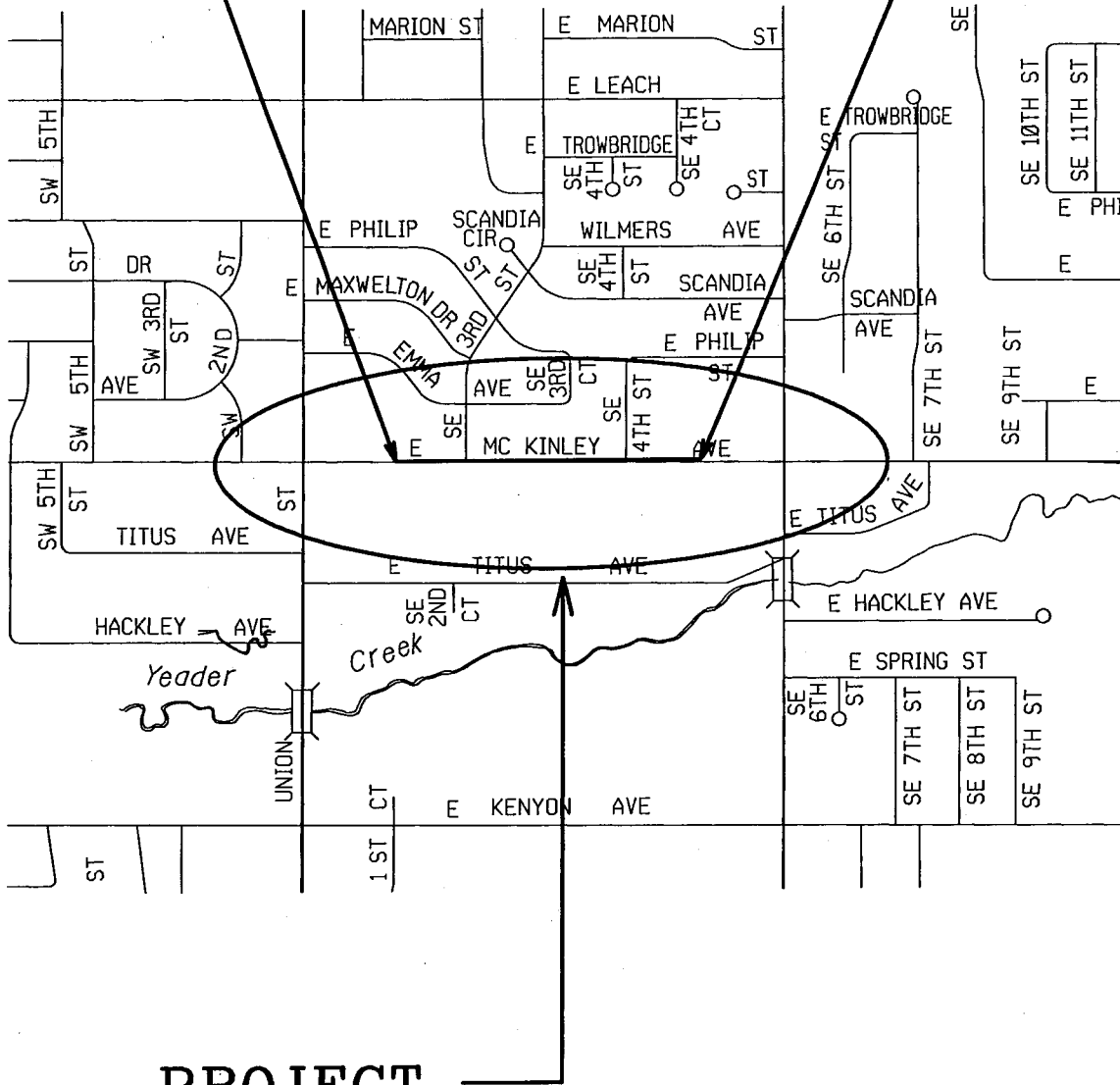
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

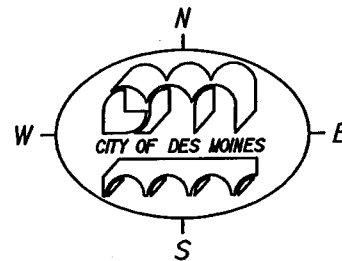
City Clerk

**BEGIN
PROJECT
STA. 86+40**

**END
PROJECT
STA. 103+75**



PROJECT LOCATION



**MCKINLEY AVENUE WIDENING
S. UNION STREET TO S.E. 5TH STREET
PROJECT NO. ESL-1945(757)--7S-77
ACTIVITY I.D. 06-2007-002**

PROJECT SUMMARY

E. McKinley Avenue Widening - South Union Street to S.E. 5th Street

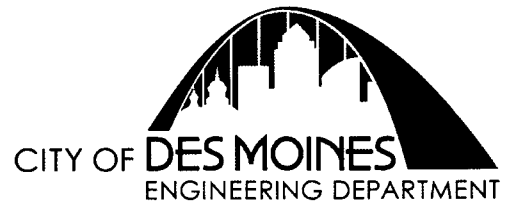
Activity ID 06-2007-002

On August 10, 2009, under Roll Call No. 09-1494, the Council awarded the contract for the above improvements to Reilly Construction Co., Inc., in the amount of \$1,383,942.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	Engineering	9/1/2009 Developmental Specifications for Storm Sewer	\$0.00
2	Engineering	12/23/2009 Epoxy coated steel in intakes	\$982.68
3	Engineering	3/10/2010 12" water main extension to Sta. 82+87.	\$12,190.20
4	Regulator	4/23/2010 Tpye II barricade for pedestrian path closure	\$3,673.98
5	Engineering	5/4/2010 12" water main relocated to south parking, Des Moines Water Works portion.	\$(12,820.00)
6	Engineering	5/4/2010 12" water main relocated to south parking, City share.	\$(14,531.20)
7	Engineering	5/27/2010 Additional CD Baskets	\$4,902.04
8	Engineering	7/28/2010 72" M-B manhole purchase	\$1,848.00
9	Contractor	11/15/2010 Swale outlet and culvert plugs	\$9,221.17
10	Engineering	1/25/2011 Hydro mulch, cold weather concrete, and protection for paving.	\$4,049.87
11	Engineering	5/25/2011 Establish items for pavement coring, PCC thickness incentive, and PCC pavement smoothness disincentive.	\$11,869.50

12	Engineering	1/13/2012	\$(26,984.85)
		Adjust contract quantities to final asbuilt quantities.	
		Original Contract Amount	\$1,383,942.00
		Total Change Orders	\$(5,598.61)
		Percent of Change Orders to Original Contract	(0.40)%
		Total Contract Amount	\$1,378,343.39

January 23, 2012



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the E. McKinley Avenue Widening - South Union Street to S.E. 5th Street, Reilly Construction Co., Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,378,343.39 As-Built Contract Cost

Funding Source: 2011-2012 CIP, Page Street-18, McKinley Avenue Widening - Fleur Drive to E. Indianola Avenue, STR212, Being: \$1,288,865.89 in Federal Stimulus Funds from American Recovery and Reinvestment Act (ARRA) of 2009 (100% of construction costs \$1,400,000 maximum); \$87,629.50 from Des Moines Water Works for water main construction; and the remaining \$1,848 Non-Participating costs in G. O. Bonds

CERTIFICATION OF COMPLETION:

On August 10, 2009, under Roll Call No. 09-1494, the City Council awarded a contract to Reilly Construction Co., Inc., Chris R. Reilly, President, 110 E. Main Street, PO Box 99, Ossian, IA 52161 for the construction of the following improvement:

E. McKinley Avenue Widening - South Union Street to S.E. 5th Street, 06-2007-002

The improvement includes widening and reconstruction of E. McKinley Avenue with 10-inch thick full-depth portland cement concrete; together with pavement removal, excavation, water main construction, storm drainage, subdrain, subbase placement, driveways, sidewalks, sodding, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 497-045/128, on E. McKinley Avenue between South Union Street and S.E. 5th Street, Des Moines, Iowa.

I hereby certify that the construction of said E. McKinley Avenue Widening - South Union Street to S.E. 5th Street, Activity ID 06-2007-002, 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 April 5, 2010, and was completed on January 18, 2012.

I further certify that \$1,378,343.39 is the total construction cost of which \$1,348,343.39 has been paid to the Contractor, with a final partial payment of \$3,173.37 to be paid now, and the remaining balance of \$30,000.00 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink, appearing to read "JEB Brewer". The signature is fluid and cursive, with a small mark at the end.

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

**ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA**



ESTIMATE OF CONSTRUCTION COMPLETED

FROM 6/1/2011 TO 12/01/11

FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

Proj No: ESL-1945(757)--7S-77
Activity ID: 06-2007-002
Date: 12/01/11

PROJECT: S.E. MCKINLEY AVE. WIDENING-SOUTH UNION ST. TO S.E. 5TH ST.
CONTRACTOR: REILLY CONSTRUCTION CO., INC.

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Clearing and Grubbing	ACRE	0.360	0.360	0.360	\$3,600.00
2	Clearing and Grubbing	UNIT	69.500	57.800	57.800	\$867.00
3	Excavation, Class 13, Roadway and Borrow	CY	9,745.000	9,745.000	9,745.000	\$59,931.75
4	Topsoil, Strip, Salvage and Spread	CY	1,000.000	1,000.000	1,000.000	\$10,250.00
5	Modified Subbase	CY	4,775.000	4,788.050	4,788.050	\$169,975.77
6	Shoulder Finishing, Earth	STA	28.000	28.000	28.000	\$10,920.00
7	Relocation of Mail Boxes	EACH	16.000	15.000	15.000	\$1,500.00
8	Pavement Scarification	SY	25.000	0.000		\$0.00
9	PCC Pavement, CI C Cl 3, 10"	SY	8,264.000	8,295.090	8,295.090	\$394,016.77
10	HMA Mixture, Commercial Mix (Includes Asphalt Binder), As Per plan	TON	150.000	4.000	4.000	\$800.00
11	Granular Surfacing on Road, Class A Crushed Stone	TON	175.000	920.380	920.380	\$17,027.03
12	Manhole, Sanitary Sewer, SW-301, 48"	EACH	1.000	1.000	1.000	\$3,200.00
13	Manhole, Storm Sewer, SW-401, 48"	EACH	2.000	3.000	3.000	\$11,400.00
14	Manhole, Storm Sewer, SW-401, 60"	EACH	2.000	2.000	2.000	\$10,000.00
15	Intake, SW-505	EACH	12.000	12.000	12.000	\$51,600.00
16	Intake, SW-506	EACH	4.000	4.000	4.000	\$23,000.00
17	Subdrain, Longitudinal, 4 In. Dia.	LF	2,847.000	3,600.000	3,600.000	\$49,500.00
18	Subdrain Outlet, (RF-19C)	EACH	36.000	34.000	34.000	\$5,100.00
19	Intake, Type M-B, 72"	EACH	1.000	0.000		\$0.00
20	Sewer Pipe, Corrugated Metal Storm, 8 In.	LF	35.000	18.000	18.000	\$522.00
21	Remove Storm Sewer Pipe Less Than or Equal to 36 In.	LF	376.000	351.500	351.500	\$4,921.00
22	Sewer Pipe, 2000D Storm, 15 In. Dia.	LF	941.000	984.000	984.000	\$32,964.00
23	Sewer Pipe, 2000D Storm, 18 In. Dia.	LF	148.000	148.000	148.000	\$5,476.00
24	Sewer Pipe, 2000D Storm, 42 In. Dia.	LF	6.000	6.000	6.000	\$810.00
25	Sewer Pipe, Plastic Sanitary, 8 in. Dia.	LF	85.000	103.500	103.500	\$4,140.00
26	Engineering Fabric	SY	9,600.000	9,576.100	9,576.100	\$21,546.22
27	Revetment, Class D	TON	100.000	97.930	97.930	\$4,896.50
28	Removal of Pavement	SY	4,860.000	5,032.660	5,032.660	\$30,195.96
29	Removal of Intakes and Utility Accesses	EACH	10.000	10.000	10.000	\$4,000.00

7B

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
30	Removal of Sidewalk	SY	660.000	660.000		660.000	\$6.00	\$3,960.00
31	Sidewalk, P.C. Concrete, 4 In.	SY	2,100.000	1,688.600		1,688.600	\$26.50	\$44,747.90
32	Sidewalk, P.C. Concrete, 6 In.	SY	65.000	77.040		77.040	\$30.00	\$2,311.20
33	Detectable Warnings for Curb Ramps	SF	96.000	112.000		112.000	\$35.00	\$3,920.00
34	Curb and Gutter, P. C. Concrete, As Per Plan	LF	27.000	28.400		28.400	\$38.00	\$1,079.20
35	Driveway, P.C. Concrete, 7 In.	SY	1,800.000	2,173.930		2,173.930	\$35.00	\$76,087.55
36	Removal of Paved Driveway	SY	1,800.000	1,798.380		1,798.380	\$6.00	\$10,790.28
37	Safety Closure	EACH	10.000	6.000		6.000	\$150.00	\$900.00
38	Fence, Remove & Reinstall Chain Link, As Per Plan	LF	20.000	16.000		16.000	\$35.20	\$563.20
39	Traffic Signalization Interconnect	LS	1.000	1.000		1.000	\$14,068.00	\$14,068.00
40	Painted Pavement Marking, Waterborne/Solvent	STA	110.000	88.170		88.170	\$42.50	\$3,747.23
41	Painted Symbols and Legends, Waterborne/Solvent	EACH	10.000	16.000		16.000	\$100.00	\$1,600.00
42	Traffic Control	LS	1.000	1.000		1.000	\$8,796.00	\$8,796.00
43	Mobilization	LS	1.000	1.000		1.000	\$40,000.00	\$40,000.00
44	Fire Hydrant Assembly	EACH	6.000	6.000		6.000	\$3,400.00	\$20,400.00
45	RMVL of Fire Hydrant	EACH	4.000	3.000		3.000	\$500.00	\$1,500.00
46	Water Main, 8" Dia. PVC	LF	100.000	168.600		168.600	\$20.00	\$3,372.00
47	Water Main, 12" Dia. PVC	LF	1,902.000	1,641.500		1,641.500	\$29.00	\$47,603.50
48	Water Main Fittings	LB	1,226.000	1,284.000		1,284.000	\$6.00	\$7,704.00
49	Water Valve, Gate Mechanical Joint 8"	EACH	3.000	3.000		3.000	\$950.00	\$2,850.00
50	Water Valve, Gate Mechanical Joint 12"	EACH	3.000	3.000		3.000	\$1,400.00	\$4,200.00
51	1" Water Service Line with New Stop Box, Opposite Side	EACH	12.000	21.000		21.000	\$1,500.00	\$31,500.00
52	1" Water Service Line with New Stop Box, Same Side	EACH	11.000	2.000		2.000	\$850.00	\$1,700.00
53	1" Water Service Line with New Stop Box & Meter Pit, Opposite Side	EACH	2.000	0.000		0.000	\$3,500.00	\$0.00
54	2" Water Service Line with New Stop Box, Opposite Side	EACH	4.000	1.000		1.000	\$2,200.00	\$2,200.00
55	2" Water Service Line with New Stop Box, Same Side	EACH	1.000	5.000		5.000	\$1,000.00	\$5,000.00
56	6" & 2" Water Service Line with New Valves, Same Side @ Sta. 94+22	EACH	1.000	1.000		1.000	\$3,750.00	\$3,750.00
57	Chimney Seal	EACH	10.000	10.000		10.000	\$750.00	\$7,500.00
58	Connection to Existing Box Culvert	EACH	1.000	1.000		1.000	\$3,000.00	\$3,000.00
59	Major Utility Access Adjustment	EACH	2.000	4.000		4.000	\$1,500.00	\$6,000.00
60	Type A Casting	EACH	5.000	5.000		5.000	\$250.00	\$1,250.00
61	Type B Casting	EACH	5.000	5.000		5.000	\$450.00	\$2,250.00
62	Type F Casting	EACH	3.000	2.000		2.000	\$600.00	\$1,200.00
63	Water Service Cut at Main (3/4")	LF	15.000	12.000		12.000	\$750.00	\$0.00
64	Utility Access Drop Connection, 8" Dia.	TON	75.000	0.000		0.000	\$400.00	\$4,800.00
65	Foundation Rock	ACRE	1.000	0.000		0.000	\$50.00	\$0.00
66	Mulching	ACRE	1.000	0.000		0.000	\$700.00	\$0.00
67	Sodding	SQ	1,200.000	845.080		845.080	\$24.90	\$21,042.49

7B

LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT	
			ESTIMATED	AUTHORIZED				
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$1,378,343.39					
	PARTIAL PAYMENT NO. 1		\$3,880.00					
	PARTIAL PAYMENT NO. 2		\$88,699.22					
	PARTIAL PAYMENT NO. 3		\$32,432.10					
	PARTIAL PAYMENT NO. 4		\$55,309.07					
	PARTIAL PAYMENT NO. 5		\$282,721.35					
	PARTIAL PAYMENT NO. 6		\$243,156.57					
	PARTIAL PAYMENT NO. 7		\$144,143.65					
	PARTIAL PAYMENT NO. 8		\$269,975.36					
	PARTIAL PAYMENT NO. 9		\$154,760.94					
	PARTIAL PAYMENT NO. 10		\$8,579.73					
	PARTIAL PAYMENT NO. 11		\$61,512.03					
	THIS PARTIAL PAYMENT		\$3,173.37					
	TOTAL PARTIAL PAYMENTS		\$1,348,343.39					
	BALANCE		\$30,000.00					
							TOTAL	\$1,378,343.39
							RETAINAGE	\$30,000.00
							TOTAL LESS RETAINAGE	\$1,348,343.39
							LESS PREVIOUS PAYMENT	\$1,345,170.02
							AMOUNT DUE	\$3,173.37

FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

PREPARED BY: *Robert Janning*

CHECKED BY: *[Signature]*

CONTRACTOR: *[Signature]*