



DATE April 22, 2013

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SOUTHEAST CONNECTOR PAVING - SE 4TH STREET TO SE 9TH STREET, ELDER CORPORATION

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 Southeast Connector Paving - SE 4th Street to SE 9th Street, 06-2009-001, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 09-422, of March 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 \$3,640,798.03 is the total construction cost of which \$3,610,797.99 has been paid to the Contractor, with a final partial payment of \$0.04 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:

FUNDS AVAILABLE

[Signature]
Kathleen Vanderpool
Deputy City Attorney

[Signature]
Scott E. Sanders
Des Moines Finance Director

Funding Source: 2013-2014 CIP, Page Street - 35, Southeast Connector - S.E. Sixth Street to S.E. 14th, STR219, Being: \$585,082.05 in Federal IA116 Funds for 80% eligible construction (maximum \$731,352.56) with \$195,580.60 in Des Moines Tax Increment Bonds for 20% Local match on Division 1 work from SE 4th - SE 6th Streets funded under STR214, Page Street - 34; \$1,994,382.80 in Federal Transportation, Community, and System Preservation (TCSP) Program Funds for 80% eligible construction (maximum \$2,637,383.71) with \$498,595.70 in Des Moines Tax Increment Bonds for the 20% Local match on Division 2 work from SE 6th - SE 9th Streets funded under STR219, Page Street - 35; and \$367,156.88 from Des Moines Water Works for Division 3 water main construction not Federal eligible.

[Handwritten initials]



Roll Call Number

Agenda Item Number

10

DATE April 22, 2013

NHSX-U-1945(406)--8S-77

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

MOTION CARRIED

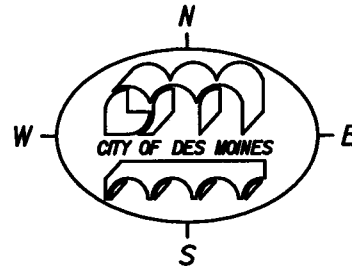
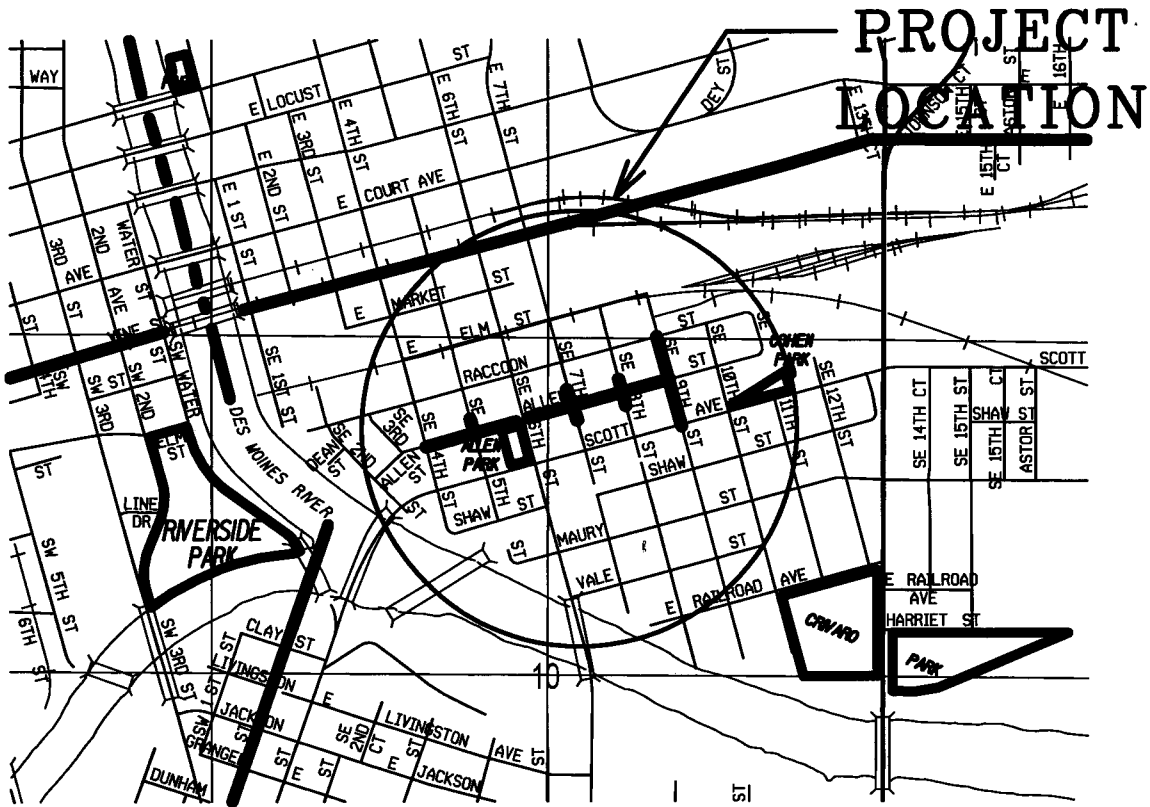
APPROVED

Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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



**SOUTHEAST CONNECTOR PAVING
 SE 4TH STREET TO SE 9TH STREET
 IDOT PROJECT NO.
 NHSX-U-1945(406)--8S-77
 CITY ACTIVITY ID 06-2009-001**

PROJECT SUMMARY

Southeast Connector Paving - SE 4th Street to SE 9th Street

Activity ID 06-2009-001

On March 9, 2009, under Roll Call No. 09-422, the Council awarded the contract for the above improvements to Elder Corporation, in the amount of \$3,356,000.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	Consultant	6/5/2009 This change order includes: Adding an electrical transformer pad, abandonment of two septic tanks, sealing and abandonment of a well, and the removal and relocation of an existing chain link fence.	\$11,365.90
2	Contractor	8/28/2009 This change order includes: Adding the removal and disposal of obstructions, removal and disposal of a security light and pole, temporary water service, and filling abandoned utility pipes with flowable mortar.	\$24,803.54
3	Contractor	10/8/2009 Add storm sewer at SE 5th, disposal of obstructions, extra traffic control	\$22,986.94
4	Contractor	10/12/2009 Install traffic signal pole foundations and the light pole foundations using a casing pipe and also removing and relaying a section of water main.	\$22,750.00
5	Consultant	2/23/2010 Deleting PCC Subslab and PCC Brick Pavers as well as adding Class 10 Roadway & Borrow, Crosswalk Banding, Brush Clearing, Abandon Coal Chute, and Pier Removal.	\$13,120.72
6	Engineering	6/18/2010 Adding to this contract; Brush and Fence Clearing, and Wood Cellulose Mulch.	\$19,742.50
7	Consultant	7/1/2010 Adding to this contract; Sodding, Yard Drainage Improvements, and the Removal and Replacement of a Street Light Pole Foundation.	\$9,735.65

8	Engineering	11/24/2010 Adding to this contract: Clearing and Grubbing, Seeding and Fertilization, Curb and Gutter, Increase rate of seed application, and a Beehive Intake Grate.	\$21,968.86
9	Engineering	1/31/2011 Additional 8 inch PCC Pavement, 6 inch PCC Driveway, and Seeding & Fertilizing.	\$24,628.00
10	Contractor	11/17/2011 Add 10" PCC Thickness Incentive, Smoothness Incentive, and Delete Irrigation Bypass Piping.	\$24,020.38
11	Contractor	11/23/2011 Add PCC Thickness Incentive, Mulch Planting Beds, and Update Plan Quantities to As-built Measurements.	\$21,785.00
12	City	9/21/2012 Adjust contract quantities for additional 36" and 48" storm sewer.	\$24,909.12
13	City	10/5/2012 Adjust contract quantities to match final as-built quantities.	\$24,348.94
14	City	1/10/2013 PCC Thickness Incentive added to contract, per IDOT Standard Specification 2301.	\$18,632.48
Original Contract Amount			\$3,356,000.00
Total Change Orders			\$284,798.03
Percent of Change Orders to Original Contract			8.49%
Total Contract Amount			\$3,640,798.03

April 22, 2013



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Southeast Connector Paving - SE 4th Street to SE 9th Street, Elder Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$3,640,798.03 As-Built Contract Cost

Funding Source: 2013-2014 CIP, Page Street - 35, Southeast Connector - S.E. Sixth Street to S.E. 14th, STR219, Being: \$585,082.05 in Federal IA116 Funds for 80% eligible construction (maximum \$731,352.56) with \$195,580.60 in Des Moines Tax Increment Bonds for 20% Local match on Division 1 work from SE 4th - SE 6th Streets funded under STR214, Page Street - 34; \$1,994,382.80 in Federal Transportation, Community, and System Preservation (TCSP) Program Funds for 80% eligible construction (maximum \$2,637,383.71) with \$498,595.70 in Des Moines Tax Increment Bonds for the 20% Local match on Division 2 work from SE 6th - SE 9th Streets funded under STR219, Page Street - 35; and \$367,156.88 from Des Moines Water Works for Division 3 water main construction not Federal eligible.

CERTIFICATION OF COMPLETION:

On March 9, 2009, under Roll Call No. 09-422, the City Council awarded a contract to Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 for the construction of the following improvement:

Southeast Connector Paving - SE 4th Street to SE 9th Street, 06-2009-001

The improvements includes construction of a Portland Cement Concrete Pavement 10 inches thick on the Southeast Connector and 8 inches thick on SE 5th, SE 7th, SE 8th, and SE 9th Streets with various width pavements and medians; together with the necessary removals, earthwork, clearing , grubbing, erosion control, sidewalks, driveways, recreational trails, pavement subdrains, storm sewers, water mains, traffic controls, traffic signals, street lighting, intersection enhancements, landscaping, and irrigation system; all in accordance with the contract documents including Plan File Nos. 494-001/113 on the Southeast Connector from SE 4th Street to SE 9th Street, Des Moines, Iowa

I hereby certify that the construction of said Southeast Connector Paving - SE 4th Street to SE 9th Street, Activity ID 06-2009-001, 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 April 15, 2009, and was completed on April 10, 2013.

I further certify that \$3,640,798.03 is the total cost of said improvement, of which \$3,610,797.99 has been paid the Contractor and \$0.04 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,000.00 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 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. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink that reads "Jeb E. Brewer" followed by a small circled "PE" to the right.

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