



**Roll Call Number**

**Agenda Item Number**

15

DATE July 14, 2014

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR BOTANICAL CENTER ACCESSIBLE ELEVATOR, THE WEITZ COMPANY, 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 Botanical Center Accessible Elevator, 10-2013-003, in accordance with the contract approved between The Weitz Company, LLC, Leonard Martling, President, CEO, 5901 Thornton Avenue, Des Moines, IA 50321, under Roll Call No. 13-0605, of April 8, 2013, 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 \$361,281.00 is the total cost, of which \$342,209.28 has been paid the Contractor, and \$8,233.29 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$10,838.43 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

*QEB* Funding Source: 2014-2015 CIP, Page Building - 4, ADA Modifications for Municipal Buildings, BL042, G. O. Bonds

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| COLEMAN        |      |      |      |        |
| GATTO          |      |      |      |        |
| GRAY           |      |      |      |        |
| HENSLEY        |      |      |      |        |
| MAHAFFEY       |      |      |      |        |
| 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

## PROJECT SUMMARY

### Botanical Center Accessible Elevator

#### Activity ID 10-2013-003

On April 8, 2013, under Roll Call No. 13-0605, the Council awarded the contract for the above improvements to The Weitz Company, LLC, in the amount of \$331,331.00. Tabulated below is a history of project change orders.

| <b>Change Order No.</b> | <b>Initiated By</b> | <b>Description</b>   | <b>Amount</b> |
|-------------------------|---------------------|--|---------------|
| 1                       | Contractor          | 7/30/2013<br>Add sprinkler in elevator shaft and Restrooms 109 & 110.<br>Modify sump pump routing. Revise existing stairway footing. | \$16,230.00   |
| 2                       | Contractor          | 9/20/2013<br>Modify pond layout and add boulders/cobble from demolition.   | \$6,263.00    |
| 3                       | Contractor          | 11/15/2013<br>Add strobe lights. Add corner guards. Add oil detection system. Add aluminum handrails.                                | \$7,457.00    |
|                         |                     | <b>Original Contract Amount</b>  | \$331,331.00  |
|                         |                     | <b>Total Change Orders</b>   | \$29,950.00   |
|                         |                     | <b>Percent of Change Orders to Original Contract</b>   | 9.04%         |
|                         |                     | <b>Total Contract Amount</b>   | \$361,281.00  |

July 14, 2014



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Botanical Center Accessible Elevator, The Weitz Company, LLC.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$361,281.00 As-Built Contract Cost

Funding Source: 2014-2015 CIP, Page Building - 4, ADA Modifications for Municipal Buildings, BL042, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On April 8, 2013, under Roll Call No. 13-0605, the City Council awarded a contract to The Weitz Company, LLC, Leonard Martling, President, CEO, 5901 Thornton Avenue, Des Moines, IA 50321 for the construction of the following improvement:

Botanical Center Accessible Elevator, 10-2013-003

The improvement includes the construction of a new passenger elevator and modifying the existing stairways that connect the ground level with the balcony overlook level within the dome structure of the Des Moines Botanical Center. Work includes foundation excavation, concrete foundations, concrete flat work, concrete masonry block and stone veneer, structural and shop fabricated steel assemblies, holeless passenger elevator system as well as related mechanical and electrical systems; all work in accordance with the contract documents, including Plan File Nos. 538-139/152, located at 909 Robert D. Ray Drive, Des Moines, Iowa

I hereby certify that the construction of said Botanical Center Accessible Elevator, Activity ID 10-2013-003, 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 9, 2013, and was completed on June 24, 2014.

I further certify that \$361,281.00 is the total cost of said improvement, of which \$342,209.28 has been paid the Contractor and \$8,233.29 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$10,838.43 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

APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER): City of Des Moines, Iowa  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

PROJECT: Botanical Center Accessible Elevator  
 City Contract # 14771

PROJECT: # X203500

ARCHITECT: City of Des Moines  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

FROM (CONTRACTOR): The Weitz Company, LLC  
 5901 Thornton Ave  
 Des Moines, IA 50321

CONTRACT FOR: GENERAL CONSTRUCTION

APPLICATION NO: 4

PERIOD FROM: 9/6/2013

PERIOD TO: 12/5/2013

CONTRACT DATE: 4/8/2013

Distribution to:  
 OWNER  
 ARCHITECT (2)

**FINAL PAYMENT**

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM..... 331,331.00
- 2. Net change by Change Order..... 29,950.00
- 3. CONTRACT SUM TO DATE (Line 1+2)..... 361,281.00
- (Column C on G703)
- 4. TOTAL COMPLETED & STORED TO DATE..... 361,281.00
- (Column G on G703)
- 5. RETAINAGE: **10,838.43**
  - a. 3% of completed work.....
  - (Column D + E on G703)
  - b. 3% of Stored Material.....
  - (Column F on G703) included in above number
- TOTAL RETAINAGE (Line 5a + 5b or Total in Column 1 of G703)..... **10,838.43**
- 6. TOTAL EARNED LESS RETAINAGE..... **350,442.57**
- (Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENTS..... 342,209.28
- 8. CURRENT PAYMENT NOW DUE..... **8,233.29**
- 9. BALANCE TO FINISH, PLUS RETAINAGE..... **10,838.43**
- (Line 3 less Line 6)

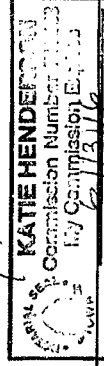
| CHANGE ORDER SUMMARY                               |               | ADDITIONS | DEDUCTIONS |
|--|---------------|-----------|------------|
| Change Orders approved in previous months by Owner |               |           |            |
| TOTAL  |               |           | 29,950.00  |
| Approved this Month                                |               |           |            |
| Number   | Date Approved |           |            |
| CO #1  | 07/30/13      | 16,230.00 |            |
| CO #2  | 07/30/13      | 6,263.00  |            |
| CO #3  | 10/30/13      | 7,457.00  |            |
| TOTALS   |               | 29,950.00 |            |
| Net change by Change Order                         |               |           | 29,950.00  |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: The Weitz Company, LLC  
 By: [Signature]

12/5/2013

State of IOWA  
 subscribed and sworn to before me this December 5, 2013  
 County of: POLK  
 NOTARY PUBLIC: [Signature]  
 My Commission Expires: 12/31/16



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$ **10,833.29**  
 (Attach explanation if certified differs from the amount applied for.)

ARCHITECT: [Signature] City of Des Moines  
 By: [Signature] Date: 12/10/2013

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

| Prj #       |                             | X203500                              |                   | App # : 4           |   | Pd From: 9/6/2013                  |                |          |                  |
|-------------|-----------------------------|--------------------------------------|-------------------|---------------------|---|------------------------------------|----------------|----------|------------------|
| Prj Name    |                             | Botanical Center Accessible Elevator |                   | App Date: 12/5/2013 |   | PD TO: 12/5/2013                   |                |          |                  |
| Contractor: |                             | The Weitz Company, LLC               |                   | Retain: 3.00%       |   |                                    |                |          |                  |
| A           | B                           | C                                    | D                 | E                   |   | F                                  | G              | H        | I                |
|             |                             |                                      |                   | PREVIOUS            | This Period                                 |                                    |                |          |                  |
| Item Number | Description of Work         | Scheduled Value                      | WORK COMPLETED    |                     | MATERIALS PRESENTLY STORED (NOT IN D O R E) | Total Completed And Stored (D+E+F) |                |          |                  |
| 1           | Insurance/Bonds/Permits/Fee | 38,544.00                            | 38,544.00         |                     |   | 38,544.00                          | 100.00%        | -        | 1,156.32         |
| 2           | Demolition                  | 8,136.00                             | 8,136.00          |                     |   | 8,136.00                           | 100.00%        | -        | 244.08           |
| 3           | Elevator Pit                | 21,923.00                            | 21,923.00         |                     |   | 21,923.00                          | 100.00%        | -        | 657.69           |
| 4           | Micropiles                  | 52,345.00                            | 52,345.00         |                     |   | 52,345.00                          | 100.00%        | -        | 1,570.35         |
| 5           | Masonry                     | 50,448.00                            | 50,448.00         |                     |   | 50,448.00                          | 100.00%        | -        | 1,513.44         |
| 6           | Structural Steel            | 44,775.00                            | 44,775.00         |                     |   | 44,775.00                          | 100.00%        | -        | 1,343.25         |
| 7           | SOG/SOD                     | 3,553.00                             | 3,553.00          |                     |   | 3,553.00                           | 100.00%        | -        | 106.59           |
| 8           | Ceiling/Painting            | 9,081.00                             | 9,081.00          |                     |   | 9,081.00                           | 100.00%        | -        | 272.43           |
| 9           | MEP                         | 30,210.00                            | 30,210.00         |                     |   | 30,210.00                          | 100.00%        | -        | 906.30           |
| 10          | Elevator                    | 67,000.00                            | 67,000.00         |                     |   | 67,000.00                          | 100.00%        | -        | 2,010.00         |
| 11          | Landscaping                 | 5,316.00                             | 5,316.00          |                     |   | 5,316.00                           | 100.00%        | -        | 159.48           |
| 12          | CO #1                       | 16,230.00                            | 16,230.00         |                     |   | 16,230.00                          | 100.00%        | -        | 486.90           |
| 13          | CO #2                       | 6,263.00                             | 5,232.07          | 1,030.93            |   | 6,263.00                           | 100.00%        | -        | 187.89           |
| 14          | CO #3                       | 7,457.00                             | 7,457.00          | 7,457.00            |   | 7,457.00                           | 100.00%        | -        | 223.71           |
|             | <b>TOTAL</b>                | <b>361,281.00</b>                    | <b>352,793.07</b> | <b>8,487.93</b>     |   | <b>361,281.00</b>                  | <b>100.00%</b> | <b>-</b> | <b>10,838.43</b> |

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