

★ **Roll Call Number**

**Agenda Item Number**

7

DATE November 17, 2014

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR DES MOINES RIVER REGIONAL TRAIL - PHASE 1, ELDER CORPORATION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines Interim City Engineer, showing the cost of the construction of the Des Moines River Regional Trail - Phase 1, 11-2009-012, 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. 12-0244, of February 13, 2012, 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 \$1,592,390.72 is the total cost, of which \$1,562,390.72 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 \$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.

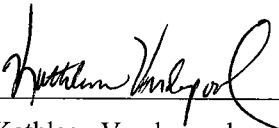
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents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

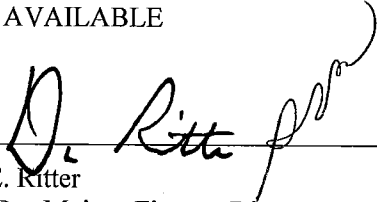
BE IT FURTHER RESOLVED: That the Interim Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

  
\_\_\_\_\_  
Daniel E. Ritter  
Interim Des Moines Finance Director

Funding Source: 2014-2015 CIP, Page Parks - 9, Multi-Use Trails, PK045, Being: \$426,526 maximum in Federal funds from Iowa Clean Air Attainment Program (ICAAP) for 80% eligible construction costs only under IDOT Project No. STP-A-1945(773)--86-77; \$73,474 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2010-SRT-004; \$300,000 Iowa DNR REAP Grant, Agreement 08-R4-QV; \$163,400 from 165 individual, business, and foundation pledges; \$25,000 Polk County Community Development Grant award; and the remaining \$603,990.72 from Multi-Use Trails, PK045, G.O. Bonds

08-R4-QV, RECAT, SRT-1945(761)--9H-77, STP-A-1945(773)--86-77

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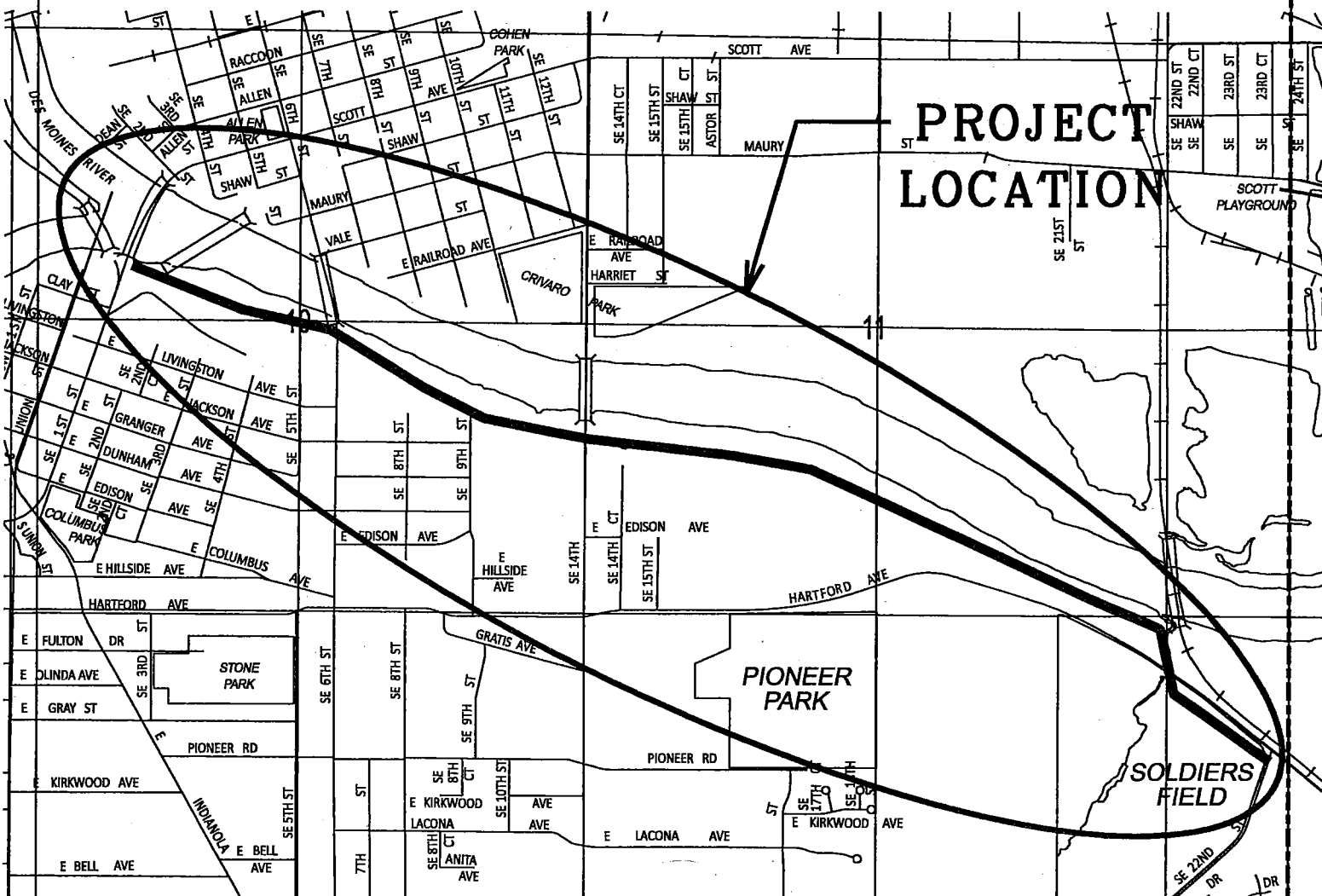
COUNCIL ACTION	YEAS	NAYS	Pass	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____				Mayor

**CERTIFICATE**

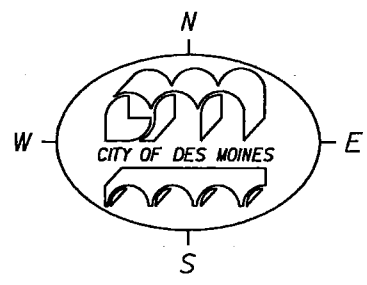
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

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



**PROJECT  
LOCATION**



DES MOINES RIVER  
 REGIONAL TRAIL - PHASE 1  
 IDOT PROJECT NO. STP-A-1945(773)--86-77  
 CITY ACTIVITY ID 11-2009-012

sf1e-dates

## PROJECT SUMMARY

### Des Moines River Regional Trail - Phase 1

#### Activity ID 11-2009-012

On February 13, 2012, under Roll Call No. 12-0244, the Council awarded the contract for the above improvements to Elder Corporation, in the amount of \$1,364,999.99. 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	Consultant	3/30/2012 Additional clearing and grubbing to construction limits and corresponding completion date change to November 21, 2012.	\$5,040.00
2	Consultant	4/23/2012 Additional clearing and grubbing to construction limits.	\$3,280.00
3	Engineering	8/13/2012 DM-III levee raise will not occur with this project, therefore a reduced levee pavement section will be constructed. Completion provision change.	\$(34,152.00)
4	Contractor	9/27/2012 Pavement section correction due to adverse subgrade conditions.	\$24,350.00
5	Contractor	10/15/2012 HMA patching due to adverse subgrade conditions.	\$24,021.20
6	Contractor	10/26/2012 HMA paving with reduced loads.	\$7,549.00
7	Contractor	5/29/2013 Add fly ash for subgrade stabilization, additional rubble disposal, increase height of outlet structure wall, and add chain link fence.	\$18,046.23
8	Contractor	6/6/2013 Add subdrain to dewater ground adjacent to trail and steep slope.	\$17,301.20
9	Engineering	7/19/2013 Adjust contract quantities to match as-constructed quantities.	\$24,603.48

10	City	11/5/2013 Replace HMA pavement at various locations.	\$24,696.00
11	City	11/21/2013 Flood repair and trail crack sealing.	\$18,250.77
12	City	11/18/2013 Place Jackson Basin retaining wall to raise levee height per Corps approval.	\$60,424.00
13	Contractor	3/18/2014 Adjust plan quantities to as-constructed quantities.	\$24,080.00
14	Engineering	8/4/2014 Adjust contract quantities to match as-constructed quantities.	\$9,900.85
<b>Original Contract Amount</b>			\$1,364,999.99
<b>Total Change Orders</b>			\$227,390.73
<b>Percent of Change Orders to Original Contract</b>			16.66%
<b>Total Contract Amount</b>			\$1,592,390.72

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November 17, 2014

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Des Moines River Regional Trail - Phase 1, 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: \$1,592,390.72 As-Built Contract Cost

Funding Source: 2014-2015 CIP, Page Parks - 9, Multi-Use Trails, PK045, Being: \$426,526 maximum in Federal funds from Iowa Clean Air Attainment Program (ICAAP) for 80% eligible construction costs only under IDOT Project No. STP-A-1945(773)--86-77; \$73,474 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2010-SRT-004; \$300,000 Iowa DNR REAP Grant, Agreement 08-R4-QV; \$163,400 from 165 individual, business, and foundation pledges; \$25,000 Polk County Community Development Grant award; and the remaining \$603,990.72 from Multi-Use Trails, PK045, G.O. Bonds

**CERTIFICATION OF COMPLETION:**

On February 13, 2012, under Roll Call No. 12-0244, 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:

Des Moines River Regional Trail - Phase 1, 11-2009-012

The improvement includes construction of a 5 inch and 6 inch HMA Recreational Trail, including construction survey, removals, clearing, grubbing, earthwork, modified subbase, revetment, erosion control, reinforcing steel, structural concrete, storm sewer, retaining wall, sidewalk, driveway, PCC curb, street patches, safety closures, traffic control, painted pavement markings, railroad trestle rehabilitation, pedestrian hand rail, chain link fence and gate, under deck lighting, signs, bollards, benches, and restoration; all in accordance with the contract documents, including Plan File Nos. 536-001/193 on the Des Moines River Regional Trail - Phase 1, running south of and adjacent to the Des Moines River from SE 1st Street to SE 22nd Street, Des Moines, Iowa

I hereby certify that the construction of said Des Moines River Regional Trail - Phase 1, Activity ID 11-2009-012, 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 March 12, 2012, and was completed on November 6, 2014.

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I further certify that \$1,592,390.72 is the total cost of said improvement, of which \$1,562,390.72 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 \$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. The amount of completed work is shown on the attached Estimate of Construction Completed.

*Pamela S Cooksey RD*

Pamela S. Cooksey, P.E.  
Des Moines Interim City Engineer

ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA



**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 8/9/13 to 8/21/14  
**FINAL PAYMENT NO. 14**

**CITY OF DES MOINES**

**PROJECT: DES MOINES RIVER REGIONAL TRAIL - PHASE 1**

**CONTRACTOR: ELDER CORPORATION**

**Activity ID: 11-2009-012**

**Date: 8/22/2014**

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
0010	CLEARING AND GRUBBING	ACRE	2.300	4.510	4.510	\$8,000.00	\$36,080.00
0020	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	19,015.400	19,945.400	19,945.400	\$8.75	\$174,522.25
0030	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	5,000.000	5,000.000	5,000.000	\$6.20	\$31,000.00
0040	MODIFIED SUBBASE	CY	2,268.200	2,268.200	2,268.200	\$46.50	\$105,471.30
0050	SHOULDER FINISHING, EARTH	STA	286.700	286.700	286.700	\$117.00	\$33,543.90
0060	PATCHES, FULL-DEPTH REPAIR	SY	34.700	6.400	6.400	\$270.00	\$1,728.00
0070	PATCHES BY COUNT (REPAIR)	EACH	3.000	2.000	2.000	\$163.00	\$326.00
0080	REMOVAL OF CURB	STA	0.400	0.640	0.640	\$4,700.00	\$3,008.00
0090	REMOVAL OF EXISTING STRUCTURES	LS	1.000	1.000	1.000	\$5,300.00	\$5,300.00
0100	REMOVAL OF CONCRETE	SY	109.700	136.600	136.600	\$25.50	\$3,483.30
0110	EXCAVATION, CLASS 20, FOR ROADWAY PIPE CULVERT	CY	1,191.000	1,191.000	1,191.000	\$6.50	\$7,741.50
0120	STRUCTURAL CONCRETE (MISCELLANEOUS)	CY	23.300	34.000	34.000	\$940.00	\$31,960.00
0130	REINFORCING STEEL	LB	260.000	321.500	321.500	\$4.10	\$1,318.15
0140	MISCELLANEOUS HARDWARE	LB	993.000	993.000	993.000	\$6.65	\$6,603.45
0150	TREATED TIMBER AND LUMBER	MFBM	5.200	6.800	6.800	\$5,600.00	\$38,080.00
0160	STEEL PIPE PEDESTRIAN HAND RAILING	LF	249.000	247.000	247.000	\$79.50	\$19,636.50
0170	APRONS, CONCRETE, 15 IN. DIA.	EACH	12.000	12.000	12.000	\$1,300.00	\$15,600.00
0180	APRONS, CONCRETE, 18 IN. DIA.	EACH	4.000	4.000	4.000	\$1,500.00	\$6,000.00
0190	APRONS, CONCRETE, 24 IN. DIA.	EACH	1.000	1.000	1.000	\$1,800.00	\$1,800.00
0200	APRONS, CONCRETE, 42 IN. DIA.	EACH	2.000	2.000	2.000	\$3,500.00	\$7,000.00
0210	CULVERT, 2000D CONCRETE ENTRANCE PIPE, 15 IN. DIA.	LF	128.000	139.000	139.000	\$43.00	\$5,977.00
0220	CULVERT, 2000D CONCRETE ENTRANCE PIPE, 18 IN. DIA.	LF	50.000	50.000	50.000	\$48.00	\$2,400.00
0230	CULVERT, 2000D CONCRETE ENTRANCE PIPE, 24 IN. DIA.	LF	125.000	125.000	125.000	\$61.00	\$7,625.00
0240	CULVERT, 2000D CONCRETE ENTRANCE PIPE, 42 IN. DIA.	LF	55.000	55.000	55.000	\$113.00	\$6,215.00
0250	SEGMENTAL BLOCK RETAINING WALL	SF	1,245.600	1,245.600	1,245.600	\$41.00	\$51,069.60
0260	REMOVE STORM SEWER LESS THAN OR EQUAL TO 36 IN. DIA.	LF	20.000	20.000	20.000	\$23.00	\$460.00
0270	FLOWABLE MORTAR	CY	1.400	7.000	7.000	\$360.00	\$2,520.00
0280	ENGINEERING FABRIC	SY	836.000	785.000	785.000	\$1.95	\$1,530.75
0290	REVTMENT, CLASS E	TON	480.000	508.170	508.170	\$44.00	\$22,359.48

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LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
0300	REVTMENT, REMOVE AND REPLACE	CY	111.100	0.000	0.000	\$15.50	\$0.00
0310	EROSION STONE	TON	48.000	0.000	0.000	\$36.00	\$0.00
0320	RECREATIONAL TRAIL, HOT MIX ASPHALT, 5 IN.	SY	11,062.100	7,853.100	7,853.100	\$28.00	\$219,886.80
0330	RECREATIONAL TRAIL, HOT MIX ASPHALT, 6 IN.	SY	5,035.000	0.000	0.000	\$34.00	\$0.00
0340	SPECIAL COMPACTION OF SUBGRADE FOR RECREATIONAL TRAIL	STA	148.300	148.300	148.300	\$77.50	\$11,493.25
0350	REMOVAL OF SIDEWALK	SY	110.400	216.700	216.700	\$10.15	\$2,199.51
0360	SIDEWALK, P.C. CONCRETE, 6 IN.	SY	144.000	274.300	274.300	\$51.00	\$13,989.30
0370	DETECTABLE WARNINGS	SF	106.000	112.000	112.000	\$35.50	\$3,976.00
0380	CURB AND GUTTER, P.C. CONCRETE, 2.5 FT.	LF	183.700	187.500	187.500	\$30.50	\$5,718.75
0390	CURB , SPECIAL, AS PER PLAN	LF	52.000	52.500	52.500	\$25.50	\$1,338.75
0400	CURB, DOWELLED P.C. CONCRETE, AS PER PLAN	LF	8.000	0.000	0.000	\$20.50	\$0.00
0410	DRIVEWAY, P.C. CONCRETE, 7 IN.	SY	10.100	20.500	20.500	\$51.00	\$1,045.50
0420	REMOVAL OF PAVED DRIVEWAY	SY	8.000	8.000	8.000	\$74.50	\$596.00
0430	SAFETY CLOSURE	EACH	3.000	3.000	3.000	\$153.00	\$459.00
0440	FENCE, CHAIN LINK, VINYL COATED	LF	96.500	96.500	96.500	\$35.00	\$3,377.50
0450	FENCE, CHAIN LINK, 72 IN. HEIGHT	LF	291.000	293.000	293.000	\$17.25	\$5,054.25
0460	FENCE, CHAIN LINK, 96 IN. HEIGHT	LF	41.000	25.000	25.000	\$60.00	\$1,500.00
0470	GATE ASSEMBLY, CHAIN LINK, 16'	EACH	1.000	1.000	1.000	\$1,400.00	\$1,400.00
0480	REMOVAL OF FENCE, CHAIN LINK	LF	49.000	25.000	25.000	\$7.65	\$191.25
0490	POSTS, STEEL, AS PER PLAN	EACH	23.000	16.000	16.000	\$153.00	\$2,448.00
0500	TYPE A SIGNS, SHEET ALUMINUM	SF	105.400	103.200	103.200	\$20.50	\$2,115.60
0510	CONSTRUCTION SURVEY	LS	1.000	1.000	1.000	\$20,000.00	\$20,000.00
0520	PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED	STA	14.500	4.800	4.800	\$76.50	\$367.20
0530	PAINTED SYMBOLS AND LEGENDS, WATERBORNE OR SOLVENT-BASED	EACH	11.000	8.000	8.000	\$102.00	\$816.00
0540	PAVEMENT MARKINGS REMOVED	STA	1.400	1.400	1.400	\$219.50	\$307.30
0550	SYMBOLS AND LEGENDS REMOVED	EACH	1.000	1.000	1.000	\$102.00	\$102.00
0560	TRAFFIC CONTROL	LS	1.000	1.000	1.000	\$6,600.00	\$6,600.00
0570	FLAGGERS	EACH	15.000	0.000	0.000	\$315.00	\$0.00
0580	MOBILIZATION	LS	1.000	1.000	1.000	\$47,537.73	\$47,537.73
0590	REMOVAL OF RAILROAD TRACK	TLF	264.000	100.000	100.000	\$17.50	\$1,750.00
0600	AREA DRAIN	EACH	1.000	1.000	1.000	\$4,100.00	\$4,100.00
0610	DIRECTIONAL STANDARD SIGN	EACH	5.000	5.000	5.000	\$7,500.00	\$37,500.00
0620	FLEXIBLE BOLLARD	EACH	2.000	8.000	8.000	\$420.00	\$3,360.00
0630	ORNAMENTAL BENCH	EACH	12.000	2.000	2.000	\$1,300.00	\$2,600.00
0640	ORNAMENTAL BOLLARD	EACH	12.000	12.000	12.000	\$1,500.00	\$18,000.00
0650	TRAIL MARKER	EACH	2.000	2.000	2.000	\$6,200.00	\$12,400.00
0660	SE 14TH STREET UNDER DECK LIGHTING	LS	1.000	1.000	1.000	\$4,900.00	\$4,900.00
0670	SE 6TH STREET UNDER DECK LIGHTING	LS	1.000	1.000	1.000	\$4,900.00	\$4,900.00



LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
	PARTIAL PAYMENT NO. 7		\$244,403.06				
	PARTIAL PAYMENT NO. 8		\$84,115.15				
	PARTIAL PAYMENT NO. 9		\$131,541.43				
	PARTIAL PAYMENT NO. 10		\$17,392.51				
	PARTIAL PAYMENT NO. 11		\$15,422.25				
	PARTIAL PAYMENT NO. 12		\$86,087.67				
	PARTIAL PAYMENT NO. 13		\$44,392.57				
	FINAL PAYMENT NO. 14		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$1,562,390.72				
	BALANCE		\$30,000.00				

TOTAL	\$1,592,390.72
RETAINAGE	\$30,000.00
TOTAL LESS RETAINAGE	\$1,562,390.72
LESS PREVIOUS PAYMENT	\$1,562,390.72
<b>AMOUNT DUE</b>	<b>\$0.00</b>

PREPARED BY: *S.M. Od*

CHECKED BY: *Wayne Wanka*

Contractor: *[Signature]*

FINAL PAYMENT NO. 14

Funding Source Breakdown

Participating Bid Items  
City of Des Moines Non-Participating Bid Items

Class	Total	Retainage	Funding Allocation
L40R	\$1,450,159.650	\$27,321.00	\$1,422,838.650
	\$142,231.070	\$2,679.00	\$139,552.070
Total	\$1,592,390.720	\$30,000.00	\$1,562,390.720

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