



**Roll Call Number**

**Agenda Item Number**

13

DATE October 24, 2016

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2015 ADA SIDEWALK RAMP PROGRAM - CONTRACT 3, KINGSTON SERVICES, 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 2015 ADA Sidewalk Ramp Program - Contract 3, 09-2015-007, in accordance with the contract approved between Kingston Services, LLC, Dan Hutton, President, 1501 Ohio Street, Des Moines, IA 50314, under Roll Call No. 15-1197, of July 13, 2015, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

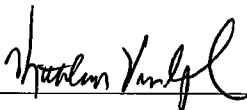
BE IT FURTHER RESOLVED: That \$430,904.10 is the total cost, of which \$417,976.98 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,927.12 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

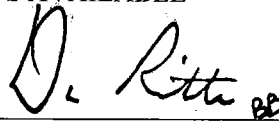
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE

  
Kathleen Vanderpool  
Deputy City Attorney

  
Daniel E. Ritter  
Des Moines Finance Director

*AC* Funding Source: 2016-2017 CIP, Page Street - 31, Sidewalks - ADA Compliance, SW095, G. O. Bonds

| COUNCIL ACTION | YEAS | NAYS | Pass |  |
|----------------|------|------|------|--|
| COWNIE         |      |      |      |  |
| COLEMAN        |      |      |      |  |
| GATTO          |      |      |      |  |
| GRAY           |      |      |      |  |
| HENSLEY        |      |      |      |  |
| MOORE          |      |      |      |  |
| WESTERGAARD    |      |      |      |  |
| TOTAL          |      |      |      |  |

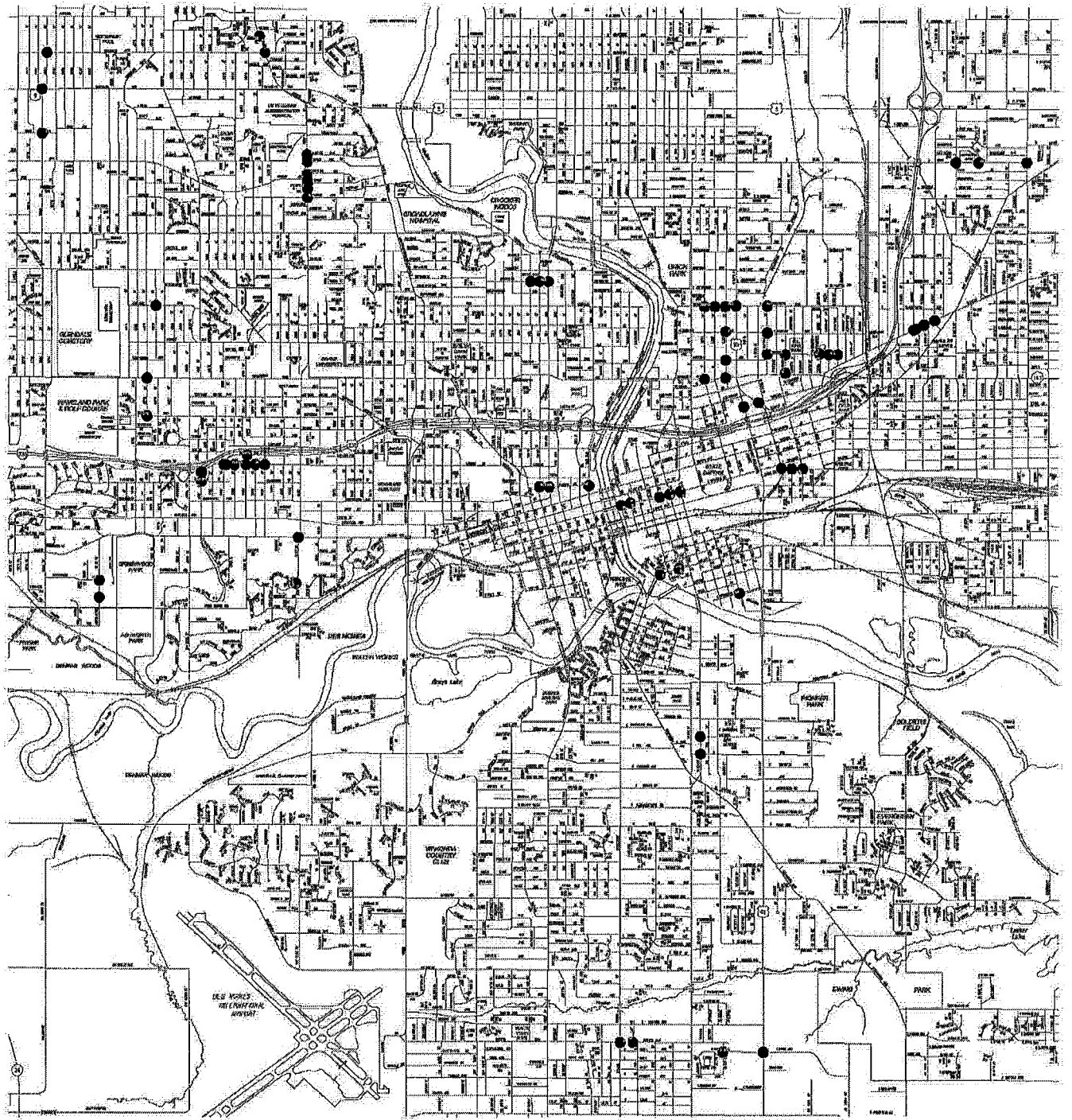
**CERTIFICATE**

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.

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

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



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**Legend**

● Project Location





## PROJECT SUMMARY

2015 ADA Sidewalk Ramp Program - Contract 3

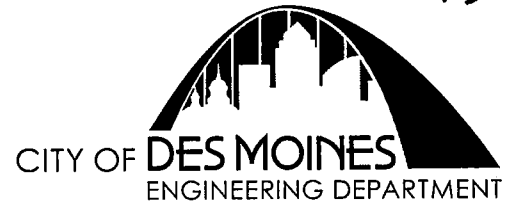
Activity ID 09-2015-007

On July 13, 2015, under Roll Call No. 15-1197, the Council awarded the contract for the above improvements to Kingston Services, LLC, in the amount of \$429,670.00. 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                       | Engineering         | 7/12/2016<br>Adjust final quantities to as-built amounts. | \$1,234.10    |
|                         |                     | <b>Original Contract Amount</b>                           | \$429,670.00  |
|                         |                     | <b>Total Change Orders</b>                                | \$1,234.10    |
|                         |                     | <b>Percent of Change Orders to Original Contract</b>      | 0.29%         |
|                         |                     | <b>Total Contract Amount</b>                              | \$430,904.10  |

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October 24, 2016



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2015 ADA Sidewalk Ramp Program - Contract 3, Kingston Services, LLC.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$430,904.10 As-Built Contract Cost

Funding Source: 2016-2017 CIP, Page Street – 31, Sidewalks - ADA Compliance, SW095, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On July 13, 2015, under Roll Call No. 15-1197, the City Council awarded a contract to Kingston Services, LLC, Dan Hutton, President, 1501 Ohio Street, Des Moines, IA 50314 for the construction of the following improvement:

2015 ADA Sidewalk Ramp Program - Contract 3, 09-2015-007

The improvement includes construction of sidewalk ramps with Portland Cement Concrete sidewalk four (4) inches, six (6) inches or eight (8) inches thick, together with all necessary appurtenances; in accordance with the contract documents, at various locations determined by the "Americans with Disabilities Act, City of Des Moines, Iowa, Transition Plan" throughout the City of Des Moines, Iowa

I hereby certify that the construction of said 2015 ADA Sidewalk Ramp Program - Contract 3, Activity ID 09-2015-007, 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 14, 2016, and was completed on October 3, 2016.

I further certify that \$430,904.10 is the total cost of said improvement, of which \$417,976.98 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 \$12,927.12 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.

A handwritten signature in black ink that reads "Pamela S. Cooksey" followed by a small "ps" monogram.

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

**Estimate of Construction Completed**  
 For work done from 7/08/2016 to 9/30/2016  
 Partial Payment No. 6 (FINAL)



**Project: 2015 ADA Sidewalk Ramp Program - Contract 3**  
**Contractor: Kingston Services, LLC**

**Activity ID: 09-2015-007**  
**Date: 9/30/2016**

| LINE NO.                                 | DESCRIPTION   | UNIT | UNITS        |            |                     | UNIT PRICE | TOTAL AMOUNT |
|--|---|------|--------------|------------|---------------------|------------|--------------|
|  |   |      | ESTIMATED    | AUTHORIZED | CONSTRUCTED TO DATE |            |              |
| 1  | Sidewalk, 5" Class 'A', Remove and Replace                          | SY   | 120.00       | 10.30      | 10.30               | \$84.00    | \$865.20     |
| 2  | Sidewalk, 4" Class 'B', Remove and Replace                          | SY   | 1,050.00     | 1,316.50   | 1,316.50            | \$84.00    | \$110,586.00 |
| 3  | Sidewalk, Through Driveways, 6" PCC, Remove and Replace             | SY   | 20.00        | 14.80      | 14.80               | \$42.00    | \$621.60     |
| 4  | Sidewalk, ADA Compliant Ramp, 6" PCC, Remove and Replace            | SY   | 1,700.00     | 1,792.70   | 1,792.70            | \$106.00   | \$190,026.20 |
| 5  | Detectable Warnings - Cast Iron                                     | SF   | 2,100.00     | 1,842.00   | 1,842.00            | \$33.00    | \$60,786.00  |
| 6  | Remove & Replace Curb   | LF   | 700.00       | 847.90     | 847.90              | \$42.00    | \$35,611.80  |
| 7  | Saw Concrete - Full Depth   | LF   | 4,000.00     | 4,536.60   | 4,536.60            | \$7.50     | \$34,024.50  |
| 8  | Saw Curb - Horizontal   | LF   | 15.00        | 0.00       | 0.00                | \$22.00    | \$0.00       |
| 9  | Driveway, Removal   | SY   | 20.00        | 49.20      | 49.20               | \$9.00     | \$442.80     |
| 10                                       | Driveway, 6" PCC  | SY   | 10.00        | 17.50      | 17.50               | \$36.00    | \$630.00     |
| 11                                       | Tree Root Grinding  | EA   | 20.00        | 2.00       | 2.00                | \$125.00   | \$250.00     |
| 12                                       | Sod, Nursery in Place   | SQ   | 20.00        | 0.00       | 0.00                | \$54.00    | \$0.00       |
| 13                                       | Hydraulic Seeding   | SQ   | 100.00       | 0.00       | 0.00                | \$44.00    | \$0.00       |
| 14                                       | Modular Wall  | SF   | 200.00       | 60.00      | 60.00               | \$36.00    | \$2,160.00   |
| 15                                       | New Stop Box Housing  | EA   | 2.00         | 0.00       | 0.00                | \$250.00   | \$0.00       |
| 16                                       | New Stop Box Rod  | EA   | 2.00         | 0.00       | 0.00                | \$250.00   | \$0.00       |
| 17                                       | Major Handhole Adjustment, Type I Precast Concrete Handhole         | EA   | 2.00         | 0.00       | 0.00                | \$500.00   | \$0.00       |
| 18                                       | Major Handhole Adjustment, Type II or III Polymer Concrete Handhole | EA   | 2.00         | 0.00       | 0.00                | \$500.00   | \$0.00       |
| 19                                       | Loop Detector, Replacement, 6'x8'                                   | EA   | 2.00         | 0.00       | 0.00                | \$500.00   | \$0.00       |
| 20                                       | Loop Detector, Replacement, 6'x20'                                  | EA   | 2.00         | 0.00       | 0.00                | \$800.00   | \$0.00       |
| 1.01                                     | Liquidated Damages - Individual Site Completion Penalty             | DAY  |              |            | 45.00               | (\$100.00) | (\$4,500.00) |
| 1.02                                     | Liquidated Damages - Tree Protection Fencing Not Installed          | EA   |              |            | 1.00                | (\$200.00) | (\$200.00)   |
| 1.03                                     | Liquidated Damages - Tree Damage                                    | EA   |              |            | 1.00                | (\$400.00) | (\$400.00)   |
| CO 1                                     | Adjust contract item amounts to as-built quantities                 |      |              |            |                     |            |              |
| Total Contract Amount Plus Change Orders |   |      | \$430,904.10 |            |                     |            |              |
| Partial Payment No. 1                    |   |      | \$44,613.94  |            |                     |            |              |
| Partial Payment No. 2                    |   |      | \$72,794.67  |            |                     |            |              |
| Partial Payment No. 3                    |   |      | \$168,063.41 |            |                     |            |              |
| Partial Payment No. 4                    |   |      | \$84,140.61  |            |                     |            |              |
| Partial Payment No. 5                    |   |      | \$48,364.35  |            |                     |            |              |
| This Partial Payment                     |   |      | \$0.00       |            |                     |            |              |
| Total Partial Payments                   |   |      | \$417,976.98 |            |                     |            |              |
| Balance                                  |   |      | \$12,927.12  |            |                     |            |              |
|  |   |      | 100.0%       |            |                     |            |              |

Prepared By: *Mark J. [Signature]*

Checked By: *[Signature]*

|                                 |               |
|---------------------------------|---------------|
| Subtotal                        | \$430,904.10  |
| Retainage (3%)                  | \$12,927.12   |
| Total (Subtotal less retainage) | \$417,976.98  |
| Less Previous Payments          | \$417,976.98  |
| <b>AMOUNT DUE</b>               | <b>\$0.00</b> |

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