

★ **Roll Call Number**

Agenda Item Number

12E

DATE January 14, 2019

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2017 SEWER REPAIR - CONTRACT 1, EJM PIPE SERVICES, 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 2017 Sewer Repair - Contract 1, 08-2017-002, in accordance with the contract approved between EJM Pipe Services, Inc., Mark Montgomery, Vice President, 14461 Lake Drive, Columbus, MN 55025, under Roll Call No. 17-1695, of September 25, 2017, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

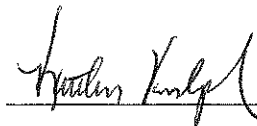
BE IT FURTHER RESOLVED: That \$351,875.15 is the total cost, of which \$328,883.38 has been paid the Contractor, and \$12,435.52 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$10,556.25 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

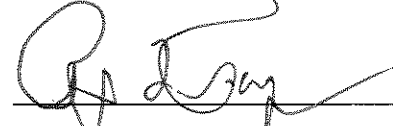
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Robert L. Fagen
Des Moines Finance Director

SLN Funding Source: 2018-2019 CIP, Page Storm - 4, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds, Being: \$303,470.15 of Stormwater Funds; \$40,950 from PK137; and the remaining \$7,455 from Des Moines Water Works

| COUNCIL ACTION | YEAS | NAYS | Pass | ABSENT |
|----------------|----------|------|------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| COLEMAN | | | | |
| GATTO | | | | |
| GRAY | | | | |
| MANDELBAUM | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | APPROVED | | | |

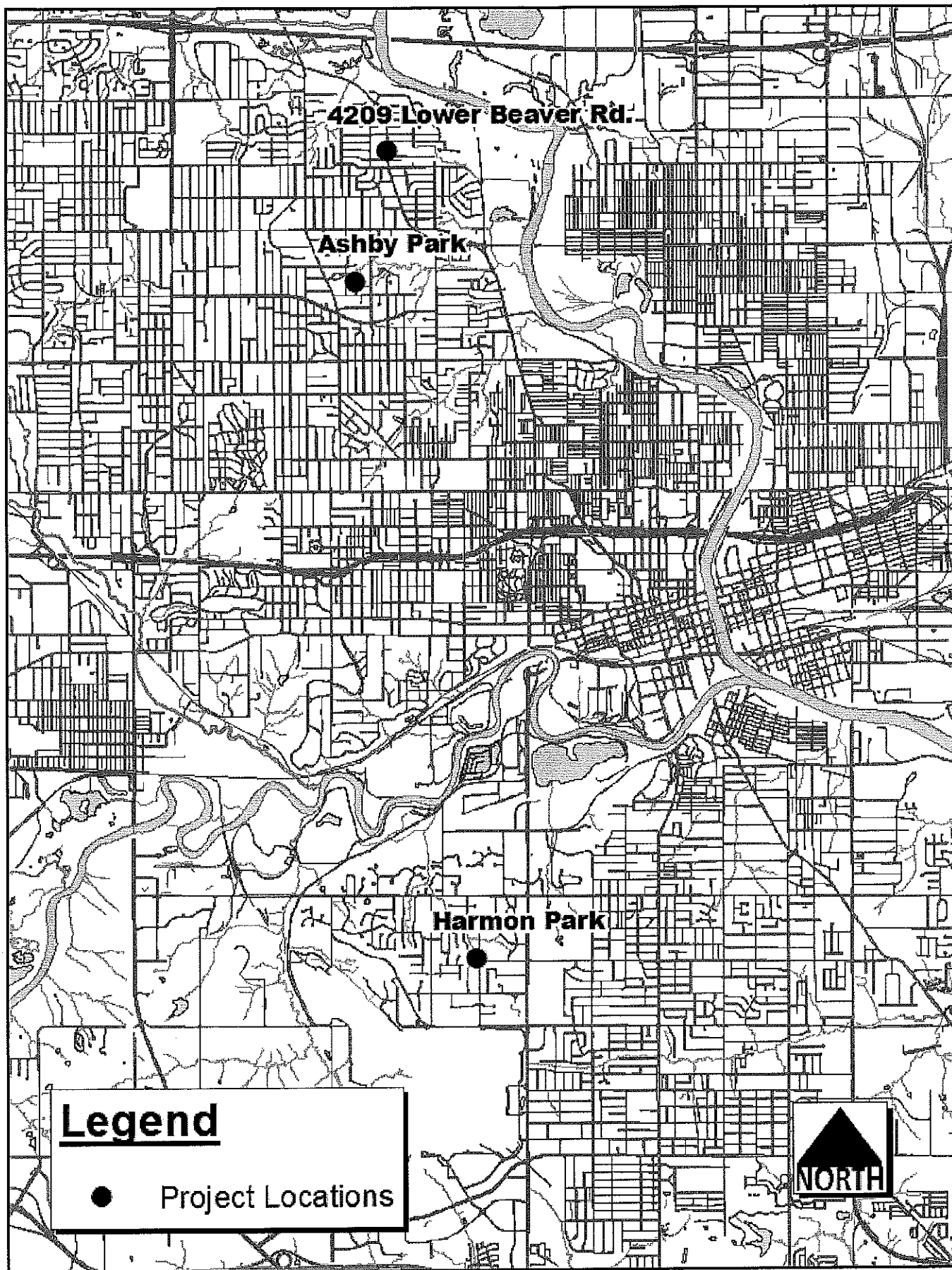
CERTIFICATE

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.

Mayor

City Clerk





PROJECT SUMMARY

2017 Sewer Repair - Contract 1

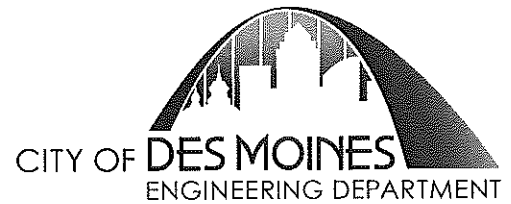
Activity ID 08-2017-002

On September 25, 2017, under Roll Call No. 17-1695, the Council awarded the contract for the above improvements to EJM Pipe Services, Inc., in the amount of \$361,570.25. Tabulated below is a history of project change orders.

| Change Order No. | Initiated By | Description | Amount |
|--|---------------------|---|---------------|
| 1 | Engineering | 12/11/2017 Adds additional traffic control devices for safety. Adds materials and labor to lower existing water main and service in conflict with proposed storm sewer. | \$19,980.00 |
| 2 | Engineering | 2/23/2018 Adjusts quantities for constructed underground work, removes work associated with paving operations from contract, includes liquidated damages for noncompliance with completion provisions. | \$(38,079.20) |
| 3 | | 11/19/2018 Adjusts quantities to reflect actual work completed and adds items for additional work. | \$8,404.10 |
| Original Contract Amount | | | \$361,570.25 |
| Total Change Orders | | | \$(9,695.10) |
| Percent of Change Orders to Original Contract | | | (2.68)% |
| Total Contract Amount | | | \$351,875.15 |

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January 14, 2019



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2017 Sewer Repair - Contract 1, EJM Pipe Services, Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$351,875.15 As-Built Contract Cost

Funding Source: 2018-2019 CIP, Page Storm -- 4, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds, Being: \$303,470.15 of Stormwater Funds; \$40,950 from PK137; and the remaining \$7,455 from Des Moines Water Works

CERTIFICATION OF COMPLETION:

On September 25, 2017, under Roll Call No. 17-1695, the City Council awarded a contract to EJM Pipe Services, Inc., Mark Montgomery, Vice President, 14461 Lake Drive, Columbus, MN 55025 for the construction of the following improvement:

2017 Sewer Repair - Contract 1, 08-2017-002

The improvement includes the construction of storm sewers, manholes, intakes, gabion basket walls, Portland Cement Concrete (PCC) and Hot Mix Asphalt (HMA) pavement replacement, seeding, surface restoration, and other incidental items; in accordance with contract documents, including Plan File Nos. 585-205/238 at three locations: Lower Beaver Road from Valdez Court to Twana Drive, Ashby Park at 3200 38th Street, and Harmon Park at 2900 SW 26th Street, all in Des Moines Iowa

I hereby certify that the construction of said 2017 Sewer Repair - Contract 1, Activity ID 08-2017-002, 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 October 26, 2017, and was completed on December 31, 2018.

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I further certify that \$351,875.15 is the total cost of said improvement, of which \$328,883.38 has been paid the Contractor and \$12,435.52 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$10,556.25 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.



Steven L. Naber, P.E.
Des Moines City Engineer

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ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 03/01/2018 12/06/2018
FINAL PARTIAL PAYMENT

PROJECT: 2017 SEWER REPAIR - CONTRACT 1
CONTRACTOR: EJM PIPE SERVICES, INC.

Proj No: N/A
Activity ID: 08-2017-002
Date: 12/6/2018

| LINE NO. | DESCRIPTION | UNIT | UNITS | | | UNIT PRICE | TOTAL AMOUNT |
|----------|--|------|-----------|------------|---------------------|------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | | |
| 1 | Sewer 15 Inch CMP with 45 Bend | LF | 18.000 | 21.000 | 21.000 | \$55.00 | \$1,155.00 |
| 2 | Sewer 18 Inch Class 3 RCP | LF | 240.000 | 37.000 | 37.000 | \$58.00 | \$2,146.00 |
| 3 | Sewer 24 Inch Class 3 RCP | LF | 550.000 | 670.800 | 670.800 | \$83.50 | \$56,011.80 |
| 4 | Sewer 36 Inch Class 3 RCP | LF | 91.000 | 100.500 | 100.500 | \$129.00 | \$12,964.50 |
| 5 | Manhole SW-401 48 Inch | EACH | 2.000 | 1.000 | 1.000 | \$4,750.00 | \$4,750.00 |
| 6 | Manhole SW-401 60 Inch | EACH | 2.000 | 3.000 | 3.000 | \$5,843.00 | \$17,529.00 |
| 7 | Intake SW-501 | EACH | 1.000 | 0.000 | 0.000 | \$5,500.00 | \$0.00 |
| 8 | Intake SW-505 | EACH | 2.000 | 3.000 | 3.000 | \$7,000.00 | \$21,000.00 |
| 9 | Intake SW-505, Precast | EACH | 3.000 | 1.000 | 1.000 | \$3,190.00 | \$3,190.00 |
| 10 | Pipe Apron 36 Inch with Guard | EACH | 2.000 | 2.000 | 2.000 | \$4,000.00 | \$8,000.00 |
| 11 | Pipe Apron 36 Inch Footing | EACH | 1.000 | 1.000 | 1.000 | \$5,000.00 | \$5,000.00 |
| 12 | Removal of Existing Pipe | LF | 167.000 | 167.500 | 167.500 | \$8.00 | \$1,340.00 |
| 13 | Removal of Existing Manhole or Intake | EACH | 2.000 | 2.000 | 2.000 | \$250.00 | \$500.00 |
| 14 | Connection to Existing Intake | EACH | 1.000 | 0.000 | 0.000 | \$750.00 | \$0.00 |
| 15 | Connection to Existing Box Culvert | EACH | 1.000 | 1.000 | 1.000 | \$2,500.00 | \$2,500.00 |
| 16 | Class 10 Excavation | CY | 1,510.000 | 1,350.000 | 1,350.000 | \$13.50 | \$18,225.00 |
| 17 | Gabion Baskets | CY | 124.000 | 130.000 | 130.000 | \$95.00 | \$12,350.00 |
| 18 | Reventment Matress | CY | 20.000 | 20.000 | 20.000 | \$95.00 | \$1,900.00 |
| 19 | Sewer Support Over Existing Utility | EACH | 1.000 | 0.000 | 0.000 | \$2,000.00 | \$0.00 |
| 20 | Full Depth Pavement Removal | SY | 1,307.000 | 1,307.000 | 1,307.000 | \$3.75 | \$4,901.25 |
| 21 | HMA (1 M ESAL) Surface Course, 1/2" Mix, No Fric | TON | 140.000 | 0.000 | 0.000 | \$150.00 | \$0.00 |
| 22 | 7" PCC Pavement | SY | 1,275.000 | 1,282.300 | 1,282.300 | \$75.00 | \$96,172.50 |
| 23 | Temporary Granular Surface | TON | 40.000 | 203.800 | 203.800 | \$35.00 | \$7,133.00 |
| 24 | Sidewalk 4 Inch | SY | 32.000 | 32.000 | 32.000 | \$75.00 | \$2,400.00 |
| 25 | RECP Geojute, Type 2 | SY | 1,150.000 | 408.000 | 408.000 | \$2.70 | \$1,101.60 |
| 26 | Ditch Check, Field Stone | TON | 28.000 | 28.000 | 28.000 | \$80.00 | \$2,240.00 |
| 27 | Rock Apron, Field Stone | TON | 21.000 | 21.000 | 21.000 | \$90.00 | \$1,890.00 |

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| LINE NO. | DESCRIPTION | UNIT | UNITS | | | UNIT PRICE | TOTAL AMOUNT |
|--|---|------|--------------|------------|---------------------|----------------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | | |
| 28 | Remove and Replace Barricade | LS | 1.000 | 1.000 | 1.000 | \$1,750.00 | \$1,750.00 |
| 29 | Clearing and Grubbing | LS | 1.000 | 1.000 | 1.000 | \$5,000.00 | \$5,000.00 |
| 30 | Seed, Fertilize, Mulching (Type 1) | ACRE | 0.230 | 0.522 | 0.522 | \$7,500.00 | \$3,915.00 |
| 31 | Seed, Fertilize, Mulching (Native Grass and Forbs) | ACRE | 0.100 | 0.209 | 0.209 | \$7,500.00 | \$1,567.50 |
| 32 | Tree Protection Fence | LF | 424.000 | 604.000 | 604.000 | \$3.25 | \$1,963.00 |
| 33 | Painted Pavement Marking, Waterborne-Based | STA | 13.500 | 0.000 | 0.000 | \$750.00 | \$0.00 |
| 34 | Traffic Control | LS | 1.000 | 1.000 | 1.000 | \$2,600.00 | \$2,600.00 |
| 35 | Uniform Police Officer | DAY | 4.000 | 0.000 | 0.000 | \$550.00 | \$0.00 |
| 36 | Mobilization | LS | 1.000 | 1.000 | 1.000 | \$26,500.00 | \$26,500.00 |
| CO1.01 | Additional Traffic Control on Lower Beaver Rd | LS | 0.000 | 1.000 | 1.000 | \$1,210.00 | \$1,210.00 |
| CO1.02 | Lower 8 Inch Water Main | LS | 0.000 | 1.000 | 1.000 | \$7,455.00 | \$7,455.00 |
| CO1.03 | Lower 6 Inch Water Service to Appartment Complext at 4530 Lower Beaver Rd | LS | 0.000 | 1.000 | 1.000 | \$11,315.00 | \$11,315.00 |
| CO2.01 | Replace and Lower Water Service at 4538 Lower Beaver Rd | LS | 0.000 | 1.000 | 1.000 | \$4,725.00 | \$4,725.00 |
| CO2.02 | Liquidated Damages, Road Closure, Working Day | DAY | 0.000 | 6.000 | 6.000 | -\$500.00 | (\$3,000.00) |
| CO2.03 | Liquidated Damages, Lower Beaver Rd, Calendar Day | DAY | 0.000 | 13.000 | 13.000 | -\$500.00 | (\$6,500.00) |
| C03.01 | Hydroseed, Shady Woodland Seed Mix | ACRE | 0.000 | 0.125 | 0.125 | \$11,900.00 | \$1,487.50 |
| C03.02 | Erosion Control Hydromulch | ACRE | 0.000 | 0.125 | 0.125 | \$7,500.00 | \$937.50 |
| C03.03 | Field Boulder Checks | TON | 0.000 | 17.000 | 17.000 | \$150.00 | \$2,550.00 |
| C03.04 | Additional Gabion Baskets | CY | 0.000 | 8.000 | 8.000 | \$500.00 | \$4,000.00 |
| | | | | | | TOTAL COMPLETED | \$351,875.15 |
| | | | | | | RETAINAGE | \$10,556.25 |
| | | | | | | TOTAL LESS RETAINAGE | \$341,318.90 |
| | | | | | | | |
| TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS | | | \$351,875.15 | | | | |
| PARTIAL PAYMENT NO. 1 | | | \$79,911.05 | | | | |
| PARTIAL PAYMENT NO. 2 | | | \$199,061.47 | | | | |
| PARTIAL PAYMENT NO. 3 | | | \$49,910.86 | | | | |
| THIS PARTIAL PAYMENT | | | \$12,435.52 | | | | |
| TOTAL PARTIAL PAYMENTS | | | \$341,318.90 | | | | |
| BALANCE | | | \$10,556.25 | | | | |
| | | | 100% | | | | |

PREPARED BY: Christopher Kull

| | |
|------------------|--------------|
| PREVIOUS PAYMENT | \$328,883.38 |
| AMOUNT DUE | \$12,435.52 |

CHECKED BY: _____

FINAL PARTIAL PAYMENT