



Roll Call Number

Agenda Item Number

13

DATE June 28, 2021

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SIMON ESTES AMPHITHEATER REPAIRS, MINTURN, 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 Simon Estes Amphitheater Repairs, 042020022, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 20-0960, of June 8, 2020, 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 \$726,686.09 is the total cost, of which \$704,885.51 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 \$21,800.58 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 Director of Finance 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

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

Funding Source: 2020/21 Operating Budget, OP212, Being: Anticipated FEMA funding

SLN

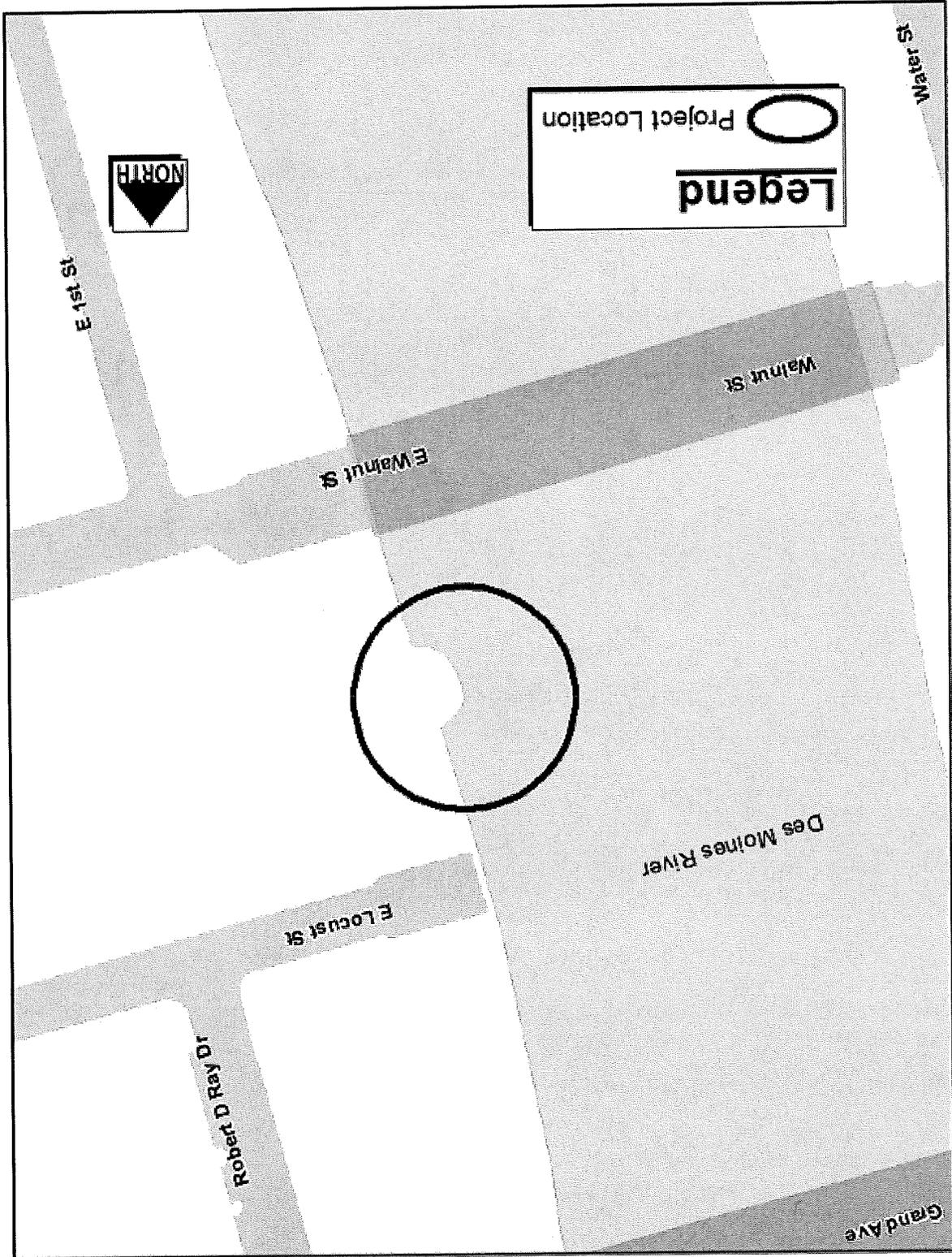
Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, WESTERGAARD, GRAY, BOESEN, VOSS, MANDELBAUM, GATTO, TOTAL, MOTION CARRIED.

I, P. Kay Cmelik, 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.

Mayor

City Clerk





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PROJECT SUMMARY

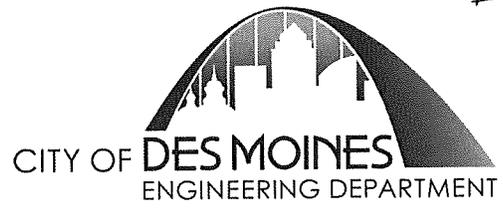
Simon Estes Amphitheater Repairs

Activity ID 042020022

On June 8, 2020, under Roll Call No. 20-0960, the Council awarded the contract for the above improvements to Minturn, Inc., in the amount of \$573,874.00. Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Initiated By</u>	<u>Description</u>	<u>Amount</u>
1	Engineering	12/21/2020 Grouting system changed from a cement grout to a polymer injection grout. Adjust existing contract items to As-Built quantities. Add electrical modifications to restore non-functioning breaker boxes and perform additional excavation of material around the lower sidewalk.	\$146,434.09
2	Engineering	2/16/2021 Adjusting quantities to final as-built quantities. Adding additional site cleanup to remove built-up sediment from previous flood events on adjacent sidewalks and stage area.	\$6,378.00
Original Contract Amount			\$573,874.00
Total Change Orders			\$152,812.09
Percent of Change Orders to Original Contract			26.63%
Total Contract Amount			\$726,686.09

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June 28, 2021

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Simon Estes Amphitheater Repairs, Minturn, Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$726,686.09 As-Built Contract Cost

Funding Source: 2020/21 Operating Budget, OP212, Being: Anticipated FEMA funding

CERTIFICATION OF COMPLETION:

On June 8, 2020, under Roll Call No. 20-0960, the City Council awarded a contract to Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211 for the construction of the following improvement:

Simon Estes Amphitheater Repairs, 042020022

The improvement includes structural connections to existing steel sheet pile, coring and grouting under existing Des Moines River box, rebuilding lower River walkway with Portland Cement Concrete (PCC), dewatering, storm sewer, intakes, sanitary manholes, removal of existing revetment and re-establishing site grades, pavement removal PCC colored sidewalk, irrigation repairs, site electrical repairs, and site restoration and sodding; all in accordance with the contract documents, including Plan File Nos. 617-273/285, located at Simon Estes Amphitheater, 75 E. Locust Street, Des Moines, Iowa.

I hereby certify that the construction of said Simon Estes Amphitheater Repairs, Activity ID 042020022, 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 July 28, 2020, and was completed on May 26, 2021.

I further certify that \$726,686.09 is the total cost of said improvement, of which \$704,885.51 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 \$21,800.58 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 "Steven L. Naber" with a small "P.E." to the right.

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

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 3/2/21 to 4/28/21.
PARTIAL PAYMENT NO. 9 - Final

PROJECT: SIMON ESTES AMPHITHEATER REPAIRS
CONTRACTOR: Minturn, Inc.

ACTIVITY ID: 04-2020-022
DATE: 4/28/2021

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
1	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	300.00	424.40	424.40	0.00	\$ 160.00	\$67,904.00
2	REMOVALS AS PER PLAN	LS	1.00	1.00	1.00	0.00	\$ 63,000.00	\$63,000.00
3	STRUCTURAL CONCRETE (MISCELLANEOUS)	CY	54.00	54.00	54.00	0.00	\$ 1,250.00	\$67,500.00
4	REINFORCING STEEL	LB	2,947.00	2,947.00	2,947.00	0.00	\$ 4.00	\$11,788.00
5	STRUCTURAL STEEL	LB	92.00	98.00	98.00	0.00	\$ 70.00	\$6,860.00
6	MOBILIZATION	LS	1.00	1.00	1.00	0.00	\$ 57,300.00	\$57,300.00
7	PORTLAND CEMENT (FOR PRESSURE GROUTING)	TON	70.00	0.00	0.00	0.00	\$ 1,250.00	\$0.00
8	PRECAST CONCRETE CAP	CY	7.30	7.30	7.30	0.00	\$ 5,000.00	\$36,500.00
9	UNDERWATER SHEET PILE CUTTING	LF	205.00	215.00	215.00	0.00	\$ 140.00	\$30,100.00
10	ELECTRICAL AND LIGHTING	LS	1.00	1.00	1.00	0.00	\$ 26,000.00	\$26,000.00
11	DEWATERING	LS	1.00	1.00	1.00	0.00	\$ 20,000.00	\$20,000.00
12	TOPSOIL, FURNISH AND SPREAD	CY	50.00	120.70	120.70	0.00	\$ 80.00	\$9,656.00
13	GRANULAR SUBBASE, 4 IN.	SY	205.00	187.10	187.10	0.00	\$ 25.00	\$4,677.50
14	REMOVALS, AS PER PLAN	LS	1.00	1.00	1.00	0.00	\$ 1,900.00	\$1,900.00
15	MANHOLE, SANITARY SEWER, SW-301, 48 IN. (MATCHES ORIGINAL)	EA	1.00	1.00	1.00	0.00	\$ 10,000.00	\$10,000.00
16	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE	LF	48.00	48.00	48.00	0.00	\$ 90.00	\$4,320.00
17	REMOVE STORM SEWER PIPE LESS THAN OR EQUAL TO 36 IN.	LF	48.00	48.00	48.00	0.00	\$ 22.00	\$1,056.00
18	REMOVAL OF PAVEMENTS	SY	170.00	187.10	187.10	0.00	\$ 40.00	\$7,484.00
19	REMOVAL OF INTAKES AND UTILITY ACCESSES	EA	1.00	1.00	1.00	0.00	\$ 2,100.00	\$2,100.00
20	TRAFFIC CONTROL	LS	1.00	1.00	1.00	0.00	\$ 6,000.00	\$6,000.00
21	INTAKE CASTING, REMOVE / REPLACE	EA	5.00	5.00	5.00	0.00	\$ 1,000.00	\$5,000.00
22	EXISTING FREESTANDING PIER, SALVAGE / REINSTALL	EA	1.00	1.00	1.00	0.00	\$ 3,750.00	\$3,750.00
23	FREESTANDING PIER	EA	1.00	1.00	1.00	0.00	\$ 6,700.00	\$6,700.00
24	NYLOPLAST INLINE DRAIN	EA	1.00	1.00	1.00	0.00	\$ 3,600.00	\$3,600.00
25	EXISTING PAVER REPAIR	LS	1.00	1.00	1.00	0.00	\$ 3,600.00	\$3,600.00
26	IRRIGATION REPAIR	LS	1.00	1.00	1.00	0.00	\$ 5,000.00	\$5,000.00
27	SANITARY SEWER CONNECTION RECONSTRUCTION (MATCHES ORIGINAL)	LS	1.00	2.00	2.00	0.00	\$ 2,350.00	\$4,700.00
28	TEST HOLE REPAIR	LS	1.00	1.00	1.00	0.00	\$ 1,100.00	\$1,100.00
29	WATER FAUCET REPAIR	LS	1.00	1.00	1.00	0.00	\$ 5,000.00	\$5,000.00
30	PCC PAVEMENT, COLORED, 4 IN.	SY	205.00	187.10	187.10	0.00	\$ 175.00	\$32,742.50
31	SODDING	SQ	30.00	69.70	69.70	0.00	\$ 165.00	\$11,500.50
32	MOBILIZATION FOR WATERING	EA	3.00	2.00	2.00	0.00	\$ 250.00	\$500.00
33	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 IN DIA.	LF	260.00	156.00	156.00	0.00	\$ 3.50	\$546.00
34	REMOVAL OF PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE	LF	260.00	156.00	156.00	0.00	\$ 1.00	\$156.00
35	MOBILIZATION, EROSION CONTROL	EA	2.00	2.00	2.00	0.00	\$ 500.00	\$1,000.00

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ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
CO #1 Change Order Items								
1001	Temporary Sidewalk	LS	1.00	1.00	1.00	0.00	\$ 1,555.20	\$1,555.20
1002	Additional Excavation	LS	1.00	1.00	1.00	0.00	\$ 20,000.00	\$20,000.00
1003	Sheetpile Cutting	LF	137.00	137.00	137.00	0.00	\$ 100.00	\$13,700.00
1004	Step Patching	LS	1.00	1.00	1.00	0.00	\$ 450.00	\$450.00
1005	Polymer Injection - Base Contract	LS	1.00	1.00	1.00	0.00	\$ 73,823.31	\$73,823.31
1006	Polymer Injection - Additional Material	LBS	5,766.00	5,766.00	5,766.00	0.00	\$ 10.78	\$62,157.48
1007	Polymer Injection - Additional Cored Holes	EACH	65.00	65.00	65.00	0.00	\$ 305.80	\$19,877.00
1008	Electrical Modifications	LS	1.00	1.00	1.00	0.00	\$ 13,921.00	\$13,921.00
1009	Junction Box	EACH	1.00	1.00	1.00	0.00	\$ 721.60	\$721.60
CO #2								
2001	Site Cleanup	LS	1.00	1.00	1.00	1.00	\$ 1,440.00	\$1,440.00
ORIGINAL CONTRACT AMOUNT			\$	573,874.00				
TOTAL CHANGE ORDERS			\$	152,812.09				
ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$	726,686.09				
Partial Payment No. 1			\$	13,609.10				
Partial Payment No. 2			\$	119,327.46				
Partial Payment No. 3			\$	167,019.93				
Partial Payment No. 4			\$	124,545.58				
Partial Payment No. 5			\$	106,295.99				
Partial Payment No. 6			\$	163,145.65				
Partial Payment No. 7			\$	4,727.42				
Partial Payment No. 8			\$	6,214.38				
THIS PARTIAL PAYMENT			\$	-				
TOTAL PARTIAL PAYMENTS			\$	704,885.51				
BALANCE			\$	21,800.58				
APPROXIMATE PERCENT COMPLETE				100.0%				

PREPARED BY:

Andy Williamson

Project Inspector

CHECKED BY:

Paul R. Cole

Project Engineer

4/28/2021

TOTAL	\$726,686.09
RETAINAGE, 3%	\$ 21,800.58
TOTAL LESS RETAINAGE	\$ 704,885.51
LESS PREVIOUS PAYMENT	\$ 704,885.51
AMOUNT DUE	\$ -

PARTIAL PAYMENT NO. 9 - Final