



**Roll Call Number**

**Agenda Item Number**

12B

DATE October 4, 2021

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR FOUR MILE CREEK WETLAND AT E. 34TH STREET AND S.E. 14TH STREET BIOSWALES, MPS ENGINEERS, P.C. DBA KINGSTON SERVICES, P.C.**

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 Four Mile Creek Wetland at E. 34th Street and S.E. 14th Street Bioswales, 082018004, in accordance with the contract approved between MPS Engineers, P.C. dba Kingston Services, P.C., Umesh G. Shetye, President, 1444 Illinois Street, Des Moines, IA 50314, under Roll Call No. 18-1873, of November 5, 2018, 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 \$455,612.94 is the total cost, of which \$441,944.55 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 \$13,668.39 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:

s/Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

Nickolas J. Schaul  
Nickolas J. Schaul  
Director of Finance

Funding Source: 2021-2022 CIP, Page 96, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds, Being: \$164,765 in IDNR Clean Water Act Section 319 EPA Grants funds, \$75,000 U.S. Dept. of Agriculture, Iowa Department Agricultural Land Stewardship Grant funding, (50% of construction costs, \$75,000 maximum); and the remaining \$215,847.94 Storm Water Utility Funds

SLN  
pw

CRDL WMBALM

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
WESTERGAARD				
GRAY				
BOESEN				
VOSS				
MANDELBAUM				
GATTO				
TOTAL				

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.

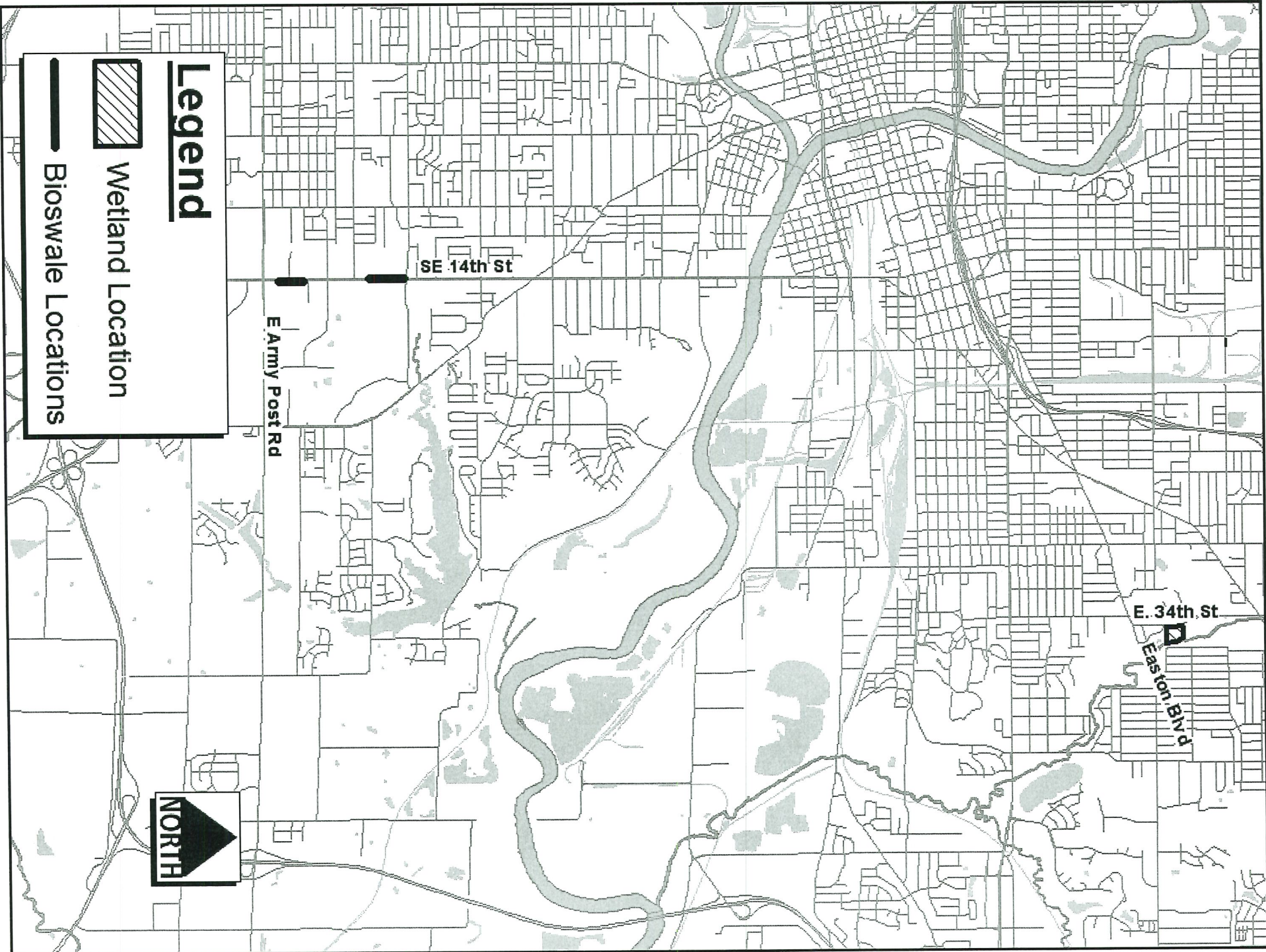
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk





## PROJECT SUMMARY

### Four Mile Creek Wetland at E. 34th Street and S.E. 14th Street Bioswales Activity ID 082018004

On November 5, 2018, under Roll Call No. 18-1873, the Council awarded the contract for the above improvements to MPS Engineers, P.C. dba Kingston Services, P.C, in the amount of \$395,924.50. 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	City	12/4/2019 Added new trash guard to inlet pipe, removed existing fences, replaced curb and gutter, over-excavation and bentonite backfill, added bonded fiber matrix, and modified completion dates.	\$9,020.00
2	City	1/13/2021 Added storm intakes, pavement removal, winter construction protection, additional traffic control and mobilization, and sodding of bioswale side slopes.	\$46,800.00
3	City	5/19/2021 Added erosion control, sodding, modified completion date, and adjusted contract quantities to match As-Built quantities.	\$3,868.44
<b>Original Contract Amount</b>			\$395,924.50
<b>Total Change Orders</b>			\$59,688.44
<b>Percent of Change Orders to Original Contract</b>			15.08%
<b>Total Contract Amount</b>			\$455,612.94





October 4, 2021

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Four Mile Creek Wetland at E. 34th Street and S.E. 14th Street Bioswales, MPS Engineers, P.C. dba Kingston Services, P.C.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$455,612.94 As-Built Contract Cost

Funding Source: 2021-2022 CIP, Page 96, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds, Being: \$164,765 in IDNR Clean Water Act Section 319 EPA Grants funds, \$75,000 U.S. Dept. of Agriculture, Iowa Department Agricultural Land Stewardship Grant funding, (50% of construction costs, \$75,000 maximum); and the remaining \$215,847.94 Storm Water Utility Funds

**CERTIFICATION OF COMPLETION:**

On November 5, 2018, under Roll Call No. 18-1873, the City Council awarded a contract to MPS Engineers, P.C. dba Kingston Services, P.C., Umesh G. Shetye, President, 1444 Illinois Street, Des Moines, IA 50314 for the construction of the following improvement:

Four Mile Creek Wetland at E. 34th Street and S.E. 14th Street Bioswales, 082018004

The improvement includes excavation, modified soil backfill, subdrain, Reinforced Concrete Pipe (RCP), storm sewer control structures, riprap revetment, native grass, conventional seeding, wetland plantings, and other associated and incidental items; all in accordance with contract documents, including Plan File Nos. 598-132/150, located along S.E. 14th Street near McKinley Avenue and 2403 E. 34th Street, Des Moines, Iowa

I hereby certify that the construction of said Four Mile Creek Wetland at E. 34th Street and S.E. 14th Street Bioswales, Activity ID 082018004, 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 December 12, 2018, and was completed on September 20, 2021.

I further certify that \$455,612.94 is the total cost of said improvement, of which \$441,944.55 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 \$13,668.39 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

ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED  
FOR WORK DONE FROM 06/01/21 to 06/03/21  
FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

Activity ID 08-2018-004  
9/1/2021

PROJECT: FOUR MILE CREEK WETLAND AT E. 34TH STREET AND S.E. 14TH STREET BIOSWALES  
CONTRACTOR: MPS Engineers P.C. dba Kingston Services, P.C.

LINE NO.	DESCRIPTION	UNIT	UNITS				CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	URBAN 17WQI-008 08-2018-004 Wetland eligible	SCRDLWBMBALM-0002 08-2018-005 BioSwale Eligible			
1	CLEARING AND GRUBBING	ACRE	2.10	2.10	2.10		2.100	\$4,650.00	\$9,765.00
2	EXCAVATION, CLASS 10	CY	7,370.00	7,370.00	6,750.00	620.00	7,370.000	\$15.00	\$110,550.00
3	ON-SITE TOPSOIL	CY	1,685.00	1,685.00	1,685.00		1,685.000	\$12.00	\$20,220.00
4	AGGREGATE SUBBASE, ASTM D-57	CY	66.00	66.00		78.85	78.850	\$64.00	\$5,046.40
5	CHOKER AGGREGATED, ASTM NO. 8	CY	17.00	17.00		17.00	17.000	\$86.00	\$1,462.00
6	HARDWOOD MULCH	CY	30.00	30.00		30.00	30.000	\$45.00	\$1,350.00
7	MODIFIED SOIL	CY	120.00	120.00		161.00	161.000	\$65.00	\$10,465.00
8	SANITARY SEWER, GRAVITY MAIN (DIP), TRENCHED, 6"	LF	50.00	50.00	23.80		23.800	\$312.00	\$7,425.60
9	STORM SEWER, TRENCHED, TRENCHED, RCP, 18"	LF	38.00	38.00	38.00		38.000	\$84.00	\$3,192.00
10	PIPE APRON, 6"	EACH	1.00	1.00	1.00		1.000	\$700.00	\$700.00
11	PIPE APRON, 18"	EACH	2.00	2.00	2.00		2.000	\$2,150.00	\$4,300.00
12	PIPE APRON GUARD, 6"	EACH	1.00	1.00	1.00		1.000	\$750.00	\$750.00
13	PIPE APRON GUARD, 18"	EACH	2.00	2.00	2.00		2.000	\$1,000.00	\$2,000.00
14	SUBDRAIN RISER, 6 IN., AS PER PLAN	EACH	5.00	5.00		5.00	5.000	\$1,785.00	\$8,925.00
15	SUBDRAIN, PVC, STANDARD, NON-PERFERATED, 6 IN.	LF	450.00	450.00		450.00	450.000	\$21.00	\$9,450.00
16	SUBDRAIN, PVC, STANDARD, PERFERATED, 6 IN.	LF	370.00	370.00		370.00	370.000	\$21.00	\$7,770.00
17	SUBDRAIN OUTLET	EACH	5.00	5.00		5.00	5.000	\$350.00	\$1,750.00
18	VALVE, GATE, DIP, 6 IN.	EACH	5.00	5.00		5.00	5.000	\$1,650.00	\$8,250.00
19	REMOVAL OF PAVED DRIVEWAY	SY	66.00	66.00		63.70	63.700	\$12.00	\$764.40
20	DRIVEWAY P.C. CONCRETE, 7 IN.	SY	66.00	66.00		63.70	63.700	\$56.00	\$3,567.20
21	CONVENTIONAL SEEDING, NATIVE GRASS & FORBS	ACRE	1.50	1.50	1.50		1.500	\$2,950.00	\$4,425.00
22	CONVENTIONAL SEEDING, TYPE 1	ACRE	0.20	0.20		0.20	0.200	\$5,000.00	\$1,000.00
23	CONVENTIONAL SEEDING, TYPE 2	ACRE	0.20	0.20		0.20	0.200	\$5,000.00	\$1,000.00
24	CONVENTIONAL SEEDING, WETLAND	ACRE	0.60	0.60	0.60		0.600	\$3,450.00	\$2,070.00
25	WETLAND PLANT PLUGS	EACH	2,000.00	2,000.00		2,000.00	2,000.000	\$8.00	\$16,000.00
26	STORMWATER POLLUTION PREVENTION PLAN	LS	1.00	1.00	0.50	0.50	1.000	\$2,200.00	\$2,200.00
27	FILTER SOCKS, INSTALLED	LF	1,650.00	1,650.00	970.00		970.000	\$1.25	\$1,212.50
28	FILTER SOCKS, REMOVAL	LF	1,000.00	1,000.00	200.00		200.000	\$0.25	\$50.00
29	TEMPORARY ROLLED EROSION CONTROL (RECP), TYPE 2.B	SY	1,000.00	1,000.00			0.000	\$1.35	\$0.00
30	TEMPORARY ROLLED EROSION CONTROL (RECP), TYPE 3.B	SY	2,880.00	2,880.00			0.000	\$1.50	\$0.00
31	RIPRAP, CLASS A REVETMENT	TON	17.00	17.00	17.52		17.520	\$112.00	\$1,962.24
32	RIPRAP, CLASS D REVETMENT	TON	109.00	109.00	132.20		132.200	\$88.00	\$11,633.60
33	SILT FENCE DITCH CHECK	LF	170.00	170.00			0.000	\$4.00	\$0.00
34	TURF REIMFORCEMENT MAT (TRM), TYPE 3	SQ	33.00	33.00	25.00	8.00	33.000	\$120.00	\$3,960.00
35	CONSTRUCTION SURVEY	LS	1.00	1.00	0.60	0.40	1.000	\$10,165.00	\$10,165.00
36	MOBILIZATION	LS	1.00	1.00	0.50	0.50	1.000	\$32,000.00	\$32,000.00

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37	CONCRETE DRY FILTER BOX	EACH	14.00	14.00		14.00	14.00	\$2,000.00	\$28,000.00
38	CURB AND GUTTER REMOVAL	EACH	14.00	14.00		14.00	14.00	\$1,200.00	\$16,800.00
39	DITCH/CHANNEL SHAPING	LS	1.00	1.00	1.00		1.00	\$9,800.00	\$9,800.00
40	INLINE WATER LEVEL CONTROL STRUCTURE	LS	1.00	1.00	1.00		1.00	\$7,000.00	\$7,000.00
41	PERFORATED RISER OUTLET STRUCTURE	LS	1.00	1.00	1.00		1.00	\$5,000.00	\$5,000.00
42	SPECIAL CURB	EACH	10.00	10.00		10.00	10.00	\$900.00	\$9,000.00
43	TRAFFIC CONTROL	LS	1.00	1.00		1.00	1.00	\$4,800.00	\$4,800.00
	CHANGE ORDER ITEMS								
1.01	LARGE TRASH GUARD	EACH		1.000	1.000		1.000	\$150.00	\$150.00
1.02	REMOVE AND REPLACE DRIVEWAY CURB	LF		24.000	24.000		24.000	\$80.00	\$1,920.00
1.03	WOOD FENCE REMOVAL	LF		200.000	200.000		200.000	\$12.00	\$2,400.00
1.04	SPLIT RAIL FENCE REMOVAL	EACH		1.000	1.000		1.000	\$250.00	\$250.00
1.05	OVER-EXCAVATION AND BENTONITE BACKFILL	EACH		1.000	1.000		1.000	\$2,050.00	\$2,050.00
1.06	WINTERIZING BIOSWALES	EACH		5.000		5.000	5.000	\$450.00	\$2,250.00
2.01	REMOVE FILTER BOX	EACH		2.000		2.000	2.000	\$1,000.00	\$2,000.00
2.02	INTAKE, SW-508, WITH MODIFIED OPEN THROAT INLET	EACH		2.000		2.000	2.000	\$12,000.00	\$24,000.00
2.03	WEIR OUTLET STRUCTURE PER INTAKE	EACH		2.000		2.000	2.000	\$250.00	\$500.00
2.04	PAVEMENT REMOVAL PER INTAKE	EACH		2.000		2.000	2.000	\$300.00	\$600.00
2.05	WINTER CONSTRUCTION PROTECTION PER INTAKE	EACH		2.000		2.000	2.000	\$1,200.00	\$2,400.00
2.06	ADDITIONAL TRAFFIC CONTROL FOR SE 14TH STREET	LS		1.000		1.000	1.000	\$4,800.00	\$4,800.00
2.07	ADDITIONAL MOBILIZATION FOR SE 14TH STREET	LS		1.000		1.000	1.000	\$3,200.00	\$3,200.00
2.08	SOD, TYPE 2, STAPLED	SQ		75.000		75.000	75.000	\$124.00	\$9,300.00
3.01	SOD, TYPE 2, STAPLED	SQ		25.000		25.000	25.000	\$124.00	\$3,100.00
3.02	FTM - FLEX MAT EROSION CONTROL MATTING	SF		16.000		16.000	16.000	\$32.00	\$512.00
3.03	RECP TYPE 4 EROSION MATTING	LS		1.000	1.000		1.000	\$10,400.00	\$10,400.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$455,612.94						
PARTIAL PAYMENT NO. 1			\$52,098.70						
PARTIAL PAYMENT NO. 2			\$20,370.00						
PARTIAL PAYMENT NO. 3			\$25,501.60						
PARTIAL PAYMENT NO. 4			\$37,815.73						
PARTIAL PAYMENT NO. 5			\$70,290.41						
PARTIAL PAYMENT NO. 6			\$42,315.34						
PARTIAL PAYMENT NO. 7			\$77,500.90						
PARTIAL PAYMENT NO. 8			\$14,473.96						
PARTIAL PAYMENT NO. 9			\$42,590.27						
PARTIAL PAYMENT NO. 10			\$45,396.00						
PARTIAL PAYMENT NO. 11			\$13,591.64						
THIS PARTIAL PAYMENT NO. 12			\$0.00						
TOTAL PARTIAL PAYMENTS			\$441,944.55						
BALANCE			\$13,668.39						

PREPARED BY: Joseph A. Esly  
DK  
CHECKED BY: \_\_\_\_\_

FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

TOTAL	\$455,612.94
RETAINAGE	\$13,668.39
TOTAL LESS RETAINAGE	\$441,944.55
LESS PREVIOUS PAYMENT	\$441,944.55
AMOUNT DUE	\$0.00