



Roll Call Number

Agenda Item Number

11 C

DATE November 15, 2021

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR LOWER OAK AND HIGHLAND PARK SEWER SEPARATION PHASE 3, J & K CONTRACTING, 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 Lower Oak and Highland Park Sewer Separation Phase 3, 072018005, in accordance with the contract approved between J & K Contracting, LLC, Jeremy Feldmann, President, 10703 Justin Drive, Urbandale, IA 50322, under Roll Call No. 19-0093, of January 14, 2019, 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 \$5,593,736.21 is the total cost, of which \$5,585,478.57 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 \$8,257.64 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:

sKathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

Nickolas J. Schaul
Director of Finance

Funding Source: 2021-2022 CIP, Page 91, Lower Oak Park and Highland Park Sewer Separation, SS133, Being: \$5,424,921.21 in SRF Funding to be equally split for sanitary and storm sewer construction; and the remaining \$168,815 from Des Moines Water Works

SLN
PW

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

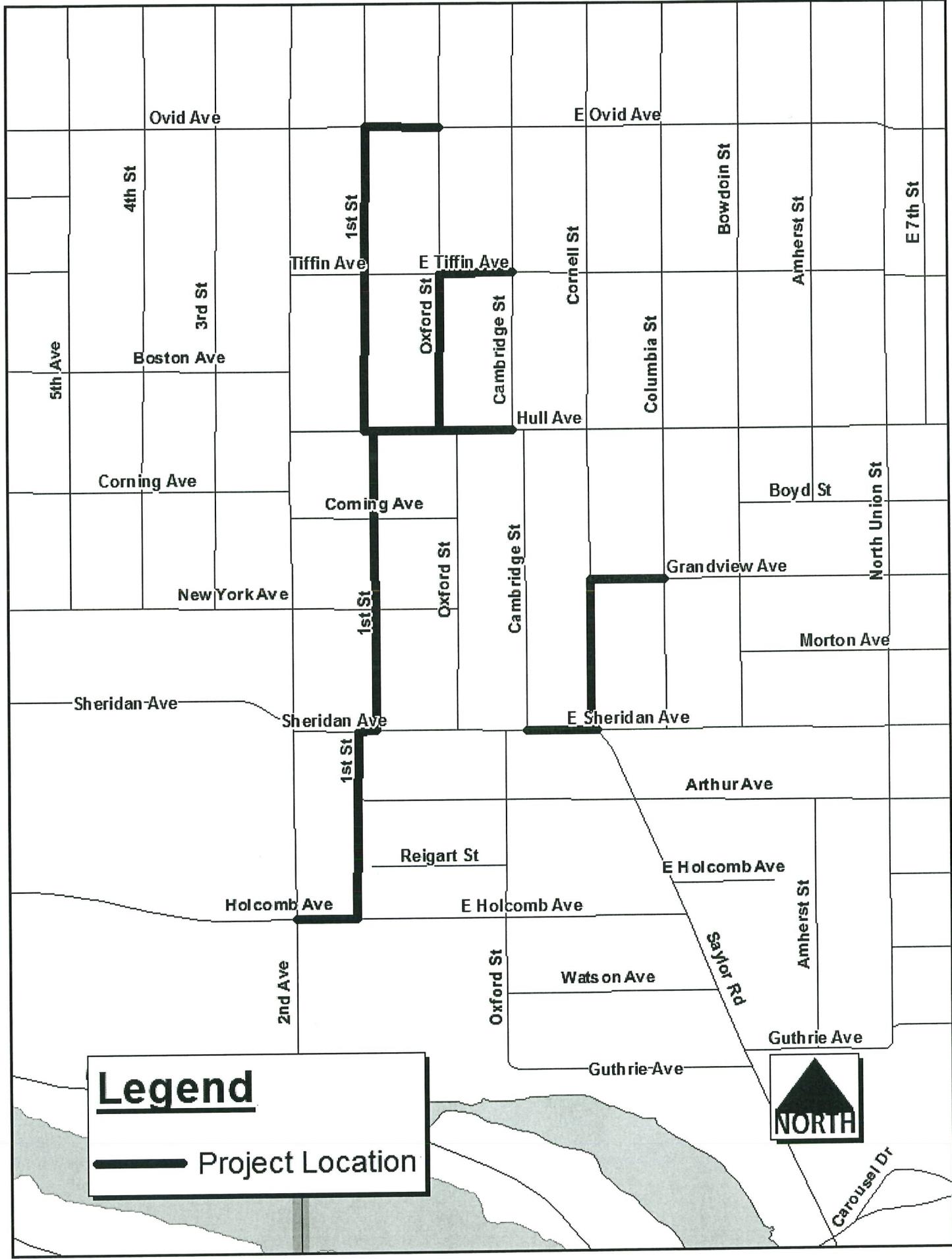
MOTION CARRIED APPROVED

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



Legend
— Project Location





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PROJECT SUMMARY

Lower Oak and Highland Park Sewer Separation Phase 3

Activity ID 072018005

On January 14, 2019, under Roll Call No. 19-0093, the Council awarded the contract for the above improvements to J & K Contracting, LLC, in the amount of \$4,747,474.74. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	City	6/12/2019 Add item for sanitary sewer main repair.	\$7,500.00
2	Engineering	9/9/2019 Add items for water main relocations and two sewer spot repairs.	\$183,412.64
3	Engineering	10/4/2019 Add a bid item for Storm Sewer, 48" Ductile Iron Pipe.	\$39,603.00
4	Engineering	1/24/2020 Add water main abandonment and a traffic control detour.	\$6,320.00
5	Engineering	4/24/2020 Add items for additional traffic control and multiple sanitary sewer repairs.	\$25,055.00
6	Engineering	6/5/2020 Add modification to intake, change RCP to arch pipe, and add liquidated damages for intermediate completion provisions.	\$3,008.00
7	Engineering	8/4/2020 Add two water main alterations and change one intake type.	\$42,315.00
8	City	9/17/2020 Increase items for additional sidewalk construction.	\$45,067.95
9	Engineering	10/5/2020 Adjust contract quantities to match as-built quantities.	\$320,466.84
10	Engineering	12/22/2020 Increase the quantity for Bid Item #73, HMA ST Surface, 1/2" Mix, No Friction, PG 58-28H.	\$49,942.00
11	Engineering	2/22/2021 Adjust contract quantities to match as-built quantities.	\$123,571.04
Original Contract Amount			\$4,747,474.74
Total Change Orders			\$846,261.47
Percent of Change Orders to Original Contract			17.83%
Total Contract Amount			\$5,593,736.21

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November 15, 2021

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Lower Oak and Highland Park Sewer Separation Phase 3, J & K Contracting, LLC.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$5,593,736.21 As-Built Contract Cost

Funding Source: 2021-2022 CIP, Page 91, Lower Oak Park and Highland Park Sewer Separation, SS133, Being: \$5,424,921.21 in SRF Funding to be equally split for sanitary and storm sewer construction; and the remaining \$168,815 from Des Moines Water Works

CERTIFICATION OF COMPLETION:

On January 14, 2019, under Roll Call No. 19-0093, the City Council awarded a contract to J & K Contracting, LLC, Jeremy Feldmann, President, 10703 Justin Drive, Urbandale, IA 50322 for the construction of the following improvement:

Lower Oak and Highland Park Sewer Separation Phase 3, 072018005

The improvement includes Reinforced Concrete Pipe (RCP) storm sewer 12-inches to 48-inches, water main adjustments, water services, manholes, intakes, Hot Mix Asphalt (HMA) pavement, sidewalks, driveways, associated grading, surface restoration, permeable pavers, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 599-225/305, located on; E. Holcomb Avenue from 2nd Avenue to 1st Street, 1st Street from E. Holcomb Avenue to Ovid Avenue, Sheridan Avenue from Cambridge Street to Saylor Road, Cornell Street from Sheridan Avenue to Grandview Avenue, Grandview Avenue from Cornell Street to Columbia Street, Hull Avenue from 1st Street to Cambridge Street, Ovid Avenue from 1st Street to Oxford Street, Oxford Street from Hull Avenue to Tiffin Avenue and Tiffin Avenue from Oxford Street to Cambridge Street, Des Moines, Iowa.

I hereby certify that the construction of said Lower Oak and Highland Park Sewer Separation Phase 3, Activity ID 072018005, 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 May 6, 2019, and was completed on October 11, 2021.

I further certify that \$5,593,736.21 is the total cost of said improvement, of which \$5,585,478.57 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 \$8,257.64 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

HC

**ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA**



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 02/23/21 to 04/27/21
FINAL PAYMENT (Partial Payment NO. 20)

PROJECT: Lower Oak and Highland Park Sewer Separation Phase 3
CONTRACTOR: -J&K Contracting

Activity ID: 07-2018-005
Date: 04/27/21

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	Mobilization	LS	1.000	1.000	1.000	\$97,813.24	\$97,813.24
2	Traffic Control	LS	1.000	1.000	1.000	\$20,000.00	\$20,000.00
3	Clearing & Grubbing	LS	1.000	1.000	1.000	\$5,000.00	\$5,000.00
4	Removal of Pavement	SY	10,550.000	12,052.910	12,052.910	\$15.00	\$180,793.65
5	Remove and Replace Curb	LF	1,200.000	1,190.800	1,190.800	\$150.00	\$178,620.00
6	Removal of Driveway	SY	700.000	868.760	868.760	\$25.00	\$21,719.00
7	Removal of Sidewalk	SY	300.000	1,216.830	1,216.830	\$15.00	\$18,252.45
8	Milling	SY	8,500.000	13,557.500	13,557.500	\$10.00	\$135,575.00
9	Intake Removal	EACH	28.000	27.000	27.000	\$1,500.00	\$40,500.00
10	Manhole Removal	EACH	1.000	3.000	3.000	\$1,000.00	\$3,000.00
11	Remove Grate and Replace with Manhole Lid	LS	1.000	1.000	1.000	\$1,000.00	\$1,000.00
12	Storm Sewer Removal, 24" Diameter or Less	LF	350.000	344.000	344.000	\$20.00	\$6,880.00
13	Storm Sewer Removal, 24" to 36"	LF	10.000	20.000	20.000	\$50.00	\$1,000.00
14	Pipe Plug, 8"	EACH	9.000	32.000	32.000	\$100.00	\$3,200.00
15	Pipe Plug, 10"	EACH	6.000	5.000	5.000	\$100.00	\$500.00
16	Pipe Plug, 12"	EACH	8.000	8.000	8.000	\$100.00	\$800.00
17	Pipe Plug, 15"	EACH	4.000	5.000	5.000	\$100.00	\$500.00
18	Pipe Plug, 18"	EACH	2.000	3.000	3.000	\$100.00	\$300.00
19	Flowable Fill	CY	30.000	7.500	7.500	\$150.00	\$1,125.00
20	2nd Avenue Box Culvert Connection	LS	1.000	1.000	1.000	\$70,000.00	\$70,000.00
21	Storm Sewer, 12" RCP, Class III	LF	50.000	0.000	0.000	\$90.00	\$0.00
22	Storm Sewer, 15" RCP, Class III	LF	1,800.000	1,756.500	1,756.500	\$95.00	\$166,867.50
23	Storm Sewer, 18" RCP, Class III	LF	600.000	500.400	500.400	\$100.00	\$50,040.00
24	Storm Sewer, 24" RCP, Class III	LF	775.000	654.800	654.800	\$110.00	\$72,028.00

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
25	Storm Sewer, 30" RCP, Class III	LF	950.000	917.700	917.700	\$120.00	\$110,124.00
26	Storm Sewer, 36" RCP, Class III	LF	1,625.000	1,605.100	1,605.100	\$200.00	\$321,020.00
27	Storm Sewer, 42" RCP, Class III	LF	525.000	508.000	508.000	\$240.00	\$121,920.00
28	Storm Sewer, 48" RCP, Class III	LF	1,290.000	1,162.100	1,162.100	\$260.00	\$302,146.00
29	Manufactured Sand, Type II	TON	100.000	1,967.550	1,967.550	\$21.00	\$41,318.55
30	Pipe Apron, 18" RCP, with footing	EACH	1.000	0.000	0.000	\$2,200.00	\$0.00
31	4" PVC Subdrain	LF	200.000	343.000	343.000	\$20.00	\$6,860.00
32	6" PVC Subdrain	LF	750.000	742.000	742.000	\$22.00	\$16,324.00
33	6" Subdrain Outlet	EACH	3.000	3.000	3.000	\$600.00	\$1,800.00
34	Connect to Existing Sewer	EACH	2.000	2.000	2.000	\$15,000.00	\$30,000.00
35	Sewer Pipe Support	EACH	13.000	14.000	14.000	\$1,000.00	\$14,000.00
36	Manhole, Storm Sewer, SW-401, 48" Dia.	EACH	2.000	2.000	2.000	\$3,000.00	\$6,000.00
37	Manhole, Storm Sewer, SW-401, 84" Dia.	EACH	1.000	1.000	1.000	\$7,000.00	\$7,000.00
38	Manhole, Storm Sewer, SW-402, 42" x 42"	EACH	1.000	1.000	1.000	\$8,000.00	\$8,000.00
39	Manhole, Storm Sewer, SW-402, 56" x 56"	EACH	1.000	1.000	1.000	\$9,000.00	\$9,000.00
40	Manhole, Storm Sewer, SW-402, 56" x 40"	EACH	2.000	2.000	2.000	\$10,000.00	\$20,000.00
41	Manhole, Storm Sewer, SW-402, 56" x 49"	EACH	1.000	1.000	1.000	\$11,000.00	\$11,000.00
42	Manhole, Storm Sewer, SW-402, 70" x 40"	EACH	1.000	1.000	1.000	\$12,000.00	\$12,000.00
43	Manhole, Storm Sewer, SW-402, 70" x 70"	EACH	1.000	1.000	1.000	\$13,000.00	\$13,000.00
44	Manhole, Storm Sewer, SW-402, 84" x 40"	EACH	1.000	1.000	1.000	\$14,000.00	\$14,000.00
45	Manhole, Storm Sewer, SW-403, 68" x 48"	EACH	1.000	2.000	2.000	\$15,000.00	\$30,000.00
46	Manhole, Storm Sewer, SW-403, 68" x 68"	EACH	1.000	1.000	1.000	\$16,000.00	\$16,000.00
47	Manhole, Storm Sewer, SW-403, 76" x 48"	EACH	2.000	2.000	2.000	\$17,000.00	\$34,000.00
48	Manhole, Storm Sewer, SW-403, 72" x 48"	EACH	2.000	1.000	1.000	\$18,000.00	\$18,000.00
49	Manhole, Storm Sewer, SW-403, 72" x 72"	EACH	1.000	2.000	2.000	\$19,000.00	\$38,000.00
50	Manhole, Storm Sewer, SW-403, 82" x 82"	EACH	1.000	1.000	1.000	\$20,000.00	\$20,000.00
51	Manhole, Storm Sewer, SW-403, 84" x 68"	EACH	1.000	1.000	1.000	\$21,000.00	\$21,000.00
52	Manhole, Storm Sewer, SW-404, 62" x 62"	EACH	1.000	1.000	1.000	\$22,000.00	\$22,000.00
53	Manhole, Storm Sewer, SW-404, 72" x 48"	EACH	1.000	1.000	1.000	\$23,000.00	\$23,000.00
54	Intake, SW-501	EACH	29.000	28.000	28.000	\$7,000.00	\$196,000.00
55	Intake, SW-502, 48"	EACH	1.000	1.000	1.000	\$8,000.00	\$8,000.00
56	Intake, SW-502, 60"	EACH	1.000	1.000	1.000	\$9,000.00	\$9,000.00
57	Intake, SW-502, 84"	EACH	1.000	1.000	1.000	\$10,000.00	\$10,000.00

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
58	Intake, SW-503	EACH	3.000	3.000	3.000	\$11,000.00	\$33,000.00
59	Intake, SW-503 Modified	EACH	19.000	19.000	19.000	\$12,000.00	\$228,000.00
60	Granular Driveway Surfacing	TON	40.000	0.000	0.000	\$25.00	\$0.00
61	PCC Pavement, 7"	SY	300.000	511.420	511.420	\$90.00	\$46,027.80
62	PCC Pavement, 6"	SY	9,100.000	10,998.640	10,998.640	\$80.00	\$879,891.20
63	2' Curb and Gutter, 7"	SY	225.000	408.350	408.350	\$130.00	\$53,085.50
64	Alley, 7" PCC	SY	35.000	13.100	13.100	\$50.00	\$655.00
65	Driveway, 6" PCC	SY	650.000	828.340	828.340	\$100.00	\$82,834.00
66	Sidewalk, 6" PCC	SY	200.000	841.570	841.570	\$100.00	\$84,157.00
67	Sidewalk, 4" PCC	SY	200.000	649.180	649.180	\$100.00	\$64,918.00
68	Concrete Permeable Pavers	SY	950.000	965.270	965.270	\$80.00	\$77,221.60
69	Filter Aggregate Course	TON	325.000	468.060	468.060	\$35.00	\$16,382.10
70	Storage Aggregate Course	TON	2,000.000	1,133.600	1,133.600	\$35.00	\$39,676.00
71	Engineering Fabric	SY	1,500.000	2,450.000	2,450.000	\$2.00	\$4,900.00
72	Temporary Surfacing	TON	100.000	2,281.240	2,281.240	\$25.00	\$57,031.00
73	HMA ST Surface, 1/2" Mix, No Friction, PG 58-28H	TON	2,100.000	3,855.400	3,855.400	\$150.00	\$578,310.00
74	Detectable Warnings for Curb Ramps	SF	450.000	554.000	554.000	\$63.57	\$35,217.78
75	Relocation of Water Service	EACH	20.000	0.000	0.000	\$3,000.00	\$0.00
76	Relocate Stop Box	EACH	15.000	0.000	0.000	\$1,200.00	\$0.00
77	New Water Service	EACH	20.000	35.000	35.000	\$3,000.00	\$105,000.00
78	New Stop Box Housing	EACH	10.000	0.000	0.000	\$150.00	\$0.00
79	New Stop Box Rod	EACH	10.000	0.000	0.000	\$25.00	\$0.00
80	Check Depth of Water Service	EACH	30.000	0.000	0.000	\$250.00	\$0.00
81	Lower Water Service	EACH	25.000	1.000	1.000	\$3,000.00	\$3,000.00
82	Lower Water Service with New Copper	EACH	25.000	14.000	14.000	\$3,000.00	\$42,000.00
83	Water Service Tap	EACH	25.000	39.000	39.000	\$3,000.00	\$117,000.00
84	Stormwater Pollution Prevention	LS	1.000	1.000	1.000	\$9,000.00	\$9,000.00
85	Silt Fence, Install and Remove	LF	150.000	0.000	0.000	\$6.00	\$0.00
86	Filter Sock, 12", Install and Remove	LF	1,620.000	568.800	568.800	\$4.00	\$2,275.20
87	Rolled Erosion Control, Type 1	SY	50.000	0.000	0.000	\$20.00	\$0.00
88	Tree Trunk Protection	EACH	20.000	5.000	5.000	\$350.00	\$1,750.00
89	Tree Protection Fence, Type 1 (4')	LF	200.000	0.000	0.000	\$7.00	\$0.00
90	Seeding, Type 1	SQ	250.000	0.000	0.000	\$25.00	\$0.00

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
91	Sod	SQ	350.000	419.380	419.380	\$100.00	\$41,938.00
92	Maintenance of Solid Waste Collection	LS	1.000	1.000	1.000	\$5,000.00	\$5,000.00
93	Repair Sanitary Sewer Service	EACH	15.000	19.000	19.000	\$3,000.00	\$57,000.00
94	Water Main Alteration #1	EACH	4.000	3.000	3.000	\$12,000.00	\$36,000.00
95	Water Main Alteration #3	EACH	2.000	2.000	2.000	\$10,000.00	\$20,000.00
96	Remove and Replace 8" Gate Valve	EACH	1.000	1.000	1.000	\$7,000.00	\$7,000.00
1.01	Sanitary Sewer Main Repair	EACH		3.000	3.000	\$2,500.00	\$7,500.00
2.01	8" C900 DR18 PVC, Water Main	LF		300.000	300.000	\$78.00	\$23,400.00
2.02	8" x 8" Tee	EACH		1.000	1.000	\$3,700.00	\$3,700.00
2.03	8" Solid Sleeve, Connect to Existing	EACH		1.000	1.000	\$6,400.00	\$6,400.00
2.04	8" Cap/Plug	EACH		1.000	1.000	\$2,500.00	\$2,500.00
2.05	Excavation for Tapping Sleeve & Valve	LS		1.000	1.000	\$3,000.00	\$3,000.00
2.06	Remove 8" Bend	EACH		1.000	1.000	\$300.00	\$300.00
2.07	New 3" Water Service	LS		1.000	1.000	\$3,250.00	\$3,250.00
2.08	New Hydrant	LS		1.000	1.000	\$7,200.00	\$7,200.00
2.09	Water Main Alteration - Relocate 4" Water Service	LS		1.000	1.000	\$10,000.00	\$10,000.00
2.10	SE 5th Street & E Jackson Ave Sewer Spot Repair	LS		1.000	1.000	\$55,635.96	\$55,635.96
2.11	Woodland Cemetery Sewer Spot Repair	LS		1.000	1.000	\$9,776.68	\$9,776.68
2.12	Manhole for Sanitary Conflict	LS		1.000	1.000	\$28,000.00	\$28,000.00
3.01	Storm Sewer, 48" DIP	LF		91.400	91.400	\$690.00	\$63,066.00
4.01	Water Main Abandonment	LS		1.000	1.000	\$1,600.00	\$1,600.00
4.02	Hull Avenue Detour	LS		1.000	1.000	\$4,720.00	\$4,720.00
5.01	Additional Traffic Control	LS		1.000	1.000	\$4,605.00	\$4,605.00
5.02	Sanitary Sewer Repair (Sheridan)	LS		1.000	1.000	\$9,450.00	\$9,450.00
6.01	MH-0501 Modification	LS		1.000	1.000	\$6,000.00	\$6,000.00
6.02	Storm Sewer, 24" Concrete Arch Pipe	LF		91.300	91.300	\$170.00	\$15,521.00
6.03	Liquidated Damages - Site 5	DAY		26.000	26.000	(\$500.00)	(\$13,000.00)
7.01	Intake, SW-507	EACH		1.000	1.000	\$13,500.00	\$13,500.00
7.02	Hydrant Assembly, Remove and Replace	LS		1.000	1.000	\$7,700.00	\$7,700.00
7.03	New Water Service @ 143 Hull Ave	LS		1.000	1.000	\$8,115.00	\$8,115.00
8001.00	Anticipated Liquidated Damages - Site 10	DAY		5.000	5.000	(\$500.00)	(\$2,500.00)
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$5,593,736.21			

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT	
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE			
	PARTIAL PAYMENT #1		\$503,029.51					
	PARTIAL PAYMENT #2		\$548,685.02					
	PARTIAL PAYMENT #3		\$639,107.35					
	PARTIAL PAYMENT #4		\$313,388.45					
	PARTIAL PAYMENT #5		\$153,162.64					
	PARTIAL PAYMENT #6		\$362,201.21					
	PARTIAL PAYMENT #7		\$213,910.02					
	PARTIAL PAYMENT #8		\$218,050.20					
	PARTIAL PAYMENT #9		\$44,433.76					
	PARTIAL PAYMENT #10		\$77,901.72					
	PARTIAL PAYMENT #11		\$6,130.40					
	PARTIAL PAYMENT #12		\$81,897.10					
	PARTIAL PAYMENT #13		\$608,067.59					
	PARTIAL PAYMENT #14		\$395,126.83					
	PARTIAL PAYMENT #15		\$295,502.55					
	PARTIAL PAYMENT #16		\$376,430.88					
	PARTIAL PAYMENT #17		\$107,208.77					
	PARTIAL PAYMENT #18		\$303,106.16					
	PARTIAL PAYMENT #19		\$338,138.41					
	THIS PARTIAL PAYMENT		\$0.00					
	TOTAL PARTIAL PAYMENTS		\$5,585,478.57					
	BALANCE		\$8,257.64					
	Note: The City Engineer has determined that the contract is substantially complete and this payment includes partial release of retainage requested by the Contractor pursuant to Iowa Code Chapter 573.28.							

PREPARED BY: Matthew D Beck

Note: Partial release of retainage awarded on this payment

CHECKED BY: _____

TOTAL	\$5,593,736.21
RETAINAGE	\$8,257.64
TOTAL LESS RETAINAGE	\$5,585,478.57
LESS PREVIOUS PAYMENT	\$5,585,478.57
AMOUNT DUE	\$0.00

FINAL PAYMENT (Partial Payment NO. 20)