



**Roll Call Number**

**Agenda Item Number**

22C

DATE March 7, 2022

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR S.W. 5TH STREET RAILROAD CROSSING IMPROVEMENTS, 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 S.W. 5th Street Railroad Crossing Improvements, 042020021, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 21-0053, of January 11, 2021, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted.

BE IT FURTHER RESOLVED: That \$166,352.11 is the total cost, of which \$161,361.55 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 \$4,990.56 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. Second by \_\_\_\_\_

FORM APPROVED:

FUNDS AVAILABLE

sl/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

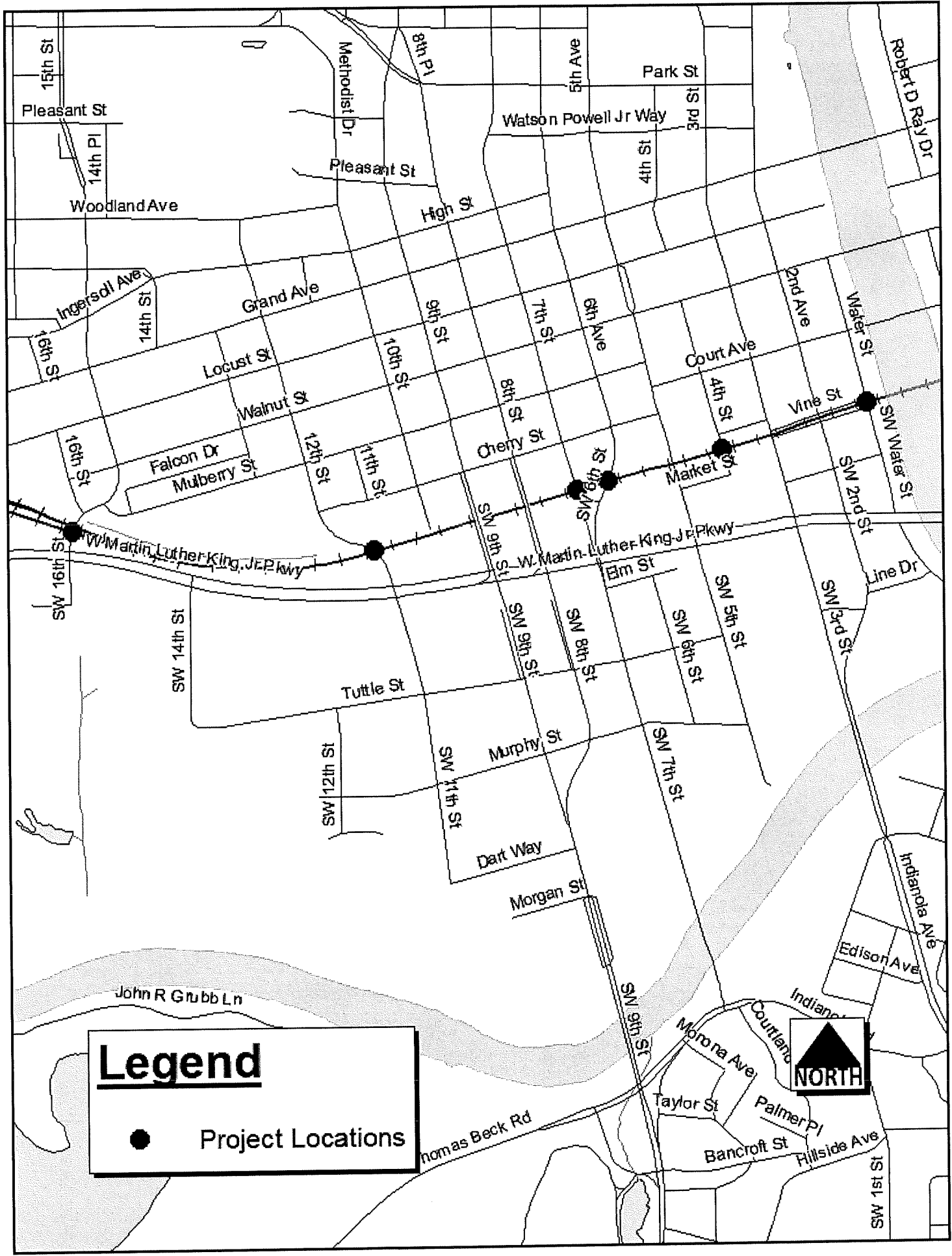
Funding Source: 2021-2022 CIP, Page 109, Railroad Crossing Surface Repairs and Signal Improvements, ST139, G.O. Bonds, Being: \$85,852.11 G.O. Bonds, \$62,000 Federal funds from Iowa DOT, and the remaining \$18,500 in Sanitary Sewer Funds

SLW  
PW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
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.





## PROJECT SUMMARY

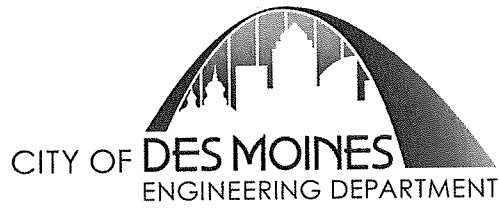
### S.W. 5th Street Railroad Crossing Improvements

#### Activity ID 042020021

On January 11, 2021, under Roll Call No. 21-0053, the Council awarded the contract for the above improvements to Minturn, Inc., in the amount of \$99,630.00. 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	City	8/30/2021 Added rock excavation and replacement of parking bumpers. Adjust contract quantities to match as-built quantities and modify the contract start date and completion date.	\$12,054.95
2	City	12/7/2021 Added removal and replacement and milling and overlay of asphalt pavements at the SE 18th Street railroad crossing north of E. Market Street, and added traffic control for SE 30th Street Railroad Crossing replacement.	\$48,882.79
3	City	12/21/2022 Added painted stop bars and traffic control.	\$5,784.37
<b>Original Contract Amount</b>			\$99,630.00
<b>Total Change Orders</b>			\$66,722.11
<b>Percent of Change Orders to Original Contract</b>			66.97%
<b>Total Contract Amount</b>			\$166,352.11

22C



March 7, 2022

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the S.W. 5th Street Railroad Crossing Improvements, 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: \$166,352.11 As-Built Contract Cost

Funding Source: 2021-2022 CIP, Page 109, Railroad Crossing Surface Repairs and Signal Improvements, ST139, G.O. Bonds, Being: \$85,852.11 G.O. Bonds, \$62,000 Federal funds from Iowa DOT, and the remaining \$18,500 in Sanitary Sewer Funds

**CERTIFICATION OF COMPLETION:**

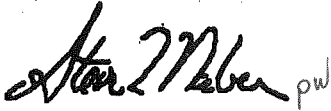
On January 11, 2021, under Roll Call No. 21-0053, the City Council awarded a contract to Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211 for the construction of the following improvement:

S.W. 5th Street Railroad Crossing Improvements, 042020021

The improvement includes pavement removal, Hot Mix Asphalt (HMA) street approaches, Portland Cement Concrete (PCC) sidewalks, pavement markings, sanitary sewer repair, sanitary sewer manhole removal and replacement, and other incidental items; in accordance with the contract documents, including Plan File Nos. 619-151/159, along the Iowa Interstate Railroad near S.W. 5th Street, in the City of Des Moines, Iowa

I hereby certify that the construction of said S.W. 5th Street Railroad Crossing Improvements, Activity ID 042020021, 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 August 5, 2021, and was completed on January 18, 2022.

I further certify that \$166,352.11 is the total cost of said improvement, of which \$161,361.55 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 \$4,990.56 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" followed by 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 12/16/21 to 12/31/21  
FINAL PAYMENT (PARTIAL PAYMENT NO. 5)

PROJECT: SW 5th Street Railroad Crossing Improvements  
CONTRACTOR: Minturn

ACTIVITY ID: 04-2020-021  
DATE: 1/18/2022

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
1	Remove and Reinstall Sign Post Anchor	EA	1.00	1.00	1.00	0.00	\$ 100.00	\$100.00
2	Earthwork	LS	1.00	1.00	1.00	0.00	\$ 3,000.00	\$3,000.00
3	Manhole Adjustment, Minor	EA	1.00	0.00	0.00	0.00	\$ 1,000.00	\$0.00
4	HMA Railroad Underlayment, 8 in.	TON	75.00	72.17	72.17	0.00	\$ 155.00	\$11,186.35
5	HMA Railroad Crossing Approach, 16 in.	TON	80.00	65.75	65.75	0.00	\$ 155.00	\$10,191.25
6	HMA 2" Overlay	TON	30.00	73.77	73.77	0.00	\$ 155.00	\$11,434.35
7	Removal of Sidewalk	SY	130.00	130.00	130.00	0.00	\$ 30.00	\$3,900.00
8	Sidewalk, PCC, 6 in., Class A	SY	130.00	136.85	136.85	0.00	\$ 110.00	\$15,053.50
9	Detectable Warning	SF	135.00	110.00	110.00	0.00	\$ 45.00	\$4,950.00
10	Milling, 2 in.	SY	276.00	457.30	457.30	0.00	\$ 15.00	\$6,859.50
11	Existing HMA Approach / Pavement Removal	SY	88.00	88.00	88.00	0.00	\$ 30.00	\$2,640.00
12	Painted Pavement Markings, Waterborne	LS	1.00	1.00	1.00	0.00	\$ 1,850.00	\$1,850.00
13	Traffic Control	LS	1.00	1.00	1.00	0.00	\$ 3,350.00	\$3,350.00
14	Mobilization	LS	1.00	1.00	1.00	0.00	\$ 9,500.00	\$9,500.00
15	Concrete Washout	LS	1.00	1.00	1.00	0.00	\$ 100.00	\$100.00
16	Railroad Protection Liability Insurance and Railroad Coordination	LS	1.00	1.00	1.00	0.00	\$ 7,500.00	\$7,500.00
17	Hydro-Excavation Exploration of Sink Hole	LS	1.00	1.00	1.00	0.00	\$ 11,000.00	\$11,000.00
18	M-4 Concrete Cap	CY	5.00	15.00	15.00	0.00	\$ 500.00	\$7,500.00
<b>Change Order Items</b>								
101	Additional Rock Excavation and Removal	LS	0.00	1.00	1.00	0.00	\$ 1,170.00	\$1,170.00
102	Removal and Replacement of 2 PCC Parking Bumpers	LS	0.00	1.00	1.00	0.00	\$ 400.00	\$400.00
201	Traffic Control for SE 30th Street Railroad Crossing	LS	0.00	1.00	1.00	0.00	\$ 6,268.79	\$6,268.79
202	Removal & Replace & Mill/Overlay HMA at SE 18th St RR Crossing	LS	0.00	1.00	1.00	0.00	\$ 42,614.00	\$42,614.00
301	Painted Stop Bar Markings and Additional Traffic Control	LS	0.00	1.00	1.00	0.00	\$ 560.00	\$560.00
302	Traffic Control for SE 18th Street Railroad Crossing	LS	0.00	1.00	1.00	0.00	\$ 2,894.46	\$2,894.46
303	Traffic Control for Grand Avenue and 62nd Street Railroad Crossing	LS	0.00	1.00	1.00	0.00	\$ 2,277.22	\$2,277.22
304	Traffic Control for North Valley Drive and 56th St Railroad Crossing	LS	0.00	1.00	1.00	0.00	\$ 52.69	\$52.69

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ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
	ORIGINAL CONTRACT AMOUNT		\$	99,630.00				
	TOTAL CHANGE ORDERS		\$	66,722.11				
	ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$	166,352.11				
	PARTIAL PAYMENT NO. 1		\$	96,432.50				
	PARTIAL PAYMENT NO. 2		\$	11,901.90				
	PARTIAL PAYMENT NO. 3		\$	47,416.31				
	PARTIAL PAYMENT NO. 4		\$	5,610.84				
	THIS PARTIAL PAYMENT		\$	-				
	TOTAL PARTIAL PAYMENTS		\$	161,361.55				
	BALANCE		\$	4,990.56				

TOTAL	\$	166,352.11
RETAINAGE	\$	4,990.56
TOTAL LESS RETAINAGE	\$	161,361.55
LESS PREVIOUS PAYMENT	\$	161,361.55
AMOUNT DUE	\$	-

PREPARED BY:

Ryan Cloonan  
Project Inspector

CHECKED BY:

Joseph A. Edley

FINAL PAYMENT (PARTIAL PAYMENT NO. 5)