



Roll Call Number

Agenda Item Number

11A

DATE October 3, 2022

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2020 SIDEWALK REPLACEMENT PROGRAM, TK CONCRETE, 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 2020 Sidewalk Replacement Program, 092020003, in accordance with the contract approved between TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 20-0567, of March 23, 2020, 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 \$449,893.23 is the total cost, of which \$449,893.23 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 \$0.00 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

s/Kathleen Vanderpool

Nickolas J. Schaul BB

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

SLW Funding Source: 2022-23 CIP, Page 169, Sidewalk Replacement, SW084, Being: \$200,000 G.O. Bonds issued, \$249,893.23 G.O Bonds to be issued

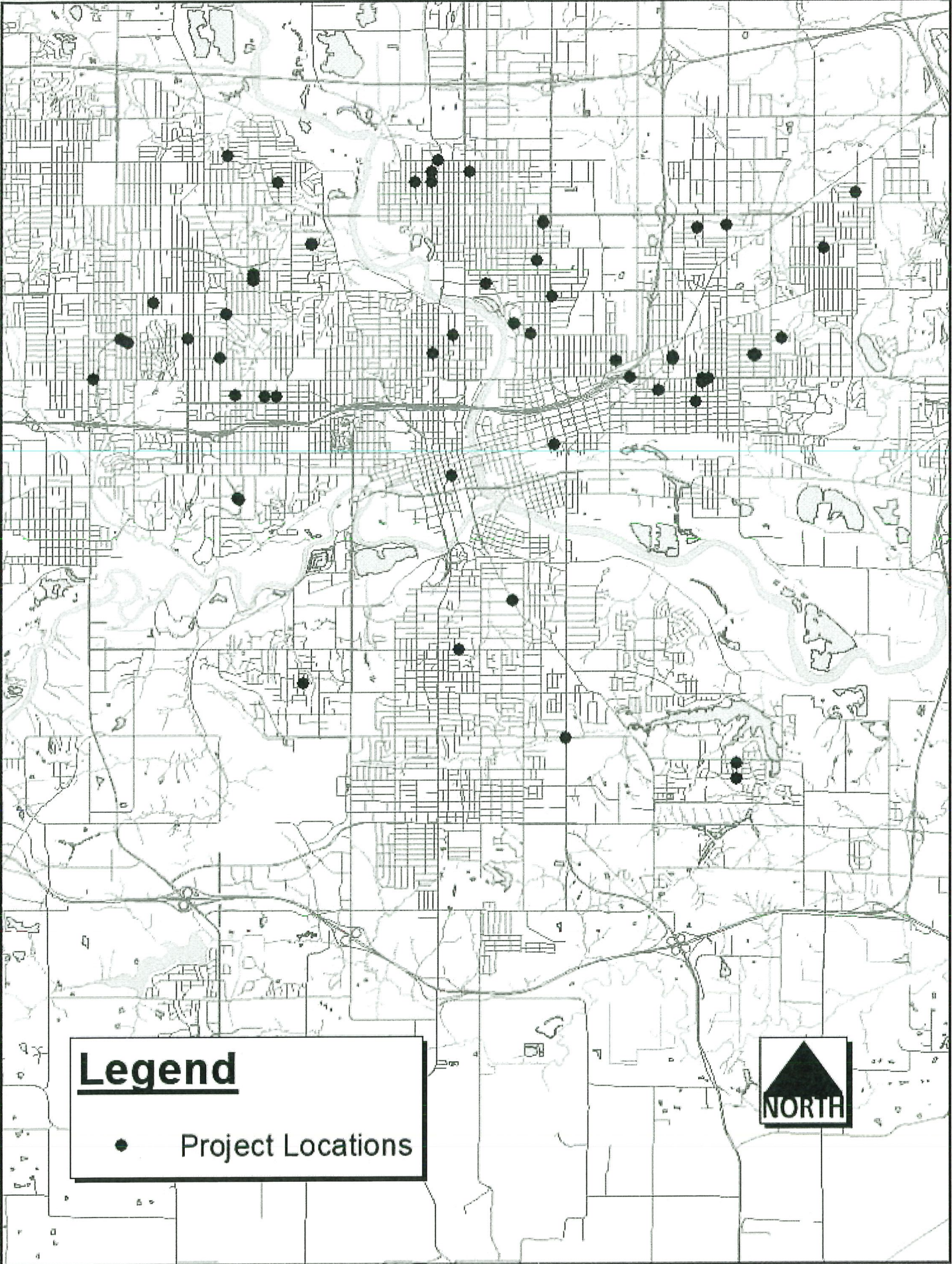
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED				APPROVED

I, Laura Baumgartner, 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 Locations





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PROJECT SUMMARY

2020 Sidewalk Replacement Program

Activity ID 092020003

On March 23, 2020, under Roll Call No. 20-0567, the Council awarded the contract for the above improvements to TK Concrete, Inc., in the amount of \$519,945.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
2	City	5/19/2021 Item 801 is to install the EasyPave Grid system at the east return of the 51st Street & Grand Avenue intersection to resolve rutting issues. The item includes spreading topsoil and restoration with grass seed. Item 802 is to extend the project completion provisions from 90-working days specified in the project technical specifications to a calendar completion date of 12/31/2021.	\$3,800.00
3	City	6/15/2021 Item 803 is to add contract item for flume cleaning and repair.	\$17,290.00
4	City	4/21/2022 Part A items are to adjust contract quantities to as-built quantities. Part B items include the following: 804) Furnish and install off-site topsoil, and 805) Below grade excavation and replacement with modified subbase.	\$(91,141.77)
Original Contract Amount			\$519,945.00
Total Change Orders			\$(70,051.77)
Percent of Change Orders to Original Contract			(13.47)%
Total Contract Amount			\$449,893.23

11A



October 3, 2022

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2020 Sidewalk Replacement Program, TK Concrete, Inc..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$449,893.23 As-Built Contract Cost

Funding Source: 2022-23 CIP, Page 169, Sidewalk Replacement, SW084, Being: \$200,000 G.O. Bonds issued, \$249,893.23 G.O Bonds to be issued

CERTIFICATION OF COMPLETION:

On March 23, 2020, under Roll Call No. 20-0567, the City Council awarded a contract to TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219 for the construction of the following improvement:

2020 Sidewalk Replacement Program, 092020003

The improvement includes reconstruction of brick sidewalks, Class A and Class B Portland Cement Concrete (PCC) sidewalks of varying thicknesses, together with all appurtenances; in accordance with the contract documents, at various city-wide locations in Des Moines, Iowa. Sidewalks will be replaced at locations inspected by the Engineering Department. Curb ramps, compliant with the requirements of the Americans with Disabilities Act of 1990 and the regulations associated with this law, as it applies to pedestrian facilities, will also be constructed in the vicinity where sidewalks will be replaced

I hereby certify that the construction of said 2020 Sidewalk Replacement Program, Activity ID 092020003, 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 April 27, 2020, and was completed on July 20, 2022.

I further certify that \$449,893.23 is the total cost of said improvement, of which \$449,893.23 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 \$0.00 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

11 A

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



FINAL QUANTITIES OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 08/02/22 to 08/02/22
FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

PROJECT: 2020 Sidewalk Replacement Program
CONTRACTOR: TK Concrete

ACTIVITY ID: 09-2020-003
DATE: 8/2/2022

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
1	Sidewalk, 5" PCC Class 'A', Remove and Replace	SY	520.00	1,605.18	1,605.18	0.00	\$ 88.50	\$142,058.43
2	Sidewalk, 4" PCC Class 'B', Remove and Replace	SY	2,710.00	1,223.00	1,223.00	0.00	\$ 87.00	\$106,401.00
3	Sidewalk, Through Alley, 7" PCC, Remove and Replace	SY	100.00	14.30	14.30	0.00	\$ 90.00	\$1,287.00
4	Sidewalk, Through Driveway, 6" PCC, Remove and Replace	SY	300.00	560.00	560.00	0.00	\$ 94.00	\$52,640.00
5	Sidewalk, ADA Compliant Ramp, 6" PCC, Remove and Replace	SY	700.00	407.00	407.00	0.00	\$ 94.00	\$38,258.00
6	Detectable Warning Panels - Cast Iron	SF	900.00	498.00	498.00	0.00	\$ 33.50	\$16,683.00
7	Brick Sidewalk, with Sand Base	SY	20.00	6.20	6.20	0.00	\$ 125.00	\$775.00
8	Brick Sidewalk, with Concrete Base	SY	10.00	0.00	0.00	0.00	\$ 150.00	\$0.00
9	Brick Approach, with Concrete Base	SY	20.00	0.00	0.00	0.00	\$ 150.00	\$0.00
10	Driveway, Removal	SY	250.00	713.00	713.00	0.00	\$ 10.00	\$7,130.00
11	Driveway, 6" PCC	SY	200.00	51.10	51.10	0.00	\$ 78.00	\$3,985.80
12	Alley Approach, 7" PCC, Remove and Replace	SY	90.00	47.00	47.00	0.00	\$ 90.00	\$4,230.00
13	Remove and Replace Curb & Gutter	LF	1,400.00	888.00	888.00	0.00	\$ 35.00	\$31,080.00
14	Saw Concrete - Horizontal	LF	15.00	0.00	0.00	0.00	\$ 12.00	\$0.00
15	Tree Protection Fence	LF	100.00	95.00	95.00	0.00	\$ 1.00	\$95.00
16	Tree Root Grinding	EA	75.00	65.00	65.00	0.00	\$ 25.00	\$1,625.00
17	Sod, Nursery in Place	SQ	25.00	39.80	39.80	0.00	\$ 75.00	\$2,985.00
18	Hydraulic Seeding	SQ	25.00	0.00	0.00	0.00	\$ 25.00	\$0.00
19	Modular Wall	SF	25.00	0.00	0.00	0.00	\$ 50.00	\$0.00
20	Traffic Control Sign, Remove and Relocate	EA	10.00	0.00	0.00	0.00	\$ 200.00	\$0.00
21	New Stop Box Housing	EA	2.00	1.00	1.00	0.00	\$ 750.00	\$750.00
22	New Stop Box Rod	EA	2.00	1.00	1.00	0.00	\$ 750.00	\$750.00
23	Loop Detector, Replacement, 6'x8'	EA	2.00	0.00	0.00	0.00	\$ 1,200.00	\$0.00
24	Loop Detector, Replacement, 6'x20'	EA	2.00	1.00	1.00	0.00	\$ 1,500.00	\$1,500.00
25	Major Handhole Adjustment, Type I Precast Concrete Handhole	EA	2.00	2.00	2.00	0.00	\$ 1,500.00	\$3,000.00
26	Major Handhole Adjustment, Type II or III Polymer Concrete Handhole	EA	2.00	0.00	0.00	0.00	\$ 1,750.00	\$0.00
CHANGE ORDER ITEMS								
BLUE HIGHLIGHTED ITEMS INDICATE AGREED-UPON CHANGE ORDER ITEMS & UNIT PRICES FOR ITEMS NOT YET INCLUDED IN THE CONTRACT.								
801.00	EASY PAVE SYSTEM & RESTORATION, 51ST ST & GRAND AVE	LS	0.00	1.00	1.00	0.00	\$ 3,800.00	\$3,800.00
802.00	EXTEND FINAL COMPLETION DATE, 12/31/2021	LS	0.00	1.00	1.00	0.00	\$ -	\$0.00
803.00	CONCRETE FLUME, CLEAN, REPAIR, AND REPLACE	LS	0.00	1.00	1.00	0.00	\$ 17,290.00	\$17,290.00
804.00	TOPSOIL, OFF-SITE	CY	0.00	30.00	30.00	0.00	\$ 85.00	\$2,550.00
805.00	BELOW GRADE EXCAVATION (CORE OUT)	SY	0.00	380.00	380.00	0.00	\$ 29.00	\$11,020.00

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
	ORIGINAL CONTRACT AMOUNT		\$	519,945.00				
	TOTAL CHANGE ORDERS		\$	(70,051.77)				
	ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$	449,893.23				
	PARTIAL PAYMENT 01		\$	30,607.19				
	PARTIAL PAYMENT 02		\$	36,316.89				
	PARTIAL PAYMENT 03		\$	45,761.84				
	PARTIAL PAYMENT 04		\$	38,779.34				
	PARTIAL PAYMENT 05		\$	67,834.67				
	PARTIAL PAYMENT 06		\$	142,672.77				
	PARTIAL PAYMENT 07		\$	3,686.00				
	PARTIAL PAYMENT 08		\$	3,015.10				
	PARTIAL PAYMENT 09		\$	54,559.73				
	PARTIAL PAYMENT 10		\$	13,162.90				
	PARTIAL PAYMENT 11		\$	13,496.80				
	THIS PARTIAL PAYMENT		\$	-				
	TOTAL PARTIAL PAYMENTS		\$	449,893.23				
	BALANCE		\$	-				
	APPROXIMATE PERCENT COMPLETE			100.0%				

PREPARED BY: Todd Rutke
Project Inspector

CHECKED BY: Brett Lewis
Project Engineer

CONTRACTOR: Blaine [Signature]
CONTRACTOR

TOTAL	\$449,893.23
RETAINAGE	\$ -
TOTAL LESS RETAINAGE	\$ 449,893.23
LESS PREVIOUS PAYMENT	\$ 449,893.23
AMOUNT DUE	\$ -

FINAL PAYMENT (PARTIAL PAYMENT NO. 12)

Note: The City Engineer has determined that the contract is substantially complete and this payment includes release of retainage requested by the Contractor pursuant to Iowa Code section 573.28. An estimated \$0.00 of work is incomplete, so per Iowa Code Section 573.28, 200% is being retained (\$0.00).