



**Roll Call Number**

**Agenda Item Number**

10A

**Date** September 11, 2023

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR WITMER PARK PLAYGROUND AND RESTROOM IMPROVEMENTS, GRAPHITE CONSTRUCTION GROUP, 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 Witmer Park Playground and Restroom Improvements, 112021004, in accordance with the contract approved between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313, under Roll Call No. 21-1063, of June 28, 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 \$482,691.73 is the total cost, of which \$465,885.98 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 \$16,805.75 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

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

**SLN**  
*pw*

Funding Source: 2023-24 CIP, Page 87, Witmer Park Improvements, PK184, \$184,207 in private funds and the remaining \$298,484.73 in Local Option Sales and Services Tax (LOSST)



**Roll Call Number**

**Agenda Item Number**

10A

**Date** September 11, 2023

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

\_\_\_\_\_ City Clerk



**Roll Call Number**

**Agenda Item Number**

10A

**Date** September 11, 2023

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR WITMER PARK PLAYGROUND AND RESTROOM IMPROVEMENTS, GRAPHITE CONSTRUCTION GROUP, 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 Witmer Park Playground and Restroom Improvements, 112021004, in accordance with the contract approved between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313, under Roll Call No. 21-1063, of June 28, 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 \$482,691.73 is the total cost, of which \$465,885.98 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 \$16,805.75 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

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance



Funding Source: 2023-24 CIP, Page 87, Witmer Park Improvements, PK184, \$184,207 in private funds and the remaining \$298,484.73 in Local Option Sales and Services Tax (LOSST)



**Roll Call Number**

\_\_\_\_\_

**Agenda Item Number**

10 A

**Date** September 11, 2023

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		
_____				Mayor

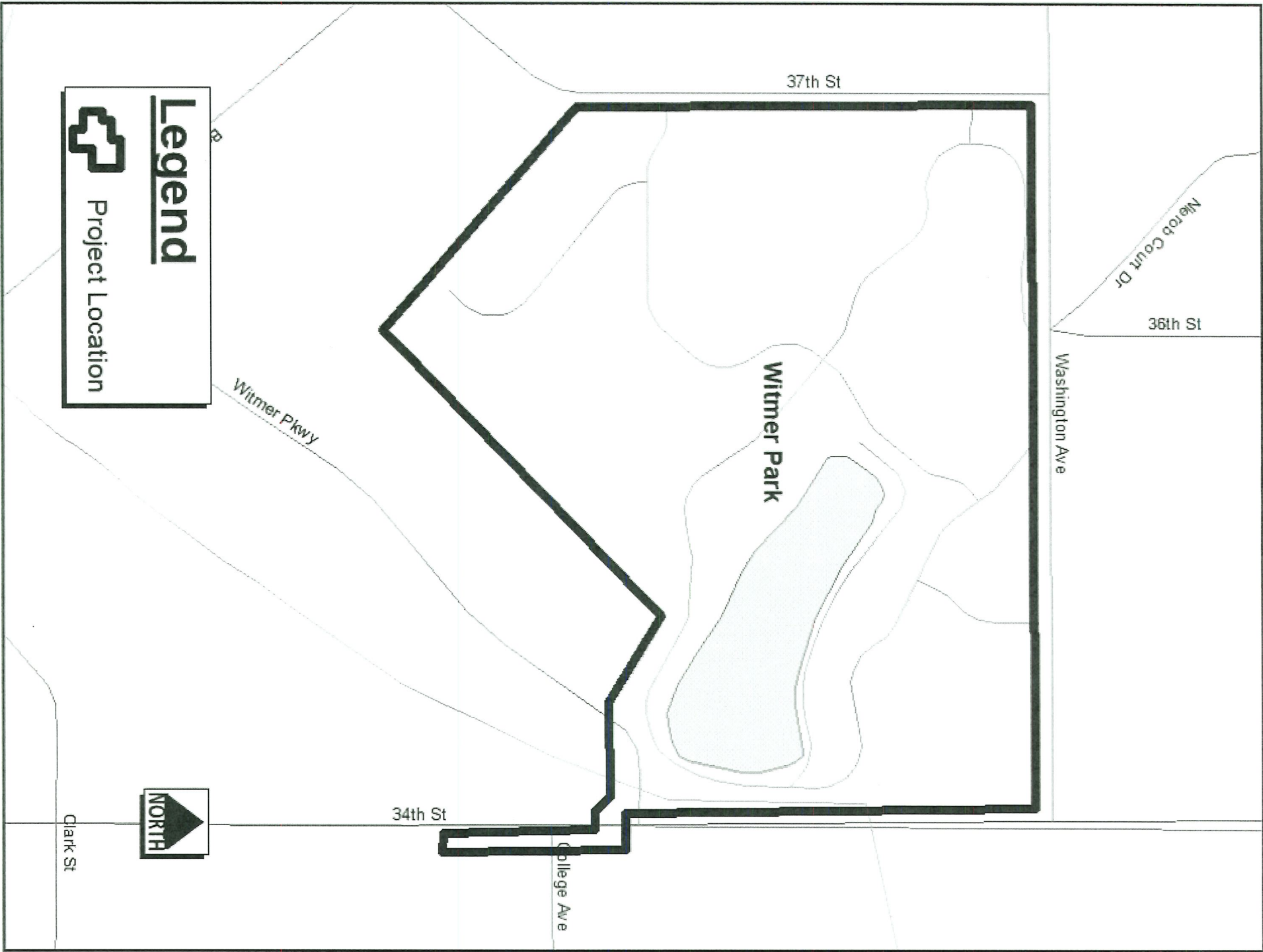
**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

\_\_\_\_\_ City Clerk

IDA



36th St

Nerob Court Dr

Washington Ave

37th St

Witmer Park

34th St

Witmer Pkwy

College Ave

Clark St



**Legend**  
Project Location







10A

## PROJECT SUMMARY

### Witmer Park Playground and Restroom Improvements

#### Activity ID 112021004

On June 28, 2021, under Roll Call No. 21-1063, the Council awarded the contract for the above improvements to Graphite Construction Group, Inc., in the amount of \$558,000.00. 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	2/2/2022 Install 4" water line into restroom building and reroute sanitary plumbing.	\$7,975.00
2	City	2/11/2022 Upgrade of the diaper changing station in the restroom facility and addition of expansion couplings for conduits to electrical meter.	\$2,095.00
3	City		\$(85,378.27)
		Adjustment of quantities to as-built measurements and liquidated damages.	
		<b>Original Contract Amount</b>	\$558,000.00
		<b>Total Change Orders</b>	\$(75,308.27)
		<b>Percent of Change Orders to Original Contract</b>	(13.50)%
		<b>Total Contract Amount</b>	\$482,691.73

10A

Department of Engineering  
City of Des Moines, Iowa



September 11, 2023

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Witmer Park Playground and Restroom Improvements, Graphite Construction Group, Inc..

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$482,691.73 As-Built Contract Cost

Funding Source: 2023-24 CIP, Page 87, Witmer Park Improvements, PK184, Being: \$184,207 in private funds and the remaining \$298,484.73 in Local Option Sales and Services Tax (LOSST)

**CERTIFICATION OF COMPLETION:**

On June 28, 2021, under Roll Call No. 21-1063, the City Council awarded a contract to Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA 50313 for the construction of the following improvement:

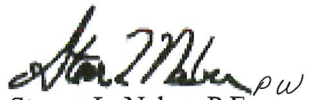
Witmer Park Playground and Restroom Improvements, 112021004

The improvement includes earthwork, subdrain, water service installation, sanitary sewer service installation, Portland Cement Concrete (PCC) sidewalk, PCC beam curb, new 500 square foot restroom building including foundation excavation, new concrete foundations, concrete flatwork, masonry walls, steel canopy structure, metal doors and frames, aluminum storefront windows, standing seam metal roof system, painting, mechanical, plumbing and electrical systems, miscellaneous site amenities, seeding and restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 623-164/201, at Witmer Park, 1610 34th Street, Des Moines, Iowa

I hereby certify that the construction of said Witmer Park Playground and Restroom Improvements, Activity ID 112021004, 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 4, 2021, and was completed on August 3, 2023.

10A

I further certify that \$482,691.73 is the total cost of said improvement, of which \$465,885.98 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 \$16,805.75 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



10 A

**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 06/03/22 to 08/03/23  
**FINAL PAYMENT**

PROJECT: WITMER PARK PLAYGROUND AND RESTROOM IMPROVEMENTS  
CONTRACTOR: Graphite Construction

ACTIVITY ID: 11-2021-004  
DATE: 8/3/2023

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
1	Topsoil, On-site	CY	280.00	240.00	240.00	0.00	\$ 16.25	\$3,900.00
2	Excavation, Class 10	CY	280.00	280.00	280.00	0.00	\$ 16.25	\$4,550.00
3	Subbase, Modified Subbase, 4"	SY	780.00	780.00	780.00	0.00	\$ 11.00	\$8,580.00
4	Removal of Swingset	LS	1.00	1.00	1.00	0.00	\$ 4,300.00	\$4,300.00
5	Sanitary Sewer Service	LF	78.00	78.00	78.00	0.00	\$ 120.00	\$9,360.00
6	Sanitary Sewer Service Cleanout	EACH	1.00	1.00	1.00	0.00	\$ 1,300.00	\$1,300.00
7	Subdrain, 4"	LF	267.00	252.00	252.00	0.00	\$ 17.25	\$4,347.00
8	Subdrain Cleanout, Type A-1, 4"	EACH	4.00	4.00	4.00	0.00	\$ 435.00	\$1,740.00
9	Subdrain Connection	EACH	1.00	1.00	1.00	0.00	\$ 750.00	\$750.00
10	Subdrain Outlet, CMP, 4"	EACH	2.00	2.00	2.00	0.00	\$ 272.00	\$544.00
11	Subdrain Outlet, Pop Up Emitter	EACH	1.00	1.00	1.00	0.00	\$ 490.00	\$490.00
12	New Stop Box	EACH	1.00	1.00	1.00	0.00	\$ 980.00	\$980.00
13	New Water Service	LF	90.00	90.00	90.00	0.00	\$ 36.00	\$3,240.00
14	Disconnect Water Service	EACH	1.00	0.00	0.00	0.00	\$ 2,380.00	\$0.00
15	Water Service Meter Pit	EACH	1.00	1.00	1.00	0.00	\$ 2,600.00	\$2,600.00
16	Water Service Tap	LS	1.00	1.00	1.00	0.00	\$ 3,900.00	\$3,900.00
17	Beam Curb	LF	302.00	302.00	302.00	0.00	\$ 54.50	\$16,459.00
18	Removal of Shared Use Path	SY	140.00	154.90	154.90	0.00	\$ 12.25	\$1,897.53
19	Shared Use Path, PCC, 6", Reinforced	SY	38.00	39.30	39.30	0.00	\$ 63.50	\$2,495.55
20	Shared Use Path, PCC, 6"	SY	177.00	207.39	207.39	0.00	\$ 61.00	\$12,650.79
21	Special Subgrade Preparation for Shared Use Path	SY	340.00	340.00	340.00	0.00	\$ 5.75	\$1,955.00
22	Sidewalk, PCC, 5"	SY	323.00	330.28	330.28	0.00	\$ 59.50	\$19,651.66
23	Full Depth Patches	SY	68.00	63.55	63.55	0.00	\$ 156.00	\$9,913.80
24	Temporary Traffic Control	LS	1.00	1.00	1.00	0.00	\$ 2,450.00	\$2,450.00
25	Hydraulic Seeding, Seeding, Fertilizing, and Mulching	ACRE	0.60	0.42	0.42	0.00	\$ 4,225.00	\$1,774.50
26	Filter Sock, 8"	LF	475.00	893.40	893.40	0.00	\$ 1.50	\$1,340.10
27	Temporary RECP, Type 2	SY	175.00	0.00	0.00	0.00	\$ 2.50	\$0.00
28	Stabilized Construction Entrance	TON	75.00	39.67	39.67	0.00	\$ 43.50	\$1,725.65
29	Erosion Control Mulching, Hydromulching	ACRE	0.60	0.00	0.00	0.00	\$ 1,575.00	\$0.00
30	Mobilization	LS	1.00	1.00	1.00	0.00	\$ 16,416.00	\$16,416.00
31	Concrete Washout	LS	1.00	1.00	1.00	0.00	\$ 1,700.00	\$1,700.00
32	Tree Protection Fence	LF	520.00	303.60	303.60	0.00	\$ 2.75	\$834.90
33	Relocation of Bike Rack	EACH	3.00	3.00	3.00	1.50	\$ 218.00	\$654.00
34	Relocation of Bench	EACH	2.00	2.00	2.00	1.00	\$ 270.00	\$540.00

10A

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
35	Bike Rack	EACH	1.00	1.00	1.00	0.50	\$ 330.00	\$330.00
36	Bench	EACH	2.00	0.00	0.00	0.00	\$ 1,400.00	\$0.00
37	Drinking Fountain	EACH	1.00	1.00	1.00	0.31	\$ 7,200.00	\$7,200.00
38	Restroom	LS	1.00	1.00	1.00	0.0199	\$ 398,787.25	\$398,787.25
39	Project Sign	EACH	1.00	1.00	1.00	0.00	\$ 765.00	\$765.00
<b>Change Order Items</b>								
1001	Install of 4" Water Line	LS	0.00	1.00	1.00	0.00	\$ 7,975.00	\$7,975.00
2001	Upgrade to Diaper Changing Station	LS	0.00	1.00	1.00	0.00	\$ 1,278.00	\$1,278.00
2002	Expansion Couplings for Conduits	LS	0.00	1.00	1.00	0.00	\$ 817.00	\$817.00
3001	Liquidated Damages	CDAY	0.00	155.00	155.00	155.00	\$ (500.00)	(\$77,500.00)
ORIGINAL CONTRACT AMOUNT			\$	558,000.00				
TOTAL CHANGE ORDERS			\$	(75,308.27)				
ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$	482,691.73				
PARTIAL PAYMENT #1			\$	171,529.77				
PARTIAL PAYMENT #2			\$	140,006.67				
PARTIAL PAYMENT #3			\$	62,282.12				
PARTIAL PAYMENT #4			\$	15,588.99				
PARTIAL PAYMENT #5			\$	38,680.29				
PARTIAL PAYMENT #6			\$	31,585.61				
PARTIAL PAYMENT #7			\$	22,145.15				
PARTIAL PAYMENT #8			\$	38,465.40				
THIS PARTIAL PAYMENT			\$	(54,398.02)				
TOTAL PARTIAL PAYMENTS			\$	465,885.98				
BALANCE			\$	16,805.75				
APPROXIMATE PERCENT COMPLETE				100.0%				

PREPARED BY: Tim Anderson  
Project Inspector

CHECKED BY: [Signature]  
Project Engineer

TOTAL	\$482,691.73
RETAINAGE	\$ 16,805.75
TOTAL LESS RETAINAGE	\$465,885.98
LESS PREVIOUS PAYMENT	\$ 520,284.00
<b>AMOUNT DUE</b>	<b>(\$54,398.02)</b>

FINAL PAYMENT