



Date January 22, 2024

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SW 9TH ST BRIDGE REPLACEMENT OVER MIDDLE SOUTH CREEK, HERBERGER CONSTRUCTION COMPANY, 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 SW 9th St Bridge Replacement over Middle South Creek, Activity ID 122021003, in accordance with the contract approved between Herberger Construction Company, Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA, 50125, under Roll Call No. 22-0204, of February 07, 2022, 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 \$2,157,811.37 is the total cost, of which \$2,127,811.37 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 \$30,000.00 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

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

Funding Source: 2023-24 CIP, Page 27, SW 9th St Bridge over Middle Creek, BR062, Being: \$1,000,000 (maximum) City Bridge Federal-aid Swap funds being 80% of eligible construction costs under BHM-SWAP-1945(857)--SD-91, \$300,000 in gaming monies and the remaining \$857,811.37 in G.O.Bonds

SLN pw

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| BOESEN | | | | |
| COLEMAN | | | | |
| GATTO | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |

MOTION CARRIED

APPROVED

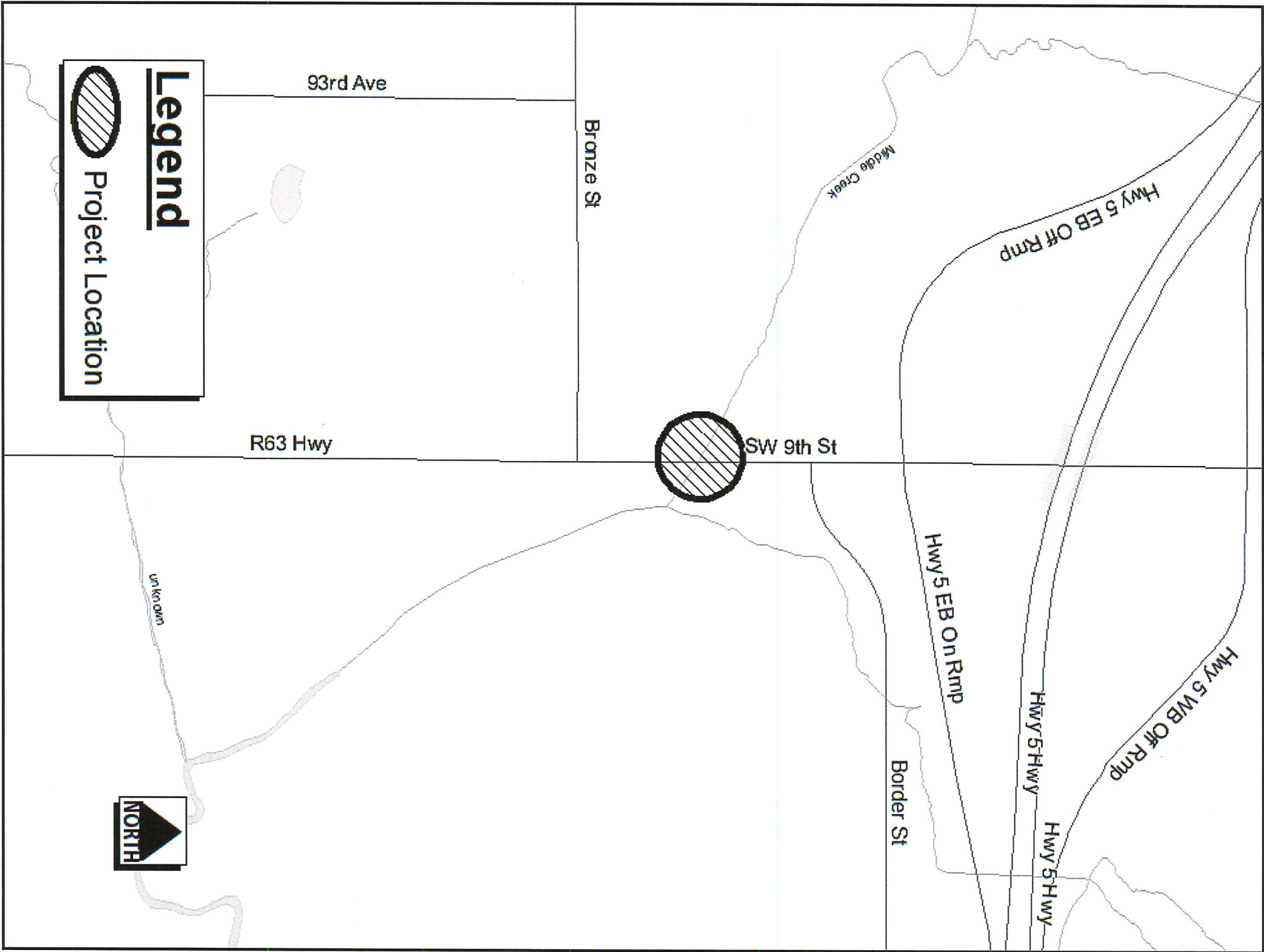
Mayor

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



Department of Engineering
City of Des Moines, Iowa



January 22, 2024

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the SW 9th St Bridge Replacement over Middle South Creek, Herberger Construction Company, Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$2,157,811.37 As-Built Contract Cost

Funding Source: 2023-24 CIP, Page 27, SW 9th St Bridge over Middle Creek, BR062, Being: \$1,000,000 (maximum) City Bridge Federal-aid Swap funds being 80% of eligible construction costs under BHM-SWAP-1945(857)--SD-91, \$300,000 in gaming monies and the remaining \$857,811.37 in G.O.Bonds

CERTIFICATION OF COMPLETION:

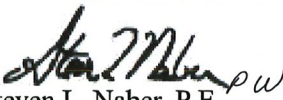
On February 7, 2022, under Roll Call No. 22-0204, the City Council awarded a contract to Herberger Construction Company, Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA 50125 for the construction of the following improvement:

SW 9th St Bridge Replacement over Middle South Creek, 122021003

The improvement includes removal of the existing three span concrete slab bridge, construction of a new continuous concrete slab bridge on steel pile foundations, bridge barrier rail, minor approach grading and concrete approach pavement, guardrail, channel shaping and revetment, erosion control, seeding, traffic control and temporary traffic signals, and mobilization; all in accordance with the contract documents, including Plan File No. 635-228/296, on S.W. 9th Street over Middle South Creek located south of Iowa Highway 5 in Warren County, Des Moines, Iowa

I hereby certify that the construction of said SW 9th St Bridge Replacement over Middle South Creek, Activity ID 122021003, 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 March 28, 2022, and was completed on December 4, 2023.

I further certify that \$2,157,811.37 is the total cost of said improvement, of which \$2,127,811.37 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 \$30,000.00 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

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ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 9/21/23 to 10/3/23
PARTIAL PAYMENT NO. 16 - FINAL

IDOT #: BRM-SWAP-1945(857)--SD-91
ACTIVITY ID: 12-2021-003
DATE: 10/3/2023

PROJECT: SW 9th Street Bridge Replacement over Middle South Creek
CONTRACTOR: Herberger Construction Co., Inc.

| ITEM NO. | DESCRIPTION | UNIT | QUANTITIES | | | | UNIT PRICE | TOTAL AMOUNT |
|----------|---|------|------------|------------|---------------------|-------------------------|--------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | CONSTRUCTED THIS PERIOD | | |
| 1 | CLEARING AND GRUBBING | ACRE | 1.00 | 1.00 | 1.00 | 0.00 | \$ 11,000.00 | \$11,000.00 |
| 2 | SPECIAL BACKFILL | TON | 328.80 | 318.30 | 318.30 | 0.00 | \$ 38.30 | \$12,190.89 |
| 3 | EXCAVATION, CLASS 10, ROADWAY AND BORROW | CY | 984.00 | 984.00 | 984.00 | 0.00 | \$ 18.35 | \$18,056.40 |
| 4 | EXCAVATION, CLASS 10, WASTE | CY | 2,467.00 | 2,467.00 | 2,467.00 | 0.00 | \$ 24.10 | \$59,454.70 |
| 5 | EXCAVATION, CLASS 13, WASTE | CY | 181.30 | 181.30 | 181.30 | 0.00 | \$ 31.20 | \$5,656.56 |
| 6 | EXCAVATION, CLASS 10, CHANNEL | CY | 1,845.00 | 1,630.00 | 1,630.00 | 0.00 | \$ 21.90 | \$35,697.00 |
| 7 | TOPSOIL, STRIP, SALVAGE AND SPREAD | CY | 826.00 | 826.00 | 826.00 | 0.00 | \$ 18.60 | \$15,363.60 |
| 8 | COMPACTION WITH MOISTURE AND DENSITY CONTROL | CY | 757.00 | 378.50 | 378.50 | 0.00 | \$ 2.20 | \$832.70 |
| 9 | MODIFIED SUBBASE | CY | 200.00 | 265.80 | 265.80 | 0.00 | \$ 77.75 | \$20,665.95 |
| 10 | PAVED SHOULDER, P.C. CONCRETE, 8 IN. | SY | 437.70 | 325.20 | 325.20 | 0.00 | \$ 99.60 | \$32,389.92 |
| 11 | PAVED SHOULDER, PORTLAND CEMENT CONCRETE (PAVED SHOULDER) | SY | 88.60 | 88.60 | 88.60 | 0.00 | \$ 145.70 | \$12,909.02 |
| 12 | SHOULDER CONSTRUCTION, EARTH | STA | 13.20 | 13.20 | 13.20 | 0.00 | \$ 280.00 | \$3,696.00 |
| 13 | PATCHES, FULL-DEPTH REPAIR | SY | 322.80 | 836.43 | 836.43 | 0.00 | \$ 156.60 | \$130,984.94 |
| 14 | PATCHES BY COUNT (REPAIR) | EACH | 6.00 | 4.00 | 4.00 | 0.00 | \$ 796.00 | \$3,184.00 |
| 15 | BRIDGE APPROACH, BR-205 | SY | 429.40 | 0.00 | 0.00 | 0.00 | \$ 285.00 | \$0.00 |
| 16 | STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT | SY | 480.00 | 452.02 | 452.02 | 0.00 | \$ 93.00 | \$42,037.86 |
| 17 | DETOUR PAVEMENT | SY | 352.70 | 359.60 | 359.60 | 0.00 | \$ 81.00 | \$29,127.60 |
| 18 | REMOVALS, AS PER PLAN | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 4,100.00 | \$4,100.00 |
| 19 | LONGITUDINAL GROOVING IN CONCRETE | SY | 857.40 | 857.80 | 857.80 | 0.00 | \$ 9.90 | \$8,492.22 |
| 20 | SUBDRAIN, LONGITUDINAL, (SHOULDER) 4 IN. DIA. | LF | 640.00 | 487.00 | 487.00 | 0.00 | \$ 16.40 | \$7,986.80 |
| 21 | SUBDRAIN OUTLET, DR-306 | EACH | 4.00 | 4.00 | 4.00 | 0.00 | \$ 700.00 | \$2,800.00 |
| 22 | BRIDGE END DRAIN, DR-402 | EACH | 4.00 | 4.00 | 4.00 | 0.00 | \$ 4,250.00 | \$17,000.00 |
| 23 | STEEL BEAM GUARDRAIL | LF | 50.00 | 50.00 | 50.00 | 0.00 | \$ 25.00 | \$1,250.00 |
| 24 | STEEL BEAM GUARDRAIL BARRIER TRANSITION SECTION, BA-201 | EACH | 4.00 | 4.00 | 4.00 | 0.00 | \$ 2,600.00 | \$10,400.00 |
| 25 | STEEL BEAM GUARDRAIL END ANCHOR, BOLTED | EACH | 4.00 | 4.00 | 4.00 | 0.00 | \$ 300.00 | \$1,200.00 |
| 26 | STEEL BEAM GUARDRAIL TANGENT END TERMINAL, BA-205 | EACH | 4.00 | 4.00 | 4.00 | 0.00 | \$ 3,000.00 | \$12,000.00 |
| 27 | REMOVAL OF PAVEMENT | SY | 1,253.70 | 1,131.90 | 1,131.90 | 0.00 | \$ 23.00 | \$26,033.70 |
| 28 | CONSTRUCTION SURVEY | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 10,000.00 | \$10,000.00 |
| 29 | PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED | STA | 16.07 | 47.57 | 47.57 | 0.00 | \$ 50.00 | \$2,378.50 |
| 30 | WET RETROREFLECTIVE REMOVABLE TAPE MARKINGS | STA | 6.25 | 6.98 | 6.98 | 0.00 | \$ 150.00 | \$1,047.00 |
| 31 | PAVEMENT MARKINGS REMOVED | STA | 16.07 | 37.47 | 37.47 | 0.00 | \$ 50.00 | \$1,873.50 |
| 32 | SAFETY CLOSURE | EACH | 2.00 | 3.00 | 3.00 | 0.00 | \$ 220.00 | \$660.00 |
| 33 | TEMPORARY BARRIER RAIL, CONCRETE | LF | 1,200.00 | 1,200.00 | 1,200.00 | 0.00 | \$ 14.25 | \$17,100.00 |

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| ITEM NO. | DESCRIPTION | UNIT | QUANTITIES | | | | UNIT PRICE | TOTAL AMOUNT |
|----------|---|------|------------|------------|---------------------|-------------------------|---------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | CONSTRUCTED THIS PERIOD | | |
| 34 | TEMPORARY TRAFFIC SIGNALS | EACH | 1.00 | 1.00 | 1.00 | 0.00 | \$ 16,500.00 | \$16,500.00 |
| 35 | TRAFFIC CONTROL | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 26,000.00 | \$26,000.00 |
| 36 | FLAGGERS | EACH | 10.00 | 0.00 | 0.00 | 0.00 | \$ 540.00 | \$0.00 |
| 37 | PORTABLE DYNAMIC MESSAGE SIGN (PDMS) | CDAY | 28.00 | 40.00 | 40.00 | 0.00 | \$ 165.00 | \$6,600.00 |
| 38 | TEMP CRASH CUSHION, REDIRECTIVE (R) | EACH | 6.00 | 0.00 | 0.00 | 0.00 | \$ 6,600.00 | \$0.00 |
| 39 | POTHOLING | EACH | 8.00 | 7.00 | 7.00 | 0.00 | \$ 1,100.00 | \$7,700.00 |
| 40 | MULCHING, BONDED FIBER MATRIX | ACRE | 1.00 | 1.54 | 1.54 | 0.00 | \$ 3,500.00 | \$5,390.00 |
| 41 | SEEDING AND FERTILIZING (URBAN) | ACRE | 0.30 | 0.42 | 0.42 | 0.00 | \$ 3,000.00 | \$1,260.00 |
| 42 | HYDRAULIC SEEDING | ACRE | 0.70 | 0.61 | 0.61 | 0.00 | \$ 3,000.00 | \$1,830.00 |
| 43 | STABILIZING CROP - SEEDING AND FERTILIZING | ACRE | 1.00 | 0.51 | 0.51 | 0.00 | \$ 1,000.00 | \$510.00 |
| 44 | SILT FENCE | LF | 2,075.00 | 0.00 | 0.00 | 0.00 | \$ 1.75 | \$0.00 |
| 45 | SILT FENCE FOR DITCH CHECKS | LF | 225.00 | 0.00 | 0.00 | 0.00 | \$ 1.75 | \$0.00 |
| 46 | REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS | LF | 2,300.00 | 0.00 | 0.00 | 0.00 | \$ 0.05 | \$0.00 |
| 47 | MAINTENANCE OF SILT FENCE OR SILT FENCE FOR DITCH CHECK | LF | 230.00 | 0.00 | 0.00 | 0.00 | \$ 0.05 | \$0.00 |
| 48 | PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 12 IN. DIA. | LF | 675.00 | 2,640.00 | 2,640.00 | 0.00 | \$ 3.00 | \$7,920.00 |
| 49 | PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 20 IN. DIA. | LF | 975.00 | 340.00 | 340.00 | 0.00 | \$ 4.00 | \$1,360.00 |
| 50 | REMOVAL OF PERIMETER AND SLOPE OR DITCH CHECK SEDIMENT C | LF | 1,650.00 | 2,798.00 | 2,798.00 | 0.00 | \$ 0.35 | \$979.30 |
| 51 | MOBILIZATIONS, EROSION CONTROL | EACH | 7.00 | 12.00 | 12.00 | 0.00 | \$ 500.00 | \$6,000.00 |
| 52 | MOBILIZATIONS, EMERGENCY EROSION CONTROL | EACH | 1.00 | 0.00 | 0.00 | 0.00 | \$ 1,000.00 | \$0.00 |
| 53 | REMOVAL OF EXISTING BRIDGE | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 115,000.00 | \$115,000.00 |
| 54 | EXCAVATION, CLASS 20 | CY | 117.80 | 117.80 | 117.80 | 0.00 | \$ 57.70 | \$6,797.06 |
| 55 | STRUCTURAL CONCRETE (BRIDGE) | CY | 338.90 | 338.90 | 338.90 | 0.00 | \$ 1,000.00 | \$338,900.00 |
| 56 | REINFORCING STEEL, EPOXY COATED | LB | 81,220.00 | 80,884.00 | 80,884.00 | 0.00 | \$ 2.00 | \$161,768.00 |
| 57 | CONCRETE BARRIER RAILING | LF | 262.90 | 262.90 | 262.90 | 0.00 | \$ 187.00 | \$49,162.30 |
| 58 | PILES, STEEL, HP 10 X 42 | LF | 750.00 | 750.00 | 750.00 | 0.00 | \$ 69.00 | \$51,750.00 |
| 59 | PILES, STEEL, HP 12 X 53 | LF | 1,250.00 | 1,250.00 | 1,250.00 | 0.00 | \$ 80.00 | \$100,000.00 |
| 60 | CONCRETE ENCASEMENT OF STEEL H PILES, HP 12 X 53 (P10L TYPE 3 | LF | 426.40 | 426.40 | 426.40 | 0.00 | \$ 330.00 | \$140,712.00 |
| 61 | TEMPORARY SHORING | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 26,000.00 | \$26,000.00 |
| 62 | BRIDGE WING ARMORING - EROSION STONE | SY | 13.20 | 13.20 | 13.20 | 0.00 | \$ 105.00 | \$1,386.00 |
| 63 | ENGINEERING FABRIC | SY | 2,383.00 | 2,383.00 | 2,383.00 | 0.00 | \$ 3.90 | \$9,293.70 |
| 64 | REVETMENT, CLASS E | TON | 2,541.90 | 2,858.55 | 2,858.55 | 0.00 | \$ 60.00 | \$171,513.00 |
| 65 | MOBILIZATION | LS | 1.00 | 1.00 | 1.00 | 0.00 | \$ 92,000.00 | \$92,000.00 |

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| ITEM NO. | DESCRIPTION | UNIT | QUANTITIES | | | | UNIT PRICE | TOTAL AMOUNT |
|---|--|------|------------|--------------|---------------------|-------------------------|--------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | CONSTRUCTED THIS PERIOD | | |
| Change Order Items | | | | | | | | |
| CO#1 | | | | | | | | |
| 8001.00 | TRAFFIC SIGN, ADDITIONAL | LS | 0.00 | 1.00 | 1.00 | 0.00 | \$ 700.00 | \$700.00 |
| 8002.00 | TEMPORARY CRASH CUSHION | EACH | 0.00 | 6.00 | 6.00 | 0.00 | \$ 2,200.00 | \$13,200.00 |
| 8003.00 | MECHANICAL SPLICES | LS | 0.00 | 1.00 | 1.00 | 0.00 | \$ 4,118.93 | \$4,118.93 |
| 8004.00 | STAGE 1, PCC PATCHING | LS | 0.00 | 1.00 | 1.00 | 0.00 | \$ 91,861.83 | \$91,861.83 |
| CO#2 | | | | | | | | |
| 8005.00 | BRIDGE APPROACH, BR-203 | SY | 0.00 | 477.40 | 477.40 | 0.00 | \$ 264.59 | \$126,315.27 |
| 8006.00 | TRAFFIC SIGNAL TECH, 4 HRS. | EACH | 0.00 | 0.00 | 0.00 | 0.00 | \$ 600.00 | \$0.00 |
| 8007.00 | TRAFFIC SIGNAL TECH, 8 HRS. | EACH | 0.00 | 1.00 | 1.00 | 0.00 | \$ 1,100.00 | \$1,100.00 |
| CO#3 | | | | | | | | |
| 8008.00 | FOOTING REMOVAL | LS | 0.00 | 1.00 | 1.00 | 0.00 | \$ 9,643.02 | \$9,643.02 |
| 8009.00 | PCC PAVEMENT, COLD WEATHER PROTECTION | SY | 0.00 | 1,479.15 | 1,479.15 | 0.00 | \$ 2.00 | \$2,958.30 |
| 8010.00 | BARRIER RAIL, COLD WEATHER PROTECTION | CY | 0.00 | 13.65 | 13.65 | 0.00 | \$ 12.00 | \$163.80 |
| 8011.00 | PROPERTY GRADING AND FINAL RESTORATION | LS | 0.00 | 1.00 | 1.00 | 0.00 | \$ 3,850.00 | \$3,850.00 |
| ORIGINAL CONTRACT AMOUNT | | | \$ | 1,987,042.24 | | | | |
| TOTAL CHANGE ORDERS | | | \$ | 170,769.13 | | | | |
| ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS | | | \$ | 2,157,811.37 | | | | |
| PARTIAL PAYMENT #1 | | | \$ | 82,239.12 | | | | |
| PARTIAL PAYMENT #2 | | | \$ | 105,263.33 | | | | |
| PARTIAL PAYMENT #3 | | | \$ | 131,052.88 | | | | |
| PARTIAL PAYMENT #4 | | | \$ | 307,256.63 | | | | |
| PARTIAL PAYMENT #5 | | | \$ | 188,043.66 | | | | |
| PARTIAL PAYMENT #6 | | | \$ | 302,659.05 | | | | |
| PARTIAL PAYMENT #7 | | | \$ | 107,973.77 | | | | |
| PARTIAL PAYMENT #8 | | | \$ | 162,878.34 | | | | |
| PARTIAL PAYMENT #9 | | | \$ | 214,874.96 | | | | |
| PARTIAL PAYMENT #10 | | | \$ | 298,103.99 | | | | |
| PARTIAL PAYMENT #11 | | | \$ | 191,450.01 | | | | |
| PARTIAL PAYMENT #12 | | | \$ | 26,576.43 | | | | |
| PARTIAL PAYMENT #13 | | | \$ | 4,229.20 | | | | |
| PARTIAL PAYMENT #14 | | | \$ | 3,850.00 | | | | |
| PARTIAL PAYMENT #15 | | | \$ | 1,360.00 | | | | |
| THIS PARTIAL PAYMENT | | | \$ | - | | | | |
| TOTAL PARTIAL PAYMENTS | | | \$ | 2,127,811.37 | | | | |
| BALANCE | | | \$ | 30,000.00 | | | | |
| APPROXIMATE PERCENT COMPLETE | | | | 100.0% | | | | |

PREPARED BY:

Scott Dillavou
Project Inspector

CHECKED BY:

Paula
Project Engineer

| | |
|-----------------------|-----------------|
| TOTAL | \$2,157,811.37 |
| RETAINAGE | \$ 30,000.00 |
| TOTAL LESS RETAINAGE | \$ 2,127,811.37 |
| LESS PREVIOUS PAYMENT | \$ 2,127,811.37 |
| AMOUNT DUE | \$ - |

PARTIAL PAYMENT NO. 16 - FINAL