



Date December 09, 2024

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR EVELYN K. DAVIS PARK BASKETBALL COURT IMPROVEMENTS, GRUSS CONSTRUCTION, 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 Evelyn K. Davis Park Basketball Court Improvements, Activity ID 112022012, in accordance with the contract approved between Gruss Construction, LLC, Derek J. Gruss, Owner, 1491 248th St, Winterset, IA, 50273, under Roll Call No. 22-1938, of December 12, 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 \$566,606.42 is the total cost, of which \$549,608.23 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 \$16,998.19 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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: 2024-25 CIP, Page 64, Park Improvements, PK137, Being: \$536,606.42 in G.O. Bonds and the remaining \$30,000 in private funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
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



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PROJECT SUMMARY

Evelyn K. Davis Park Basketball Court Improvements

Activity ID 112022012

On December 12, 2022, under Roll Call No. 22-1938, the Council awarded the contract for the above improvements to Gruss Construction, LLC, in the amount of \$573,487.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	City	5/31/2023 Item 8001 is to install a vapor barrier under the new basketball court paving. Item 8002 is to install an electric handhole, conduit, and wire for the basketball court lighting, and reinstall electric service to the adjacent futsal court lighting.	\$24,493.92
2	City	6/6/2024 Part A items are to adjust contract quantities to as-built quantities. Part B items include use of imported fine aggregate to reduce pop-outs, installation of two ADA parking spaces, stair railing, and deduct for repairs to concrete pavement joints.	\$(38,089.50)
3	City	8/5/2024 Adjust contract quantity to as-built quantity for Item 1, AMENDED SOIL.	\$6,715.00
Original Contract Amount			\$573,487.00
Total Change Orders			\$(6,880.58)
Percent of Change Orders to Original Contract			(1.20)%
Total Contract Amount			\$566,606.42

Department of Engineering
City of Des Moines, Iowa



December 9, 2024

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Evelyn K. Davis Park Basketball Court Improvements, Gruss Construction, LLC.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$566,606.42 As-Built Contract Cost

Funding Source: 2024-25 CIP, Page 64, Park Improvements, PK137, Being: \$536,606.42 in G.O. Bonds and the remaining \$30,000 in private funds

CERTIFICATION OF COMPLETION:


On December 12, 2022, under Roll Call No. 22-1938, the City Council awarded a contract to Gruss Construction, LLC, Derek J. Gruss, Owner, 1491 248th St, Winterset, IA 50273 for the construction of the following improvement:

Evelyn K. Davis Park Basketball Court Improvements, 112022012

The improvement includes the construction of new reinforced Portland Cement Concrete (PCC) basketball courts, PCC sidewalks, concrete seating and planters, shade structures, lighting facilities, electrical, storm sewer, subdrain, earthwork, demolition, restoration, and other incidental items; all in accordance with contract documents, including Plan File No. 643-067/085b, located in Evelyn K. Davis Park, 1400 Forest Avenue, Des Moines, Iowa

I hereby certify that the construction of said Evelyn K. Davis Park Basketball Court Improvements, Activity ID 112022012, 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 10, 2023, and was completed on July 19, 2024.

I further certify that \$566,606.42 is the total cost of said improvement, of which \$549,608.23 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 \$16,998.19 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



FINAL QUANTITIES OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 8/07/2024 to 08/07/2024
FINAL PAYMENT (PARTIAL PAYMENT NO. 10)

PROJECT: Evelyn K. Davis Park Basketball Court Improvements
CONTRACTOR: Gruss Construction LLC

ACTIVITY ID: 11-2022-012
DATE: 8/12/2024

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
1	AMENDED SOIL	CY	3.00	20.00	20.00	17.00	\$ 395.00	\$7,900.00
2	TOPSOIL, ON-SITE	CY	515.00	515.00	515.00	0.00	\$ 28.00	\$14,420.00
3	EXCAVATION, CLASS 10, BORROW	CY	1,339.00	1,339.00	1,339.00	0.00	\$ 17.00	\$22,763.00
4	SUBGRADE PREPARATION, 6 IN.	SY	2,193.00	2,193.00	2,193.00	0.00	\$ 5.00	\$10,965.00
5	EXCAVATION, CLASS 13	CY	170.00	190.00	190.00	0.00	\$ 43.00	\$8,170.00
6	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	AC	1.00	0.70	0.70	0.00	\$ 7,345.00	\$5,141.50
7	STORM WATER POLLUTION PREVENTION	LS	1.00	1.00	1.00	0.00	\$ 4,520.00	\$4,520.00
8	FILTER SOCKS, 12 IN.	LF	950.00	521.00	521.00	0.00	\$ 3.00	\$1,563.00
9	FILTER SOCK, REMOVAL	LF	950.00	521.00	521.00	0.00	\$ 2.00	\$1,042.00
10	STABILIZED CONSTRUCTION ENTRANCE	SY	123.00	54.00	54.00	0.00	\$ 26.00	\$1,404.00
11	REMOVAL OF FENCE	LF	284.00	374.00	374.00	0.00	\$ 7.00	\$2,618.00
12	TEMPORARY FENCE, CHAIN LINK, 72"	LF	850.00	900.00	900.00	0.00	\$ 9.00	\$8,100.00
13	MOBILIZATION	LS	1.00	1.00	1.00	0.00	\$ 48,000.00	\$48,000.00
14	CONCRETE WASHOUT	LS	1.00	1.00	1.00	0.00	\$ 1,500.00	\$1,500.00
15	TREE PROTECTION FENCE	LF	69.00	0.00	0.00	0.00	\$ 10.00	\$0.00
16	REMOVAL OF SIDEWALK	SY	72.00	72.00	72.00	0.00	\$ 20.00	\$1,440.00
17	PAVEMENT REMOVAL	SY	1,479.00	1,479.00	1,479.00	0.00	\$ 18.00	\$26,622.00
18	CONSTRUCTION SURVEY	LS	1.00	1.00	1.00	0.00	\$ 3,200.00	\$3,200.00
19	TEMPORARY TRAFFIC AND PEDESTRIAN CONTROL	LS	1.00	1.00	1.00	0.00	\$ 2,400.00	\$2,400.00
20	RAIN GARDEN	SY	360.00	0.00	0.00	0.00	\$ 95.00	\$0.00
21	REMOVALS	LS	1.00	1.00	1.00	0.00	\$ 9,110.00	\$9,110.00
22	INLET PROTECTION DEVICE, SEDIMENT FILTER BAG	EA	1.00	1.00	1.00	0.00	\$ 282.00	\$282.00
23	INLET PROTECTION DEVICE, MAINTENANCE	EA	1.00	0.00	0.00	0.00	\$ 56.00	\$0.00
24	PAVEMENT, REINFORCED PCC, 6 IN.	SY	1,748.00	1,748.00	1,748.00	0.00	\$ 81.00	\$141,588.00
25	SIDEWALK, PCC, 6-INCH	SY	232.00	232.00	232.00	0.00	\$ 106.00	\$24,592.00
26	SUBBASE, MODIFIED, 6"	SY	1,875.00	1,875.00	1,875.00	0.00	\$ 12.00	\$22,500.00
27	STORM SEWER, TRENCHED, HDPE, 12", PERFORATED	LF	252.00	252.00	252.00	0.00	\$ 92.00	\$23,184.00
28	SALVAGE AND REINSTALL POLE AND BACKBOARD	EA	4.00	4.00	4.00	0.00	\$ 2,486.00	\$9,944.00
29	DEMOLISH OLD POLE FOOTINGS	EA	9.00	9.00	9.00	0.00	\$ 169.00	\$1,521.00
30	FOOTINGS FOR POLE AND BACKBOARD 4'X7'X1' WITH ANCHORS	EA	4.00	4.00	4.00	0.00	\$ 904.00	\$3,616.00
31	CONNECTION TO EXISTING INTAKE	EA	1.00	1.00	1.00	0.00	\$ 1,695.00	\$1,695.00
32	15" NYLOPLAST BASIN	EA	5.00	5.00	5.00	0.00	\$ 314.00	\$1,570.00
33	PARK SHELTER, INSTALLATION ONLY	EA	2.00	2.00	2.00	0.00	\$ 7,684.00	\$15,368.00
34	STRUCTURAL CONCRETE	CY	78.00	78.00	78.00	0.00	\$ 708.00	\$55,224.00
35	GRANULAR BACKFILL MATERIAL	TON	64.00	64.00	64.00	0.00	\$ 48.00	\$3,072.00
36	RELOCATE ELECTRICAL SERVICE	LS	1.00	1.00	1.00	0.00	\$ 15,785.00	\$15,785.00
37	SALVAGE AND REINSTALL LIGHT & POLE	EA	2.00	2.00	2.00	0.00	\$ 9,322.00	\$18,644.00
38	REMOVAL OF CURB	LF	40.00	0.00	0.00	0.00	\$ 22.00	\$0.00
39	CURB AND GUTTER, 2.5' (WIDTH), 7" (THICKNESS)	LF	40.00	0.00	0.00	0.00	\$ 54.00	\$0.00
40	GATES, CHAIN LINK, 72"	EA	1.00	1.00	1.00	0.00	\$ 1,100.00	\$1,100.00
41	TEMPORARY RECP	SY	7.00	0.00	0.00	0.00	\$ 56.00	\$0.00
42	SUBDRAIN CLEANOUT, 8"	EA	4.00	4.00	4.00	0.00	\$ 282.00	\$1,128.00

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ITEM NO.	DESCRIPTION	UNIT	QUANTITIES				UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD		
43	SUBDRAIN, 8"	LF	295.00	295.00	295.00	0.00	\$ 54.00	\$15,930.00
CHANGE ORDER ITEMS							SUBTOTAL	\$537,621.500
8001.00	VAPOR BARRIER	SY	0.00	1,545.00	1,545.00	0.00	\$ 6.30	\$9,733.50
8002.00	ELECTRIC FACILITIES AND CONNECTIONS	LS	0.00	1.00	1.00	0.00	\$ 15,831.42	\$15,831.42
8003.00	IMPORTED FINE AGGREGATE	CY	0.00	259.00	259.00	0.00	\$ 30.00	\$7,770.00
8004.00	ADA PARKING STALLS, SIGNS, AND STRIPING	LS	0.00	1.00	1.00	0.00	\$ 5,530.00	\$5,530.00
8005.00	STAIR RAILING	LS	0.00	1.00	1.00	0.00	\$ 5,520.00	\$5,520.00
8006.00	DEDUCT FOR PCC COURT JOINT REPAIRS	LS	0.00	1.00	1.00	0.00	\$ (15,400.00)	(\$15,400.00)
CHANGE ORDER ITEMS, SUBTOTAL							\$28,984.920	

ANTICIPATED LIQUIDATED DAMAGES

CONTRACT COMPLETION DATE	SUBSTANTIAL COMPLETION DATE	DAYS	LIQ. DAMAGES	LD PERIOD	
Saturday, September 9, 2023	Thursday, October 5, 2023	0	\$0.00	/DAY	\$0.00
ORIGINAL CONTRACT AMOUNT	\$ 573,487.00				
TOTAL CHANGE ORDERS	\$ (6,880.58)				
ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS	\$ 566,606.42				
PARTIAL PAYMENT 01	\$ 73,643.95				
PARTIAL PAYMENT 02	\$ 31,032.07				
PARTIAL PAYMENT 03	\$ 78,238.16				
PARTIAL PAYMENT 04	\$ 113,710.29				
PARTIAL PAYMENT 05	\$ 24,519.66				
PARTIAL PAYMENT 06	\$ 162,085.71				
PARTIAL PAYMENT 07	\$ 32,110.40				
PARTIAL PAYMENT 08	\$ 27,754.44				
PARTIAL PAYMENT 09	\$ 6,513.55				
THIS PARTIAL PAYMENT	\$ -				
TOTAL PARTIAL PAYMENTS	\$ 549,608.23				
BALANCE	\$ 16,998.19				
APPROXIMATE PERCENT COMPLETE	100.0%				

PREPARED BY: Ryan Cloonan
Project Inspector

CHECKED BY: Brett Lewis
Project Engineer

CONTRACTOR: [Signature]
CONTRACTOR

TOTAL	\$566,606.42
RETAINAGE	\$ 16,998.19
TOTAL LESS RETAINAGE	\$549,608.23
LESS PREVIOUS PAYMENT	\$ 549,608.23
AMOUNT DUE	\$0.00

FINAL PAYMENT (PARTIAL PAYMENT NO. 10)