

DATE April 21, 2009

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SW 9TH STREET VIADUCT OVER M.L. KING, JR. PARKWAY AND RAILROAD BRIDGE REHABILITATION, CHRISTENSEN BROS., INC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the SW 9th Street Viaduct over M.L. King, Jr. Parkway and Railroad Bridge Rehabilitation, 12-2002-010, in accordance with the contract approved between Christensen Bros., Inc., Scott Christensen, President, 644 River Road, PO Box 478, Cherokee, IA 51012, under Roll Call No. 04-2658, of December 6, 2004, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$1,542,049.70 is the total cost, of which \$1,488,387.80 has been paid the Contractor, and \$23,661.90 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, provided no claims or liens have been filed against said contract, and also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. The Engineering and Finance Departments shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

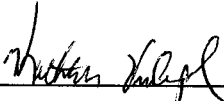
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

13 A

DATE April 21, 2009

Funding Source: 2009-2010 CIP, Page Bridge-17, SW 9th Street Viaduct over M.L. King, Jr. Parkway, BRV034,
 Being:
 \$1,000,000 in Federal Bridge Replacement funds and \$542,049.70 in TIF
 BHM-1945(676)--8K-77

DEB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

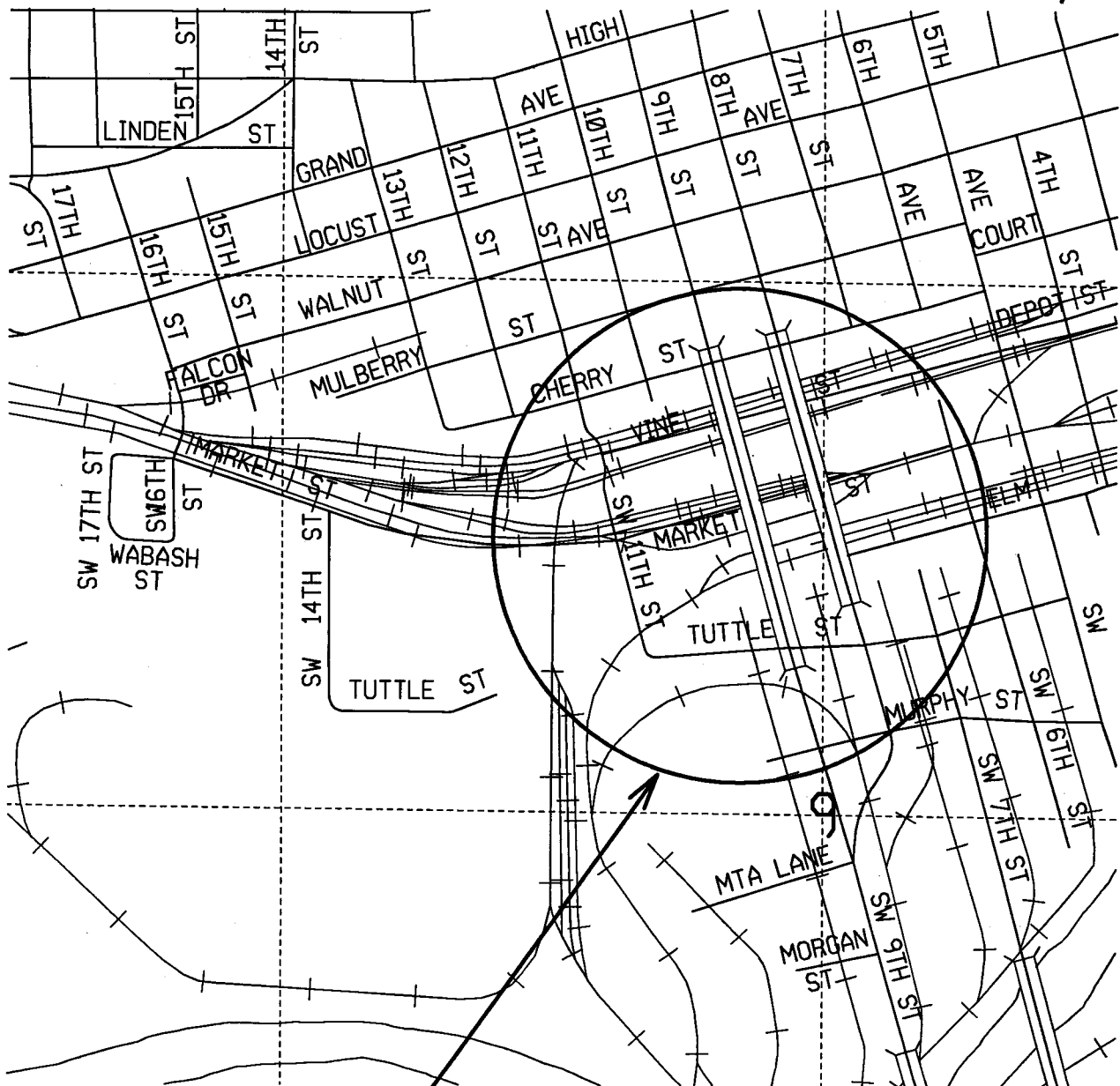
 Mayor

I, Diane Rauh, 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.

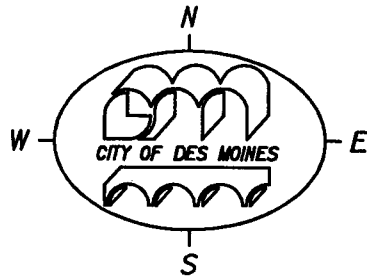
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

13 A



**PROJECT
LOCATION**



**SW 9TH STREET VIADUCTS
OVER M.L. KING JR. PARKWAY
and RAILROADBRIDGE REHABILITATION
ACT. I.D. #12-2002-010**

12-11-2002 10:00 AM

13 A

PROJECT SUMMARY

SW 9th Street Viaduct over MLK Rehab

Activity ID 12-2002-010

On December 20,2004 under Roll Call 04-2658 the City Council awarded the contract for the above improvements to Christensen Brothers, Inc. in the amount of \$1,327,654.00 for bridge rehabilitation including including pavement scarification, Class 'A' and 'B' bridge deck repairs, structural steel, removal and replacement of expansion joints, concrete beam patching, concrete repairs, full and partial height parapet repairs, epoxy injection, approach repairs, curb repairs, concrete waterproofing, containment, paint waste transport/disposal, painting of structural steel, pavement markings and traffic control all on the SW 9th Street Viaduct over M.L. King, Jr. Pkwy in Des Moines, Polk County, Iowa.

Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	8/12/2005 Revision in the surface preparation and paint system to allow coating of the exterior surfaces of fascia girders.	Engineering	\$20,000.00
2	11/7/2007 Delete Item 0240 Approach Repair and replace with HMA Overlay as a cost reduction meeasure. Increase Full Height Parapet Repair to cover quantities completed to date.	Engineering	\$10,220.00
3	11/14/2007 Add Bridge Floor Overlay and Concrete Repair to adjust quantities to work completed.	Engineering	\$22,184.90
4	12/4/2007 Adjust Epoxy Crack Injection & Full Height Parapet Repair to quantities used	Engineering	\$20,212.80
5	3/19/2008 Additional Quantities Full Height Parapet Repair at Bid Pricing	Engineering	\$24,000.00
6	3/9/2009 Adjust final quantities to 'As Built' quantities. Additionsl workrlated to Driephragm Replacement, Parapet Anchor Bolts, Drain Pipe Fabrication.	Engineering	\$94,116.10

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
7	4/2/2009 Adjust Final Quantities to 'As Built' .	Engineering	\$23,661.90
Original Contract Amount			\$1,327,654.00
Total Change Orders			\$214,395.70
Percent of Change Orders to Original Contract			16.15%
Final Contract Amount			\$1,542,049.70

April 21, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the SW 9th Street Viaduct over M.L. King, Jr. Parkway and Railroad Bridge Rehabilitation, Christensen Bros., Inc..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,542,049.70 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Bridge-17, SW 9th Street Viaduct over M.L. King, Jr. Parkway, BRV034, Being:
\$1,000,000 in Federal Bridge Replacement funds and \$542,049.70 in TIF

CERTIFICATION OF COMPLETION:

On December 6, 2004, under Roll Call No. 04-2658, the City Council awarded a contract to Christensen Bros., Inc., Scott Christensen, President, 644 River Road, PO Box 478, Cherokee, IA 51012 for the construction of the following improvement:

SW 9th Street Viaduct over M.L. King, Jr. Parkway and Railroad Bridge Rehabilitation, 12-2002-010

Bridge rehabilitation including pavement scarification, Class 'A' and 'B' bridge deck repairs, structural steel, removal and replacement of expansion joints, concrete beam patching, concrete repairs, full and partial height parapet repairs, epoxy injection, approach repairs, curb repairs, concrete waterproofing, containment, paint waste transport/disposal, painting of structural steel, pavement markings and traffic control all in accordance with the contract documents including Plan File Nos. 427/104-157 on the SW 9th Street Viaduct over M. L. King, Jr. Parkway and Railroads in Des Moines, Iowa.

I hereby certify that the construction of said SW 9th Street Viaduct over M.L. King, Jr. Parkway and Railroad Bridge Rehabilitation, Activity ID 12-2002-010, 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, 2005, and was completed on April 14, 2009.

I further certify that \$1,542,049.70 is the total cost of said improvement, of which \$1,488,387.80 has been paid the Contractor and \$23,661.90 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, provided no claims or liens have been filed against said contract, and also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. The Engineering and Finance Departments should not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies should be deducted from said balance of \$30,000.00 before being released to the Contractor. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.



Jeb E. Brewer, P.E.
Des Moines City Engineer

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 03/09/09 TO 03/24/09
PARTIAL PAYMENT NO. 11 - FINAL

PROJECT: SW 9th Street Viaduct over M. L. King Jr. Parkway and Railroad Bridge Rehabilitation
CONTRACTOR: Christensen Bros., Inc.



PARTIAL PAYMENT NO. 11 - FINAL

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0010	2214-5145150 Pavement Scarification	SY	3,236.000	3,236.000	3,236.000	\$32,360.00
0020	2408-7800000 Structural Steel	LB	6,816.000	6,816.000	6,816.000	\$81,792.00
0030	2413-0698071 Bridge Floor Overlay	SY	3,812.000	3,917.000	3,917.000	\$117,510.00
0040	2413-0698072 Bridge Floor Repair, Class A	SY	754.000	155.250	155.250	\$24,840.00
0050	2413-0698073 Bridge Floor Repair, Class B	SY	50.000	150.260	150.260	\$37,565.00
0060	2426-6772016 Concrete Repair	SF	4,155.000	4,716.370	4,716.370	\$330,145.90
0070	2508-0970000 Containment	Lump	1.000	1.000	1.000	\$70,000.00
0080	2508-0990000 Paint Waste Transport and Disposal	Lump	1.000	1.000	1.000	\$10,000.00
0090	2508-0997000 Painting of Structural Steel	Lump	1.000	1.000	1.000	\$140,000.00
0100	2510-6745640 Removal of Existing P.C. Overlay	SY	576.000	576.000	576.000	\$6,912.00
0110	2518-6910000 Safety Closure	EA	2.000	2.000	2.000	\$400.00
0120	2527-9263109 Painted Pavement Marking, WB or Solvent-Based	STA	85.000	39.900	38.900	\$1,361.50
0130	2527-9263180 Pavement Markings Removed	STA	40.000	35.700	35.700	\$1,071.00
0140	2528-8445110 Traffic Control	Lump	1.000	1.000	1.000	\$30,000.00
0150	25334980005 Mobilization	Lump	1.000	1.035	1.035	\$100,000.00
0160	2599-9999009 Curb Repair	LF	475.000	1,815.500	1,815.500	\$127,085.00
0170	2599-9999009 Epoxy Crack Injection	LF	544.000	685.600	685.600	\$39,764.80
0180	2599-9999009 Expansion Joint Replacement	LF	93.000	93.000	93.000	\$111,600.00
0190	2599-9999014 Concrete Beam Patching	SF	198.000	198.000	198.000	\$17,820.00
0200	2599-9999014 Concrete Waterproofing	SF	997.000	997.000	997.000	\$29,910.00
0210	2599-9999014 Full Height Parapet Repair	SF	781.000	2,097.110	2,097.110	\$125,826.60
0220	2599-9999014 Partial Height Parapet Repair	SF	19.000	3.430	3.430	\$240.10
0230	2599-9999014 Reinforced Neoprene	SF	181.300	181.300	181.300	\$19,943.00
0240	2599-9999018 Approach Repair	SY	345.000	0.000	0.000	\$0.00
CO No. 1	Revision to Bid Items 0070 and 0090 Reflecting Revised Coating System	-	-	-	-	\$0.00
CO No. 2	Delete Bid Item 0240 Replace with 8001, 8002 and 7006	-	-	-	-	\$0.00
-	8001 HMA (1,000,000 ESAL) Surface Course, 3/8" Mix., No Friction	TONS	-	80.390	80.390	\$8,842.90
-	8002 Pavement Scarification	SY	-	96.660	96.660	\$3,093.12
-	7006 Additional Quantities for Bid Item 0150	-	-	-	-	\$0.00
CO No. 3	Additional Quantities for Bid Items 0030 and 0080	-	-	-	-	\$0.00
CO No. 4	Additional Quantities for Bid Items 0170 and 0210	-	-	-	-	\$0.00
Co No. 5	Additional Quantities for Bid Item 210	-	-	-	-	\$0.00

13A

LINE NO.	DESCRIPTION	UNIT	UNITS		ESTIMATED	CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			AUTHORIZED					
CO No. 6	Adjust Quantities to As Built	-	-	-	-	-	-	\$0.00
-	8003 Diaphragm Replacement	LS	1.000	1.000		1.000	\$39,000.00	\$39,000.00
-	8004 Additional Anchor Bolts	LS	1.000	1.000		1.000	\$9,966.78	\$9,966.78
-	8005 Drain Fabrication	LS	1.000	1.000		1.000	\$21,500.00	\$21,500.00
CO No. 7	Adjust Final Quantities based on IDOT Audit to As Built	-	-	-	-	-	-	\$0.00
	ORIGINAL CONTRACT AMOUNT				\$1,327,654.00			
	AMOUNT OF APPROVED CHANGE ORDER 1 THROUGH 7				\$214,395.70			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$1,542,049.70			
	THIS PARTIAL PAYMENT				\$23,661.90			
	PARTIAL PAYMENT NO. 1				\$101,073.71			
	PARTIAL PAYMENT NO. 2				\$175,914.06			
	PARTIAL PAYMENT NO. 3				\$354,278.72			
	PARTIAL PAYMENT NO. 4				\$174,444.37			
	PARTIAL PAYMENT NO. 5				\$240,748.66			
	PARTIAL PAYMENT NO. 6				\$256,472.48			
	PARTIAL PAYMENT NO. 7				\$14,692.00			
	PARTIAL PAYMENT NO. 8				\$39,408.92			
	PARTIAL PAYMENT NO. 9				\$37,223.40			
	PARTIAL PAYMENT NO. 10				\$94,131.48			
	TOTAL PARTIAL PAYMENTS				\$1,512,049.70			
	BALANCE				\$30,000.00			
	Percent Complete	100%						
	TOTAL							\$1,542,049.70
	IDOT RETAINAGE (3%)							\$30,000.00
	TOTAL LESS RETAINAGE							\$1,512,049.70
	LESS PREVIOUS PAYMENT							\$1,488,387.80
	AMOUNT DUE							\$23,661.90

PARTIAL PAYMENT NO. 11 - FINAL

PREPARED BY: 
 CHECKED BY: 

CONTRACTOR ACCEPTANCE:  UP 7/7/2009