CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: **DATE: May 18, 2015**

Motion – Approving Early Release of Retainage
139 6th Street – Building Renovation
Breiholz Construction Company

FINANCIAL IMPACT:

Costs for this payment can be paid from budget account: 139 6th Street - Building Renovation # 7003.75.830.6.7910.

BACKGROUND:

Standard practice in public projects is to retain 5% of the construction contract until 30 days after the project is closed out and is accepted by the City Council. Several additions and changes to this project were requested just before the contract completion date, extending typical time period for project closeout prior to requesting final acceptance. The majority of the project was completed and inspected last fall, with just the changes pursued after the completion date yet to be inspected. The Contractor has requested an early release of 95% of the retainage to finalize payments to the subcontractors that completed work by the original completion date. Approval of this action will authorize staff to pay of 95% of the retainage for the project ($71,909.23). The balance remaining will provide for retainage on the work not yet inspected and if necessary, the cost to obtain outstanding closeout documents.

OUTSTANDING ISSUES: None

RECOMMENDATION:

City Council Adopt:
- Motion Approving Early Release of Retainage for the 139 6th Street – Building Renovation project.

Lead Staff Member: Linda Schemmel, AIA

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTO

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

CITY OF WEST DES MOINES PUBLIC WORKS
560 S. 16th, PO Box 65320
West Des Moines, IA 50265-0320
(515) 222-3475 Fax (515) 222-3478

PAY REQUEST - PARTIAL RETAINAGE

Contractor: **Breiholz Construction Company**
1527 Maine Street
Des Moines, Iowa 50314

Architect: **OPN Architects Inc.**
100 Court Avenue, Suite 100
Des Moines, Iowa 50309

Project Title	139 6th Street – Building Renovation		
WDM Project File Number	0510-049-2013		
Purchase Order Number	7003-02		
Orig. Contract Amount & Date	$1,371,000.00	Base Bid	4/21/14
Estimated Completion Date	10/25/14		
Pay Period	To April 30, 2015		
Pay Request Number	Partial Retainage (95%)		
Date	5/14/15		

BID ITEMS

Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Value Completed From Previous Applications	Quantity or Percent Completed This Period	Value Completed This Period	Value Completed To Date
1	Building Renovation (Base Bid) Material Stored credited on Pay Request 6	LS	1	$1,371,000.00	$1,371,000.00	$1,371,000.00	0.00%	$0.00	$1,371,000.00
2	Change Order 1	LS	1	$5,749.16	$5,749.16	$5,749.16	100.00%	$0.00	$5,749.16
3	Change Order 2	LS	1	$15,350.69	$15,350.69	$15,350.69	0.00%	$0.00	$15,350.69
4	Change Order 3	LS	1	$15,130.12	$15,130.12	$15,130.12	0.00%	$0.00	$15,130.12
5	Change Order 4	LS	1	$13,825.95	$13,825.95	$13,825.95	0.00%	$0.00	$13,825.95
6	Change Order 5	LS	1	$1,688.26	$1,688.26	$1,688.26	0.00%	$0.00	$1,688.26
7	Change Order 6	LS	1	$4,922.15	$4,922.15	$4,922.15	0.00%	$0.00	$4,922.15
8	Change Order 7	LS	1	$8,171.29	$8,171.29	$8,171.29	0.00%	$0.00	$8,171.29
9	Change Order 8	LS	1	$14,124.12	$14,124.12	$14,124.12	0.00%	$0.00	$14,124.12
10	Change Order 9R	LS	1	$10,091.22	$10,091.22	$10,091.22	0.00%	$0.00	$10,091.22
11	Change Order 10	LS	1	$19,944.68	$19,944.68	$19,944.68	0.00%	$0.00	$19,944.68
11	Change Order 11 (Credited to determine retainage)	LS	1	$21,154.41	$21,154.41	$0.00	0.00%	$21,154.41	$21,154.41
11	Change Order 12 (Credited to determine retainage)	LS	1	$12,732.52	$12,732.52	$0.00	0.00%	$12,732.52	$12,732.52
				TOTAL	$1,513,884.57	$1,479,997.64	2.24%	$33,886.93	$1,513,884.57

MATERIALS STORED SUMMARY

Description	# of Units	Unit Price	Extended Price	Value From Previous Applications	Value Stored To Date
Millwork - $24,000 Credit to base bid on Pay Request 6	0	$24,000.00	$0.00	$0.00	$0.00
Carpet - $25,000 Credit to base bid on Pay Request 6	0	$25,000.00	$0.00	$0.00	$0.00
				TOTAL	$0.00

PAY REQUEST SUMMARY

	Total Approved		Total Completed
Contract Price	$1,371,000.00		$1,513,884.57
Approved Change Order 1	$5,749.16		
Approved Change Order 2	$15,350.69		
Approved Change Order 3	$15,130.12		
Approved Change Order 4	$13,825.95		
Approved Change Order 5	$1,688.26		
Approved Change Order 6	$4,922.15		
Approved Change Order 7	$8,171.29		
Approved Change Order 8	$14,124.12		
Approved Change Order 9R	$10,091.22		
Approved Change Order 10	$19,944.68		
Approved Change Order 11	$21,154.41		
Approved Change Order 12	$12,732.52		
Revised Contract Price	$1,513,884.57		$1,513,884.57
Materials Stored			$0.00
Retainage (5%)			$75,694.23
Total Earned Less Retainage			$1,438,190.34

Total Previously Approved (list each)	Pay Request 1	$123,025.00		
	Pay Request 2	$269,163.50		
	Pay Request 3	$223,909.57		
	Pay Request 4	$536,427.34		
	Pay Request 5	$197,192.43		
	Pay Request 6	$29,732.47		
	Pay Request 7	$26,547.45		
		Total Previously Approved		$1,405,997.76
		Amount Due This Request	(95% retainage)	**$71,909.23**
		Percent Complete		100.0%
		Percent of Contract Period Utilized		100.0%

The amount $71,909.23 is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Breiholz Construction Company	**Architect: OPN Architects, Inc.**	**Amount Certified: $71,909.23**
The undersigned Contractor certifies that to the best of their knowledge, information and belief, the Work covered by this application for Payment has been completed in accordance with the Contract Documents and that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.	Based on on-site observations and the data comprising this application, the Engineer certifies to the owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated by the Contractor.	**Checked By: City of West Des Moines**
Signature:	Signature:	Signature:
Name:	Name:	Name: Linda Schemmel
Title:	Title:	Title: Planner
Date:	Date:	Date:5/14/2015

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

TO OWNER:
City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

PROJECT: 139 6th Street Building
Renovation Improvements

APPLICATION NO: 9
95% retainage release

Distribution to:
- [ ] OWNER
- [ ] ARCHITECT
- [ ] CONTRACTOR
- [ ]
- [ ]

PERIOD TO: 4/30/15

FROM CONTRACTOR:
Breiholz Construction Company
1527 Maine Street
Des Moines, IA 50314

VIA ARCHITECT:
OPN Architects, Inc.
100 Court Ave., Suite 100
Des Moines, IA 50309

PROJECT NOS: 0510-049-2013 (14-116)

CONTRACT FOR:

CONTRACT DATE: 4/21/14

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM			$ 1,371,000.00
2. Net change by Change Orders			$ 142,884.57
3. CONTRACT SUM TO DATE (Line 1 ± 2)			$ 1,513,884.57
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)			$ 1,513,884.57
5. RETAINAGE:			
a. _____ % of Completed Work (Column D + E on G703)	$	3,785.00	
b. _____ % of Stored Material (Column F on G703)	$	0.00	
Total Retainage (Lines 5a + 5b or Total in Column I of G703)			$ 3,785.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)			$ 1,510,099.57
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)			$ 1,438,190.34
8. CURRENT PAYMENT DUE			$ 71,909.23
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	$		3,785.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	$108,997.64	
Total approved this Month	$33,886.93	
TOTALS	$142,884.57	$0.00
NET CHANGES by Change Order	$142,884.57	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Breiholz Construction Company

By: A Filippell Date: 4-28-2015

State of: Iowa County of: Polk
Subscribed and sworn to before me this 28 day of April 20
Notary Public:
My Commission expires: 1/7/17

PATRICK D DEAL
Commission Number 750590
My Commission Expires
January 7, 2017

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... $ 71,909.23

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: Date: 5/5/2015

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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