CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: November 30, 2015

ITEM:

Resolution - Accepting Work
Library and Law Enforcement Center HVAC Improvements
Excel Mechanical Co. Inc.

FINANCIAL IMPACT:

The total construction cost for the Library and Law Enforcement Center HVAC Improvements project is $564,442.00. The amount of the final pay request is $38,545.55 which includes the remaining retainage for the project (a partial release of retainage was approved by the City Council on September 22, 2014.) Costs for this payment can be paid from CIP budgeted accounts Library Facility- Contracts no. 6578.75.840.6.7910 and Law Enforcement Center - Contracts no. 3043.75.810.6.7910.

BACKGROUND:

Excel Mechanical Co. was working under an agreement dated February 10, 2014 for the Library and Law Enforcement Center HVAC Improvements project located at 4000 Mills Civic Parkway (Library) and 250 Mills Civic Parkway (Law Enforcement Center). Work on this project is substantially complete.

This action accepts the public improvements, approves the final pay request, and authorizes staff to pay the retainage no sooner than 30 days.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:
- Resolution Accepting Work

Lead Staff Member: Linda Schemmel, AIA, Planner LS

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer DEW
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Dick Scieszinski, City Attorney
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	November 23, 2015		
Recommendation	Yes	No	Split

Resolution Accepting Work

WHEREAS, on February 10, 2014 the City Council entered into a contract with Excel Mechanical Co., Inc of Des Moines, Iowa for the following described public improvement:

Library and Law Enforcement Center HVAC Improvements
Project No. 0510-046-2012

and,

WHEREAS, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on November 30, 2015.

WHEREAS, the contractor has previously submitted and the Council approved a final pay request, and

WHEREAS, the City has retained 5% of the construction costs,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that said report of the City Engineer is hereby approved and said public improvement is accepted as having been substantially completed in accordance with plans and specifications, subject to compliance with all the conditions in the staff report, dated November 30, 2015, including conditions added at the Hearing, and the total final construction cost of said improvement is $564,442.00 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of $38,545.55, which includes retainage for the project, no sooner than 30 days subject to the Contractor satisfying all the conditions of the contract.

PASSED AND APPROVED this **30th** day of **November, 2015**

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

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SEBESTA

Delivering Solutions • Improving Lives

11/16/15

Ms. Linda Schemmel
The City of West Des Moines
4200 Mills Civic Parkway
Suite 2D
West Des Moines, IA 50265-0320

RE: City of West Des Moines
LEC/Library Public Improvements

We are pleased to report to you that all public improvements associated with this project are complete. We request that you place the acceptance of these improvements on the City Council agenda.

We certify the public improvements for LEC/Library Public Improvements in West Des Moines, IA have been completed in substantial compliance with the approved construction plans for this project.

Signed:	Rico Norton	Excel mechanical	11-20-15
	Contractor's Representative	Company	Date
Signed:		Sebesta, Inc.	11/16/15
	Engineer of Record John Bixler, P.E.	Company	Date

SEBESTA, INC.
305 2nd St. SE
Suite 210
Cedar Rapids, IA 52401

319.364.1005
sebesta.com

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 10 (Final)

Contractor: **Excel Mechancial Co., Inc.**
5636 NE 17th Street
Des Moines, Iowa 50313

Architect: **Sebesta-Blomberg**
305 2nd Street SE, Suite 210
Cedar Rapids, Iowa 52401

Project Title	Library and Law Enforcement Center HVAC Improvments		
WDM Project File Number	0510-046-2012		
Purchase Order Number	3043-DS-10 & 6578-DS-10		
Orig. Contract Amount & Date	$506,300.00	Base Bid	2/10/14
Estimated Completion Date	12/1/14		
Pay Period	To July 10, 2015		
Pay Request Number	10 (Final)		
Date	11/23/15		

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	Law Enforcement Center Improvements	LS	1	$281,137.00	$281,137.00	$281,137.00	0.00%	$0.00	$281,137.00
2	Library Improvments	LS	1	$225,163.00	$225,163.00	$149,878.00	33.44%	$75,285.00	$225,163.00
CO 1	Change Order 1 - Law Enforcement Center	LS	1	$22,596.00	$22,596.00	$22,596.00	0.00%	$0.00	$22,596.00
CO 2	Change Order 2 - Law Enforcement Center	LS	1	$1,240.00	$1,240.00	$1,240.00	0.00%	$0.00	$1,240.00
CO 3	Change Order 3 - Law Enforcement Center	LS	1	$198.00	$198.00	$198.00	0.00%	$0.00	$198.00
CO 4	Change Order 4 - Contract Time Extension	LS	1	$0.00	$0.00	$0.00	0.00%	$0.00	$0.00
CO 5	Change Order 5 - Library Construction Fence	LS	1	$2,288.00	$2,288.00	$2,288.00	0.00%	$0.00	$2,288.00
CO 6	Change Order 6 - Law Enforcment Center	LS	1	$3,839.00	$3,839.00	$3,839.00	0.00%	$0.00	$3,839.00
CO 7	Change Order 7 - Law Enforcment Center	LS	1	$1,948.00	$1,948.00	$1,948.00	0.00%	$0.00	$1,948.00
CO 8	Change Order 8 - Library	LS	1	$26,033.00	$26,033.00	$0.00	100.00%	$26,033.00	$26,033.00
				TOTAL	$564,442.00	$463,124.00	100.00%	$101,318.00	$564,442.00

MATERIALS STORED SUMMARY

Description	# of Units	Unit Price	Extended Price	Value From Previous Applications	Value Stored To Date
PR 1: Chiller - Library	1	$66,000.00	$66,000.00	0	$66,000.00
PR 2: Pumps - Library	1	$8,085.00	$8,085.00	0	$8,085.00
				TOTAL	$74,085.00

PAY REQUEST SUMMARY

		Total Approved		Total Completed
Contract Price		$506,300.00		$564,442.00
Approved Change Order 1		$22,596.00		
Approved Change Order 2		$1,240.00		
Approved Change Order 3		$198.00		
Approved Change Order 5		$2,288.00		
Approved Change Order 6		$3,839.00		
Approved Change Order 7		$1,948.00		
Approved Change Order 7		$26,033.00		
Revised Contract Price		$564,442.00		$564,442.00
Materials Stored ($74,085.00 credited this payment)				$0.00
(Note: $15,547.90 Library Retainage paid out) Retainage (5%)				$0.00
Total Earned Less Retainage				$564,442.00
Total Previously Approved (list each)	Pay Request 1	$8,500.00		
	Pay Request 2	$89,023.20		
	Pay Request 3	$117,450.40		
	Pay Request 4	$59,424.40		
	Pay Request 5	$84,979.40		
	Pay Request 6	$7,299.80		
	Pay Request 7	$6,973.00		
	Pay Request 8 (Lib)	$108,568.15		
	Pay Request 8 (LEC)	$21,045.55		
	Pay Request 9 (Lib)	$24,632.55		
Total Previously Approved				$525,896.45
Amount Due This Request				$38,545.55
Percent Complete				100.0%
Percent of Contract Period Utilized				100.0%

The amount $38,545.55 is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Excel Mechanical Co., Inc.	**Engineer: Sebesta-Blomberg**	**Amount Certified: $38,545.55**
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 Scheinwel
Title:	Title:	Title: Planner
Date:	Date:	Date: 11/23/2015

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

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

PROJECT:
Library Portion
HVAC Improvements Project
West Des Moines, Iowa

APPLICATION NO: 10 (FINAL BILLING)

PERIOD TO: September 7, 2015

Distribution to:
[ ] General Contractor
[ ] Subcontractor
[X] Owner

FROM CONTRACTOR:
Excel Mechanical Co., Inc.
5636 NE 17th Street
Des Moines, Iowa 50313

ARCHITECT/ENGINEER:
Sebesta Blomberg and Associates
305 2nd Street SE Ste. 210
Cedar Rapids, Iowa 52401

PROJECT NOS: 0510-046-2012

CONTRACT FOR: General/Mechanical/Electrical Work

CONTRACT DATE: February 10, 2014

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		$ 225,163.00
2. Net change by Change Orders		$ 28,321.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)		$ 253,484.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)		$ 253,484.00
5. RETAINAGE:		
a. 5 % of Completed Work (Column D + E on G703)	$ $0.00	
b. 5 % of Stored Material (Column F on G703)	$ 0.00	
Total Retainage (Lines 5a + 5b or Total in Column I of G703)		$ 0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)		$ 253,484.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)*		$ 214,938.45
8. CURRENT PAYMENT DUE		$ 38,545.55
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	$	0.00

***total payments made to date**

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	$2,288.00	$0.00
Total approved this Month	$26,033.00	$0.00
TOTALS	$28,321.00	$0.00
NET CHANGES by Change Order	$28,321.00	

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: Excel Mechanical Co., Inc.

By: Bill Norton Date: 9-8-15

State of: Iowa County of: Polk

Subscribed and sworn to before me this 8 day of September, 2015

Notary Public: Kelli J Mitchell

KELLI J MITCHELL
Commission Number 781268
My Commission Expires
November 7, 2016

My Commission expires: November 7, 2016

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 . . . . . $ 38,545.55

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

ARCHITECT:

By: Date: 10-26-2015

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.

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

Excel Mechanical Co., Inc.

Library Portion
HVAC Improvements Project

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 10 (FINAL BILLING)
APPLICATION DATE: September 7, 2015
PERIOD TO: September 7, 2015
ARCHITECT'S PROJECT NO:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK LIBRARY	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
Spec. Sections 01100 through 01 9113 Project Management Procedures/General Requirements/Submittals									
1	materials - submittals & bond costs	$1,112.00	$1,112.00			$1,112.00	100.00%		
2	labor - submittals & bond costs	$6,448.00	$6,448.00			$6,448.00	100.00%		
Spec. Section 02 4119 Selective Structure Demolition									
3	materials	$2,520.00	$2,520.00			$2,520.00	100.00%		
4	labor	$9,900.00	$9,900.00			$9,900.00	100.00%		
Spec. Sections 02 4119/03 3000/05 5000/09 2900/09 5123 General Construction Specifications									
5	materials	$12,990.00	$12,990.00			$12,990.00	100.00%		
6	labor	$19,485.00	$18,285.00	$1,200.00		$19,485.00	100.00%		
Spec. Sections 22 0529/22 1116 Plumbing Specifications									
7	materials	$0.00							
8	labor	$0.00							
Spec. Sections 23 0519/23 0523/23 0529/23 0548 23 0553 Gages/Valves/Hangers/Vibration Control/Identification									
9	materials	$640.00	$640.00			$640.00	100.00%		
10	labor	$1,400.00	$1,400.00			$1,400.00	100.00%		
Spec. Section 23 0593 Testing, Adjusting & Balancing for HVAC									
11	materials	$0.00							
12	labor	$2,380.00	$2,380.00			$2,380.00	100.00%		
Spec. Sections 23 0713/23 0716/23 0719 Duct Insulation/Equipment Insulation/Piping Insulation									
13	materials	$2,625.00	$2,625.00			$2,625.00	100.00%		
14	labor	$3,938.00	$3,938.00			$3,938.00	100.00%		
	TOTALS (see page four)								

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CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

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APPLICATION DATE: September 7, 2015
PERIOD TO: September 7, 2015
ARCHITECT'S PROJECT NO:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK **LIBRARY**	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
Spec Section 23 0900 Instrumentation & Controls for HVAC									
15	materials	$7,560.00	$7,560.00			$7,560.00	100.00%		
16	labor	$18,720.00	$18,720.00			$18,720.00	100.00%		
Spec. Sections 23 2113/23 2116 Hydronic Piping/Hydronic Piping Specialties									
17	materials	$3,696.00	$3,696.00			$3,696.00	100.00%		
18	labor	$6,960.00	$6,960.00			$6,960.00	100.00%		
Spec. Section 23 2123 Hydronic Pumps									
19	materials	$8,085.00	$8,085.00			$8,085.00	100.00%		
20	labor	$2,770.00	$2,770.00			$2,770.00	100.00%		
Spec. Section 23 2300 Refrigerant Piping									
21	materials	$8,300.00	$8,300.00			$8,300.00	100.00%		
22	labor	$4,800.00	$4,800.00			$4,800.00	100.00%		
Spec. Sections 23 3113/23 3300 Metal Ducts/Air Duct Accessories									
23	materials	$0.00							
24	labor	$0.00							
Spec. Section 23 3600 Air Terminal Units									
25	materials	$0.00							
26	labor	$0.00							
Spec. Section 23 3713 Diffusers, Registers & Grilles									
27	materials	$0.00							
28	labor	$0.00							
	TOTALS (see page four)								

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Excel Mechanical Co., Inc.

Library Portion
HVAC Improvements Project

CONTINUATION SHEET

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Spec. Section 23 6200 Packaged Compressor & Condenser Units									
29	materials	$82,000.00	$82,000.00			$82,000.00	100.00%		
30	labor	$5,338.00	$5,338.00			$5,338.00	100.00%		
Spec. Section 23 7314 Central Station Air Handling Units									
31	materials	$0.00							
32	labor	$0.00							
Spec. Sections 26 0519/26 0523/26 0526/26 0526/26 0533/26 0544/26 0553/26 2816 Electrical Specifications									
33	materials	$5,400.00	$5,400.00			$5,400.00	100.00%		
34	labor	$8,096.00	$8,096.00			$8,096.00	100.00%		
Approved Change Orders									
35	CO #4-secondary completion date	$0.00							
36	CO #5-temporary construction fence	$2,288.00	$2,288.00			$2,288.00	100.00%		
37	CO #8-fence & adjacent parking changes	$26,033.00	$0.00	$26,033.00		$26,033.00	100.00%		
	TOTALS	$253,484.00	$226,251.00	$27,233.00	$0.00	$253,484.00	100.00%	$0.00	

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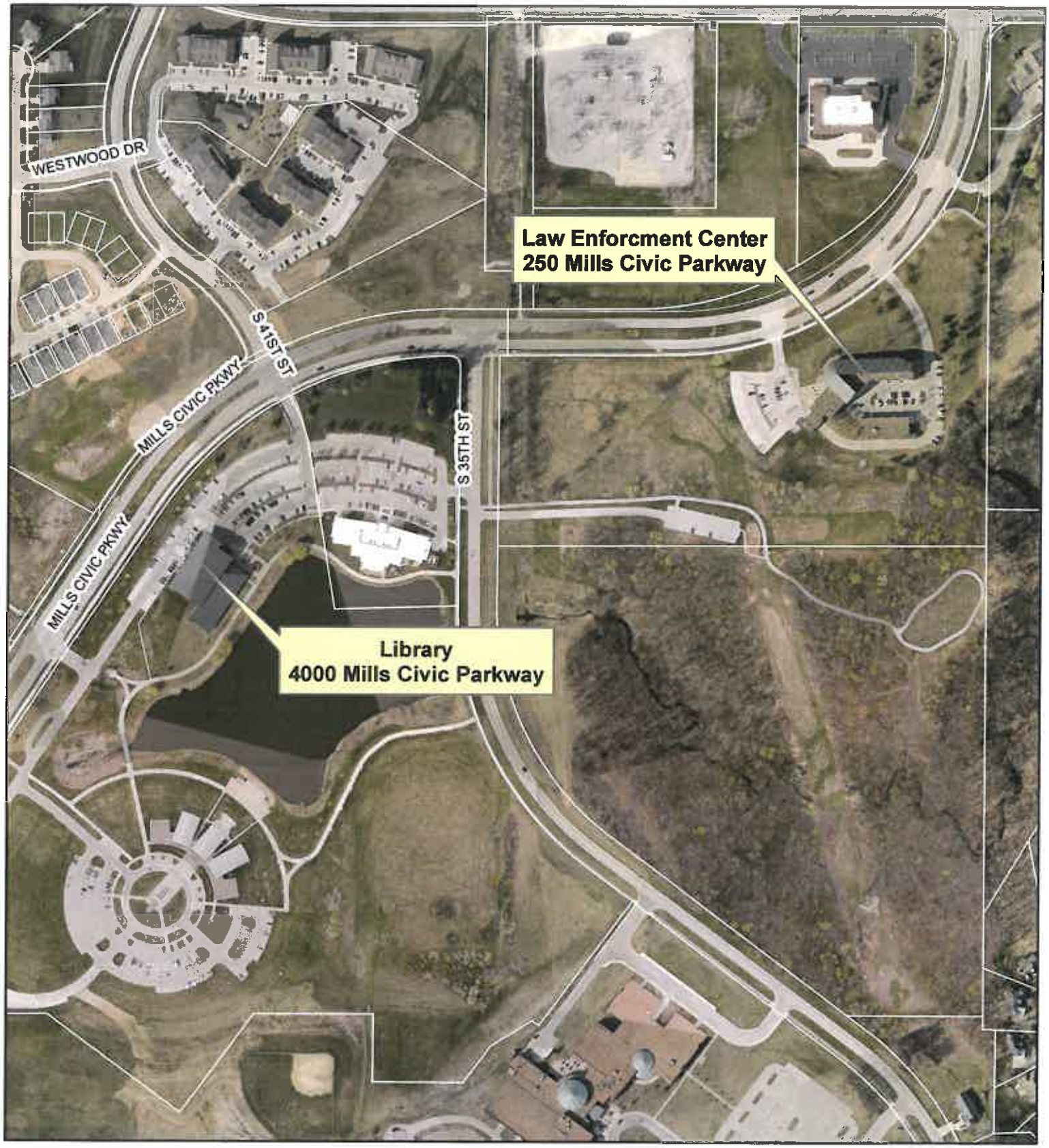

Library and Law Enforcement Center HVAC Improvements Location Map

0 125 250 500 750 1,000 Feet

N