

ITEM # 17
Date 08-12-08

COUNCIL ACTION FORM

SUBJECT: CYRIDE OFFICE BUILDING COMPLETION/FINAL ACCEPTANCE

INFORMATION:

In May 2008, Harold Pike Construction, Inc. (HPC) substantially completed CyRide's office building expansion. Since that time, HPC has been working to complete punch list items as well as compiling required documentation such as final lien waivers, operating and maintenance manuals, etc. Therefore, as of this council meeting, CyRide's office building construction project is ready for completion and final acceptance. Upon this approval, the City is required to continue to hold the retainage totaling \$140,374.26 for a period of 30 days (Iowa Code, Section 573.14.)

In the meantime, there are two outstanding claims against this project from suppliers who have not been paid by a subcontractor under this project. The City's legal department and CyRide will be working with HPC to resolve these claims. The City will be able to release the retainage less two times the amount of any outstanding claims 30 days after final acceptance. If the disputed claims are not resolved at that point, either party may file an action in District Court in order to determine who is entitled to the remaining retainage.

ALTERNATIVES:

1. Approve completion and final acceptance of CyRide's office building.
2. Reject completion and final acceptance of CyRide's office building.

MANAGER'S RECOMMENDED ACTION:

It is the City Manager's recommendation that the City Council adopt Alternative #1, thereby accepting completion and final acceptance of CyRide's office expansion project.



ARCHITECTS SCHIPPER KASTNER

July 19, 2008

Mr. Rich Leners, Assistant Transit Director
Ames Transit Agency
1700 University Blvd.
Ames, IA 50014

Re: Final Acceptance of Ames Transit Agency, CyRide Office Addition

Dear Rich:

It is the professional opinion of the undersigned, based upon visits to the Project site at intervals appropriate to the stage of the Contractor's operations that, in general, the Contractor's construction of the Project, to the extent observed by the Architect was performed in a manner indicating that when complete, general accordance with the Contract Documents is achieved. The Architect has not made exhaustive or continuous on-site inspections to check the quality of quantity of the Contractor's work.

We have made a series of punch-lists and made multiple reinspections of the work and to the best of our knowledge, information and belief feel the Contractor has accomplished the work required for final payment.

The building will remain under warranty by the contractor for a year from substantial completion. Issues of quality or concern that are not recognized at this time will continue to be the responsibility of the General Contractor. Some components have longer warranties. Through a copy of this letter we will in advance notify the General contractor that additional LEED information may be required as the certification process proceeds and there will be continued monitoring of the concrete flatwork for ponding concerns.

We have enjoyed our participation in this project, commend the efforts of all of the contractors and thank the City and Cy-Ride for this opportunity to help create a very special building.

Thank you for your consideration,

Brent A. Schipper, AIA
Architects Schipper Kastner

Cc: Marc Hague, HPC L.L.C.