

**COUNCIL ACTION FORM**

**SUBJECT: INTERMODAL FACILITY – ACCEPTANCE OF FINAL COMPLETION  
AND RELEASE OF RETAINAGE**

**BACKGROUND:**

The Ames Intermodal Facility was opened on July 1, 2012 under a temporary occupancy permit. Since that time, the General Contractor, Weitz Corporation, has worked to complete outstanding construction items, including the fall 2012 addition of the bike trail. The Ames Intermodal Facility received its final certificate of occupancy on January 10, 2013.

As of April 25, 2013, all conditions of the construction contract were met by the Weitz Corporation, and the architectural firm for the project, Neumann Monson PC Architects, submitted a Letter of Final Inspection (attached). However, as of that date, seven subcontractor claims had been filed against the project. Within the last 30 days, the Weitz Corporation has successfully resolved all claims, with release of these claims now having been received from all the subcontractors.

With completion of the project and resolution of these claims, the project is now ready for close out. Close out requirements, and the status of each for the Intermodal Facility, are described as follows:

- **Punch-List Items** – All items contained in the construction contract have been completed to the architect's satisfaction. This includes resolution of the staircase issue discovered last summer.
- **Operating and Maintenance Manuals** – CyRide has received all manuals required to operate building equipment and for structural repairs as well as warranty information.
- **As Built Drawings** – CyRide has received all drawings of the building from Weitz Corporation as it was actually constructed as opposed to the original facility drawings.
- **Lien Waivers** – Weitz Corporation has submitted all lien waivers as required.
- **Final Pay Application** – CyRide has received a final pay application for the retainage amount of \$387,600.48.

The Transit Board of Trustees approved acceptance of the facility and release of retainage, contingent upon City Council approval, at their May 9, 2013 meeting.

**ALTERNATIVES:**

1. Accept final completion of the Ames Intermodal Facility and approve final payment in the amount of \$387,600.48 to Weitz Corp.
2. Do not accept the Ames Intermodal Facility project as complete and withhold payment of the retainage to address Council identified issues.

**MANAGER'S RECOMMENDED ACTION:**

With all claims, construction documents, lien waivers, the architectural firm's letter of acceptance now received, and final certificate of occupancy satisfactorily addressed, all conditions of the project are complete. This allows for final acceptance of the project and payment of the retainage amount.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the Ames Intermodal Facility as complete and releasing the retainage amount of \$387,500.48 to Weitz Corporation.

## CERTIFICATE OF FINAL INSPECTION

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**TO:** City of Ames / Ames Transit Agency (CyRide)  
1700 University Blvd.  
Ames, IA 50010

**PROJECT:** Ames Intermodal Facility  
Chamberlain/Hayward Ave.  
Ames, Iowa

**CONTRACTOR:** The Weitz Company, LLC  
5901 Thornton Avenue  
Des Moines, IA 50321

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The undersigned, having reviewed the Work performed under this Contract, hereby certifies that to the best of his knowledge, information and belief, except as listed below, the Work has been completed in a satisfactory manner in accordance with the Contract Documents. The work performed is hereby recommended for complete "acceptance" by the City of Ames / Ames Transit Agency (CyRide).

Exceptions: None

Attachments: AIA Document G706A-1994

**ARCHITECT:** Neumann Monson PC  
1000 Walnut St. Suite 101  
Des Moines, IA 50309

By: \_\_\_\_\_



Date: 04.25.2013