

ITEM # 19
DATE January 8, 2007

COUNCIL ACTION FORM

**SUBJECT: ACCEPTANCE OF FINAL COMPLETION AND FINAL PAYMENT FOR
DIVISION I OF WATER SUPPLY WELL NOS. 25, 26, AND 27**

BACKGROUND:

In April 2006, the City Council awarded a construction contract to Cahoy Pump Service in the amount of \$369,958.00. This contract was Division I of the Water Supply Well Nos. 25, 26, and 27 construction project. Division I was for actual well construction. Division II was a separate contract which provided connecting piping for the three wells.

All work in Division I has been completed. The scheduled completion date was April 13, 2007, but the project was not completed until August 29, 2007. The delay resulted in additional expenses to the City for on-going engineering and inspection work. Under the terms of the contract, these expenses are the responsibility of the contractor. The contract had one change order to deduct \$10,350.00 for liquidated damages. This change order also added \$4,657.00 to adjust for final material quantities. The resulting total contract cost with Cahoy Pump Service is \$364,265.00. A Certificate of Completion has been received from the engineer, and it is attached to this Council Action Form.

The approved CIP includes \$631,244.00 for this project. An updated total cost estimate for the project is as follows:

Construction	
Division I	\$364,265.00
Division II	130,028.99
Fencing	8,244.21
Telemetry	30,920.00
Road Work	7,003.18
Water Sampling	3,574.44
Engineering/Surveying	76,131.80
Test Drilling	4,390.00
Permits	1,643.00
Miscellaneous	575.69
TOTAL	\$626,776.31

ALTERNATIVES:

1. Accept construction and authorize final payment in the amount of \$12,180.75 to Cahoy Pump Service for completion of Division I of the Water Supply Well Nos. 25, 26, and 27 project.
2. Do not authorize final payment to Cahoy Pump Service.

MANAGER'S RECOMMENDED ACTION:

Work for Division I of the Water Supply Well Nos. 25, 26, and 27 project has been completed in accordance with the plans and specifications, and the engineer has provided a Certificate of Completion. It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion and approving final payment of Division I.

ENGINEER'S STATEMENT OF COMPLETION

PROJECT: Water Supply Wells No. 25, 26 & 27
Ames City Bid No. 2006-151
Division 1 – Water Supply Wells

CONTRACTOR: Cahoy Pump Service, Inc.
Fredricksburg, Iowa

TO: City of Ames, Iowa – Water & Pollution Control Department

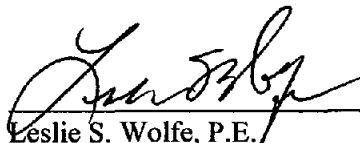
I hereby state that the construction of Division 1 – Water Supply Wells for the Water Supply Wells 25, 26 & 27 Project by a Contract dated April 25, 2006 has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said Contract. The work was completed on August 29, 2007. The Contract Completion Date was April 13, 2007.

The Contract stipulates that “Should the Contractor fail to meet a milestone or complete the work by these dates, liquidated damages of \$150 per calendar day plus any additional engineering fees will be assessed for work not completed within the designated contract completion date.”

I further state that the total amount for the construction completed under said Contract is Three-Hundred Seventy-Four Thousand, Six Hundred Fifteen and No/100 Dollars (\$374,615.00) as derived in the Final Pay Request. Agreed to liquidated damages totaling \$10,350.00 reduces the final payment amount to Three-Hundred Sixty-Four Thousand, Two-Hundred Sixty-Five and No/100 Dollars (\$364,265.00).

Ninety-five percent (95%) of the amount due to the Contractor as determined by the City should be paid upon acceptance of the construction by resolution of the City Council. The remaining five percent (5%) shall then be paid in accordance with Iowa Code no sooner than thirty (30) days but no later than forty (40) days following acceptance of the construction subject to receipt of a “Contractor’s Statement” on the Iowa Department of Revenue and Finance Form 35-002 indicating the amount of Iowa Sales Tax paid in conjunction with this project and certification that no unpaid claims exist in connection with this Contract.

Signed,
FOX Engineering Associates, Inc.



Leslie S. Wolfe, P.E. Date 12/31/07
Iowa Reg. No. 8180

Accepted by the City of Ames, Iowa

Resolution: _____
Date

Signed: _____
Mayor

Attest: _____
City Clerk

Distribution:
Engineer
Contractor
Owner