

RESOLUTION NO. _____

**RESOLUTION ACCEPTING COMPLETED WORK PERFORMED UNDER
THE WATER POLLUTION CONTROL PLANT IMPROVEMENTS PROJECT
AND AUTHORIZING FINAL PAYMENT**

WHEREAS, the City of Muscatine approved the Plans, Specifications, and Form of Contract for the Water Pollution Control Plant Improvements Project; and

WHEREAS, the City of Muscatine entered into a contract for said project with William Brothers Construction Inc. for \$15,780,000 with ten (10) change orders totaling \$200,957, for a total contract amount of \$15,980,957; and

WHEREAS, all work under the contract has been completed by William Brothers Construction Inc. and approved and accepted by the Water Pollution Control Plant Director and the project engineer and appears to meet the requirements of the Plans and Specifications heretofore adopted by this Council, as evidenced by the Project Engineer's Certificate of Substantial Completion; and

WHEREAS, the amount of \$15,780,833 has been previously paid to William Brothers Construction Inc. and a balance of \$200,124 including the project retainage remains due and payable;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that the City of Muscatine make immediate payment of \$110,124 for completed and accepted work under the Water Pollution Control Plant Improvements Project and thereafter make an additional payment of \$90,000 which represents the remaining retainage thirty (30) days from the date of this acceptance and that the Mayor be authorized to sign the Certificate of Completion.

PASSED, APPROVED, AND ADOPTED THIS 2ND DAY OF MAY, 2013.

CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA

BY: _____
DeWayne Hopkins Mayor

ATTEST:

Gregg Mandsager, City Administrator



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320

515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

April 30, 2013

Jon Koch
Water Pollution Control Plant Director
City of Muscatine
1202 Musser Street
Muscatine, Iowa 52761-1641

MUSCATINE, IOWA
WATER POLLUTION CONTROL PLANT IMPROVEMENTS
PARTIAL PAYMENT ESTIMATE NO. 38
PARTIAL PAYMENT ESTIMATE NO. 39
ENGINEERS CERTIFICATE OF COMPLETION

Williams Brothers Construction, Inc. has completed the construction of the Water Pollution Control Plant Improvements project in accordance with the provisions of the contract documents and the contract between the City of Muscatine and Williams Brothers Construction, Inc. As of this date there are no original construction items remaining to be completed. Based on the current completion status of the project, it is appropriate for the City of Muscatine to consider acceptance of the project.

By separate correspondence Change Order No. 10 has been transmitted to the City of Muscatine. Change Order No. 10 provides compensation for the last remaining item for which agreement on compensation has not previously been addressed either within the construction contract or by change order. Change Order No. 10 should be considered by the Muscatine City Council prior to any additional action relative to acceptance of the project.

Enclosed is Partial Payment Estimate No. 38. Partial Payment Estimate No. 38 provides payment to Williams Brothers Construction, Inc. in the amount of \$110,124 for work completed on the project. Partial Payment Estimate No. 38 approves payment to Williams Brothers Construction, Inc. for all work on the project except for the final \$90,000 of retainage.

Enclosed is Partial Payment Estimate No. 39. Partial Payment Estimate No. 39 approves payment of the final retainage being held on the contract. The final retainage on the contract is \$90,000. The final retainage should be paid 31 days after final acceptance of the project.

Jon Koch
April 30, 2013
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Enclosed are two copies of the Engineers Certificate of Completion. The Certificate of Completion shows the final contract amount of \$15,980,957 including the original contract and the ten change orders that have been approved or will be approved for the construction contract.

To close out the construction contract the following action to be taken in accordance with the standard procedures of the City of Muscatine should be considered at the May 2, 2013 City Council meeting:

1. Approve Change Order No. 10 in the amount of \$3,000.
2. Approve Partial Payment Estimate No. 38 in the amount of \$110,124.
3. Approve the resolution accepting the construction contract and authorizing the Mayor to sign the Certificate of Completion.

In addition the City Council will need to approve Partial Payment Estimate No. 39 authorizing the payment of the final retainage. Action on Partial Payment Estimate No. 39 can occur at the May 2, 2013 City Council meeting with a deferred payment or at a subsequent City Council meeting as the retainage would be paid as of June 3, 2013.

If you have any questions or comments concerning the project, please contact the writer at 800-241-8000.

VEENSTRA & KIMM, INC.



H. R. Veenstra Jr.

HRVjr:dml
20813
Enclosures

CERTIFICATE OF SUBSTANTIAL COMPLETION

WATER POLLUTION CONTROL PLANT IMPROVEMENTS
MUSCATINE, IOWA

We hereby certify that we have made an on-site review of the construction of the Water Pollution Control Plant Improvements project as performed by Williams Brothers Construction, Inc.

As Engineers for the project, it is our opinion the work performed is substantially complete as of April 26, 2013, and is in substantial accordance with the plans and specifications and Change Order Nos. 1 through 10. The final amount of the Contract is Fifteen Million Nine Hundred Eighty Thousand Nine Hundred Fifty-seven and 00/100 Dollars (\$15,980,957.00).

VEENSTRA & KIMM, INC.

Accepted: CITY OF MUSCATINE, IOWA

By 

By _____

Title Project Manager

Title Mayor

Date April 29, 2013

Date _____