

DATE May 22, 2006

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR PRINCIPAL PARK STADIUM LIGHTING, ABC - ELECTRICAL CONTRACTORS, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Principal Park Stadium Lighting, 11-2006-011, in accordance with the contract approved between ABC - Electrical Contractors, LLC, W. Dave Ward, President/CEO, 10520 Hickman Road, Suite ABC, Des Moines, IA 50325, under Roll Call No. 05-2835, of November 21, 2005, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

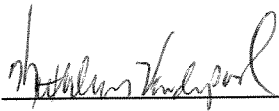
BE IT FURTHER RESOLVED: That \$244,859.00 is the total cost, of which \$232,616.05 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,242.95 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

BE IT FURTHER RESOLVED: That the Assistant City Manager/Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Merrill R. Stanley
Assistant City Manager/Finance

Funding Source: 2006-2007 CIP, Page PKS-18, Principal Park, PKS132, Being:
TIF-backed G. O. Bonds



Roll Call Number

DATE May 22, 2006

Agenda Item Number

12C

DEB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

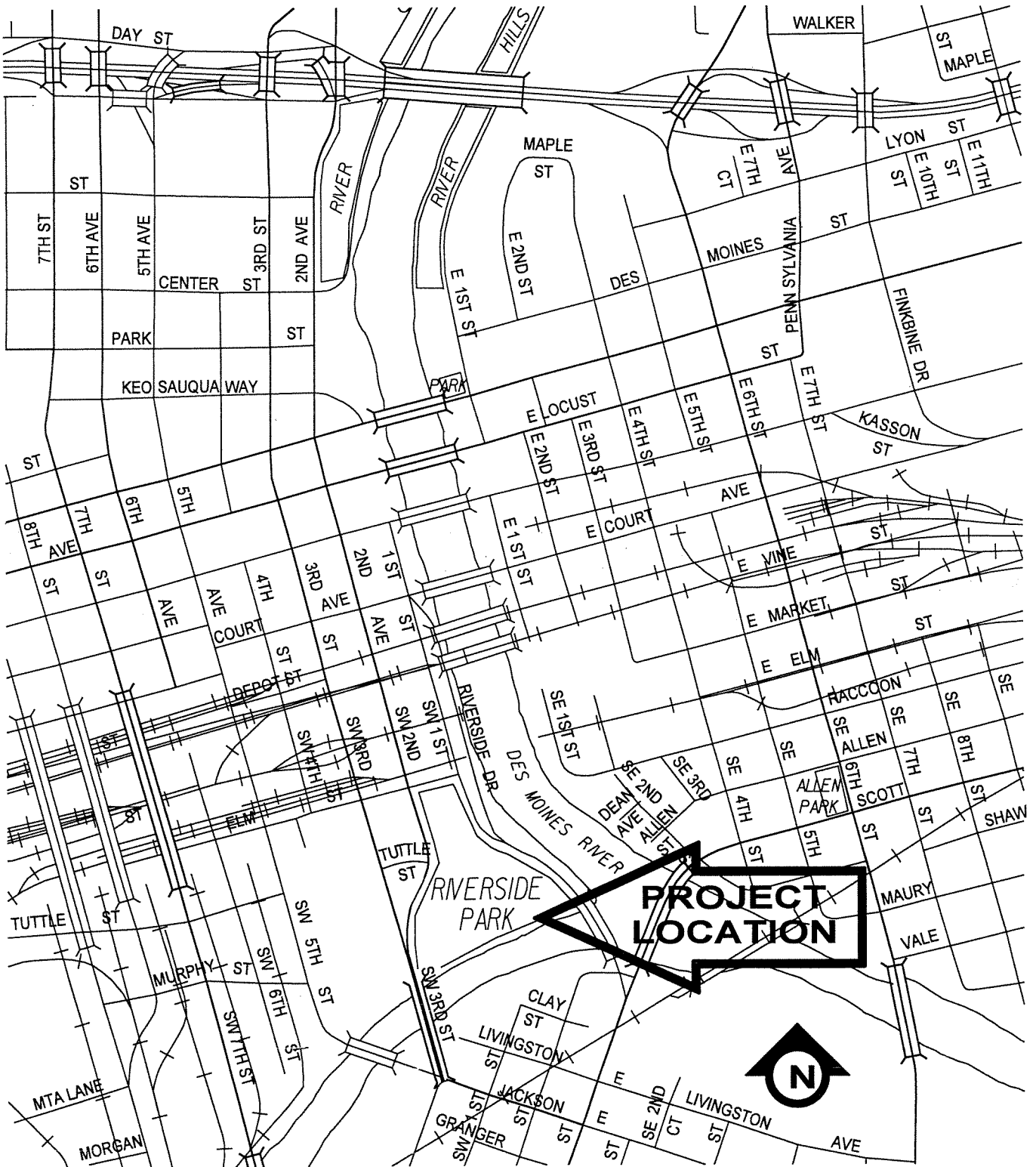
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ Mayor

_____ City Clerk

12C

PROJECT LOCATION MAP
DEPARTMENT OF ENGINEERING
CITY OF DES MOINES, IOWA



PRINCIPAL PARK
STADIUM LIGHTING

ACTIVITY ID
11-2006-11

12 C

May 22, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Principal Park Stadium Lighting, ABC - Electrical Contractors, LLC.

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: \$244,859.00 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page PKS-18, Principal Park, PKS132, Being: TIF-backed G. O. Bonds

CERTIFICATION OF COMPLETION:

On November 21, 2005, under Roll Call No. 05-2835, the City Council awarded a contract to ABC - Electrical Contractors, LLC, W. Dave Ward, President/CEO, 10520 Hickman Road, Suite ABC, Des Moines, IA 50325 for the construction of the following improvement:

Principal Park Stadium Lighting, 11-2006-011

Providing all labor, material and equipment necessary to construct new stadium lighting and miscellaneous associated work including cleanup; in accordance with the contract documents including Plan File Nos. 458/108-111, at Principal Park, One Line Drive, Des Moines, Iowa

I hereby certify that the construction of said Principal Park Stadium Lighting, Activity ID 11-2006-011, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on December 23, 2005, and was completed on May 8, 2006.



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

12 C

I further certify that \$244,859.00 is the total cost of said improvement, of which \$232,616.05 has been paid the Contractor and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,242.95 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.



Jeb E. Brewer, P.E.
Des Moines City Engineer