

★ Roll Call Number

Agenda Item Number

10-702

14 A

DATE May 10, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR INGERSOLL AVENUE STREETScape IMPROVEMENTS – 29TH TO 31ST STREETS, JASPER CONSTRUCTION SERVICES, INC.

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 Ingersoll Avenue Streetscape Improvements – 29th to 31st Streets, 04-2005-011, in accordance with the contract approved between Jasper Construction Services, Inc., Steven J. Rhoads, President, 928 N 19th Avenue East, Newton, IA 50208, under Roll Call No. 08-612, of April 7, 2008, 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 \$1,409,258.77 is the total construction cost of which \$1,367,247.01 has been paid to the Contractor, with a final partial payment of \$12,011.76 to be paid now, and the remaining balance of \$30,000.00 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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

Moved by Hensley to refer to the Legal Department for review and recommendation on a process to collect outstanding pledges.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool Deputy City Attorney

Allen McKinley Des Moines Finance Director

Funding Source: 2010-2011 CIP, Page Street-28, Ingersoll Streetscape Improvements 28th - 31st, STR221, Being: \$200,272.41 in G. O. Bonds; \$783,986.36 in Storm Water Utility Funds; \$275,000 in Vision Iowa CAT Grant; \$150,000 in Federal Surface Transportation Program funds under STP-E-1945(706)-8V-77

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GREISS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk