★ **Roll Call Number**

10-1359

Agenda Item Number

9

DATE August 23, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2010 TENNIS COURT RESURFACING, BLACKTOP REPAIR SERVICE, INC. DBA UPPER MIDWEST ATHLETIC CONSTRUCTION

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 2010 Tennis Court Resurfacing, 11-2010-013, in accordance with the contract approved between Blacktop Repair Service, Inc. dba Upper Midwest Athletic Construction, Patricia J. Hicks, President, 16340 Nowthen Blvd., Anoka, MN 55303, under Roll Call No. 10-984, of June 14, 2010, 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 $102,189.90 is the total cost, of which $93,574.90 has been paid the Contractor, and $3,505.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of $5,109.50 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

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 adopt.

FORM APPROVED:

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley
Des Moines Finance Director

Funding Source: 2010-2011 CIP, Page PKS-13, Neighborhood Park Improvements, PKS137, G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GREISS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED

T. M. Franklin Cownie
Mayor

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.

Diane Rauh
City Clerk

11-2010-013