



Roll Call Number

10-1441

Agenda Item Number

12B

DATE September 13, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 1706 PENNSYLVANIA AVENUE SOIL STABILIZATION, PROSHOT CONCRETE, 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 1706 Pennsylvania Avenue Soil Stabilization, 04-2009-018, in accordance with the contract approved between Proshot Concrete, Inc., Timothy McDougle, President, 4158 Musgrove Drive, Florence, AL 35630, under Roll Call No. 09-1906, of October 26, 2009, 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 \$179,664.00 is the total cost, of which \$152,231.80 has been paid the Contractor, and \$18,449.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$8,983.20 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

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley

Allen McKinley
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Being: Various funding being:

- \$127,500 in Federal funds from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Emergency Watershed Protection (EWP) Program funds for 75% of total project costs estimated at \$170,000 not to exceed \$127,500 per Agreement No. 69-6114-9-46 approved by Council on June 23, 2009 under Roll Call 09-1067
- \$26,466 in private contributions from the adjacent property owners, Steven C. and Alyce A. Wallace per agreement approved by the City Council on February 23, 2009. Under the agreement, the property owners are responsible for the remainder of the project cost not paid by the USDA NCRS EWP grant.
- \$25,698 in Jumpstart State 3 funding

69-6114-9-46

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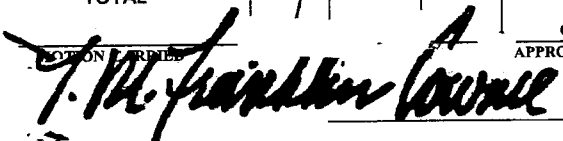
DATE September 13, 2010

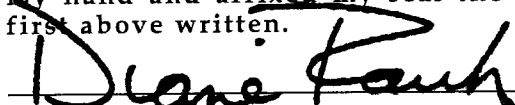
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GREISS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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
 Mayor


 Diane Rauh
 City Clerk