



Roll Call Number

Agenda Item Number

10-1921

11 A

DATE November 22, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2010 CDBG-RECOVERY PROGRAM SIDEWALK REPLACEMENT, TI-ZACK 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 2010 CDBG-Recovery Program Sidewalk Replacement, 09-2010-002, in accordance with the contract approved between Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, Le Center, MN 56057, under Roll Call No. 10-754, of May 10, 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 \$293,055.87 is the total cost, of which \$278,403.08 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 \$14,652.79 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:

FUNDS AVAILABLE

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Allen McKinley
Des Moines Finance Director

FB Funding Source: Operating Budget, Page 73, Stimulus - NIRP, CDBGR200903, Being: U.S. Department of Housing and Urban Development (HUD) funding from the HUD Community Development Block Grant – Recovery (CDBG-R) Program.

CDBGR2009003

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GREISS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin
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