Agenda Item Number

★ Roll Call Number ______*[0-1933*_____

DATE November 22, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR S.E. 5TH STREET RESURFACING - E. COUNTY LINE ROAD TO E. ARMY POST ROAD, GRIMES ASPHALT & PAVING CORP.

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 S.E. 5th Street Resurfacing - E. County Line Road to E. Army Post Road, 06-2009-012, in accordance with the contract approved between Grimes Asphalt & Paving Corp., J. M. Yonker, President, 1001 SE 37th Street, Grimes, IA 50111, under Roll Call No. 09-1505, of August 10, 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 \$442,928.36 is the total construction cost of which \$429,640.51 has been paid to the Contractor, with a final partial payment of \$0.00 to be paid now, and the remaining balance of \$13,287.85 be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573, 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 \$13,287.85 before being released to the Contractor.

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.

Densley to adopt. Moved by

FORM APPROVED:

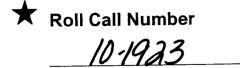
Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley Des Moines Finance Director

Funding Source: 2010-2011 CIP, Page Street-36, Rehabilitation and Preservation of Major Roadways, STR222, Being: \$442,928.36 in Federal Stimulus Funds from the American Recovery and Reinvestment Act (ARRA) of 2009 for 100% of construction costs with a \$467,340.08 maximum.

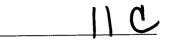
ESL-1945(756)--7S-77



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DATE November 22, 2010

Agenda Item Number



COUNCIL ACTION	YEAS	NAYS	PASS		
COWNIE					
COLEMAN	~				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.
GREISS	~			l	
HENSLEY	~				
MAHAFFEY	~				
MEYER	~				
MOORE					
TOTAL	6				IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year
Mayo					first bove written. City Clerk