



Roll Call Number

10-2051

Agenda Item Number

7B

DATE December 20, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 1235 DAVIS AVENUE SOIL STABILIZATION, HARDSCAPE SOLUTIONS OF IOWA, 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 1235 Davis Avenue Soil Stabilization, 04-2009-017, in accordance with the contract approved between Hardscape Solutions of Iowa, Inc., Curtis Richey, President, 3125 Munier Road, Suite D, Marion, IA 52302, under Roll Call No. 09-1711, of September 14, 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 \$137,917.80 is the total cost, of which \$131,021.91 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 \$6,895.89 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 *Densley* to adopt.

FORM APPROVED:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

.. *ps*
FUNDS AVAILABLE
Allen McKinley
Allen McKinley
Des Moines Finance Director

EFB Funding Source: 2010-2011 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Being:
Various funding being:

- \$88,350 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 construction contract costs, not to exceed \$88,350, per Agreement No. 69-6114-9-49 approved by Council on June 8, 2009 under Roll Call No. 09-1005.
- \$29,673.54 in private contributions from the adjacent property owners, Trelen J. Wilson and Linda L. Bender, per agreement approved by the City Council on February 23, 2008 under Roll Call No. 09-280, and per amendment to the agreement approved by the City Council on August 24, 2009 under Roll Call No. 09-1534.
- \$11,780 in Storm Water Utility funds from STE057.
- \$8,114.26 in Jumpstart State 3 funding.

69-6114-9-49

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

T. M. Franklin Cownie
MOTION CARRIED APPROVED
 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