

★ Roll Call Number
10-2052

Agenda Item Number
7C

DATE December 20, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR AGRIMERGENT UNDERGROUND ENVIRONMENTAL CLEANUP, J. PETTIECORD 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 Agrimergent Underground Environmental Cleanup, 25-2010-109, in accordance with the contract approved between J. Pettiecord Inc., Jeff L. Pettiecord, President, 5043 NE 22nd Street, Des Moines, IA 50313, under Roll Call No. 10-1155, of July 12, 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 \$86,574.72 is the total cost, of which \$77,115.98 has been paid the Contractor, and \$5,130.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,328.74 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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

EB Funding Source: 2010-2011 CIP, Page Miscellaneous-7, Economic Development Projects - SE Ag Park, URR035, TIF-Backed G. O. Bonds

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

J. M. Franklin
MOTION CARRIED APPROVED
Mayor

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