



Roll Call Number

11-0086

Agenda Item Number

10 A

DATE January 24, 2011

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2010 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1, OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING

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 Expanded Street Resurfacing Program - Contract 1, 06-2010-015, in accordance with the contract approved between OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365, under Roll Call No. 10-1241, of July 26, 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 \$823,687.79 is the total cost, of which \$781,933.37 has been paid the Contractor, and \$570.03 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$41,184.39 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 Des Moines Finance Director

Funding Source: 2010-2011 CIP, Page Street-47, Special City-wide Street Improvements, STR217, Being: Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GREISS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL. Checkmarks are present in the YEAS column for all individual names and a '7' in the TOTAL YEAS cell.

MOTION CARRIED APPROVED J. M. Franklin Council 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