

★ Roll Call Number

11-0504

Agenda Item Number

10 B

DATE March 28, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR EWING PARK ADA IMPROVEMENTS, T K 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 Ewing Park ADA Improvements, 10-2009-011, in accordance with the contract approved between T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 09-798, of May 4, 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 \$140,667.41 is the total cost, of which \$133,634.05 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 \$7,033.36 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

Scott E. Sanders
Des Moines Finance Director

JEB Funding Source: 2011-2012 CIP, Page Building-4, ADA Modifications for Municipal Buildings, BLD042, G. O. Bonds

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

MOOTION 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