



Roll Call Number

11-1436

Agenda Item Number

12 B

DATE August 29, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR LIVINGSTON AVENUE STORM SEWER TELEVISIONING, PRIORITY EXCAVATING LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer, showing the cost of the construction of the Livingston Avenue Storm Sewer Televisioning, 08-2010-001, in accordance with the contract approved between Priority Excavating LLC, Toby T. Torstenson, President, 773 NE 47th Place, Des Moines, IA 50313, under Roll Call No. 09-2062, of November 9, 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 \$234,925.75 is the total cost, of which \$223,179.46 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 \$11,746.29 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
Scott E. Sanders
Des Moines Finance Director

JB Funding Source: 2011-2012 CIP, Page Storm-13, Livingston Avenue Sewer Lining, STE085, Being: \$27,000 Storm Water Utility Funds; with the remaining \$207,925.75 in HUD Disaster funds from the Iowa Department of Economic Development for construction costs (Federal Jumpstart Infrastructure Assistance funds)

08-DRI-006

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

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.

J. M. Franklin
Mayor

Diane Rauh
City Clerk