



Roll Call Number

Agenda Item Number

11-1854

13A

DATE November 7, 2011

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR E. ARMY POST ROAD/DOUGLAS AVENUE/41ST & 42ND STREET MEDIAN REPLACEMENT, ROCKY HURST CONSTRUCTION, INC.

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 E. Army Post Road/Douglas Avenue/41st & 42nd Street Median Replacement, 06-2010-001, in accordance with the contract approved between Rocky Hurst Construction, Inc., Kaye L. Hurst, President, 3412 SW 9th Street, P.O. Box 36443, Des Moines, IA 50315, under Roll Call No. 10-319, of February 22, 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 \$199,924.25 is the total cost, of which \$189,928.04 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 \$9,996.21 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 Mahaffey to adopt.

FORM APPROVED:

Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

Scott E. Sanders Des Moines Finance Director

Funding Source: 2011-2012 CIP, Page Street-10, E. Army Post Road - Median Island Replacement, STR238, Being: \$198,924.25 from STR238, and the remaining \$1,000 private contribution

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7 yeas).

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.

Mayor signature: T. M. Franklin

City Clerk signature: Diane Rauh