



**Roll Call Number**

**Agenda Item Number**

11-1856

13C

DATE November 7, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR PUMP STATION EMERGENCY POWER GENERATION - PHASE 1, BIERMANN'S UNIVERSITY  
ELECTRIC COMPANY, 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 Pump Station Emergency Power Generation - Phase 1, 08-2010-003, in accordance with the contract approved between Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309, under Roll Call No. 10-1418, of August 23, 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 \$1,279,039.18 is the total cost, of which \$1,202,455.74 has been paid the Contractor, and \$12,631.48 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$63,951.96 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  
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-16, Storm Water Pump Station Emergency Power Generation, STE084, Being: \$1,119,812.52 in HUD Disaster funds (\$2,500,000 Grant maximum leaving \$1,380,187.48 for Phase 2 work), and the remaining \$159,226.66 Storm Water Utility Funds.

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

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