

★ Roll Call Number

Agenda Item Number

11-1951

11A

DATE November 21, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2011 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 Des Moines City Engineer, showing the cost of the construction of the 2011 Expanded Street Resurfacing Program - Contract 1, 06-2011-010, in accordance with the contract approved between OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, P.O. Box 3365, Des Moines, IA 50316-0365, under Roll Call No. 11-1156, of June 27, 2011, 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 \$975,378.29 is the total cost, of which \$916,971.26 has been paid the Contractor, and \$9,638.12 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$48,768.91 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 Street - 40, Special City-wide Street Improvements, STR217, Being: Gaming Monies

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.

T. M. Franklin
T. M. Franklin
Mayor

Diane Rauh
Diane Rauh
City Clerk