

★ Roll Call Number

Agenda Item Number

11-2111

15 C

DATE December 19, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2011 CDBG - RECOVERY PROGRAM SIDEWALK REPLACEMENT, T K CONCRETE 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 2011 CDBG - Recovery Program Sidewalk Replacement, 09-2011-001, in accordance with the contract approved between T K Concrete Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 11-0737, of April 25, 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 \$393,091.49 is the total cost, of which \$373,436.92 has been paid the Contractor, and \$19,654.57 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$19,654.57 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

EB Funding Source: CDBGR200903, Being: Operating Budget, Page 73, Stimulus - NIRP, CDBGR200903, Being: U.S. Department of Housing and Urban Development (HUD) funding from the HUD Community Development Block Grant - Recovery (CDBG-R) Program.

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

MOTION CARRIED

APPROVED

T. M. Franklin Course  
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