

★ Roll Call Number

Agenda Item Number

12-0076

7A

DATE January 23, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR RIVERPOINT WEST STREET IMPROVEMENTS, STERNQUIST 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 Riverpoint West Street Improvements, 06-2007-010, in accordance with the contract approved between Sternquist Construction Inc., Britt Sternquist, President, 1110 N 14th Street, Indianola, IA 50125, under Roll Call No. 09-1601, of August 24, 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 \$2,553,636.31 is the total construction cost of which \$2,425,954.49 has been paid to the Contractor, with a final partial payment of \$ 0 to be paid now, and the remaining balance of \$127,681.82 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$127,681.82 before being released to the Contractor.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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.



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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

REB

- Funding Source: 2011-2012 CIP, Page Street-28, Riverpoint West Street Improvements, STR227, Being:
- \$519,440.62 in City of Des Moines TIF-Backed G. O. Bonds from STR227.
 - \$521,290 in Iowa Department of Transportation Revitalize Iowa's Sound Economy (RISE) funds for 50% of construction cost of eligible items with \$521,290 maximum. (Division 1 Paving items are RISE eligible.)
 - \$1,509,513.79 in private contributions in accordance with the Supplemental Development Agreement approved on May 19, 2008, under Roll Call No. 08-935, being:
 - o \$1,114,278.87 from Riverpoint West L.L.C., which contains proceeds from the HUD Section 108 Loan approved by the City Council on July 23, 2007, under Roll Call No.07-1456, and is to be paid within 10 days after award of the contract.
 - o \$395,234.92 from Hubbell Terminal Corporation, which shall be paid at completion of the project
 - The remaining \$3,391.90 from Des Moines Water Works.

HUD B-06-MC-19-003 (Note A & B), RM-1945(712)--9D-77

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

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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