



Roll Call Number

Agenda Item Number

12-0518

14A

DATE April 9, 2012

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR PLEASANT DRIVE BRIDGE OVER CUMMINS CREEK, HERBERGER CONSTRUCTION CO., 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 Pleasant Drive Bridge over Cummins Creek, 12-2007-007, in accordance with the contract approved between Herberger Construction Co., Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA 50125, under Roll Call No. 09-229, of February 9, 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 \$794,132.24 is the total cost, of which \$721,233.32 has been paid the Contractor, and \$33,192.31 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$39,706.61 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 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.

Moved by Moore to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Scott E. Sanders
Scott E. Sanders
Des Moines Finance Director

EFB

Funding Source: 2012-2013 CIP, Page Bridge - 20, Pleasant Drive over Cummins Creek, BRV040, Being: \$663,168.74 for bridge construction work, Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa. The bridge has been designed to allow the planned Waveland Trail to pass underneath the structure and includes grading and retaining wall construction for the trail project at a bid price of \$130,963.50, G. O. Bonds, PKS045, Recreation Trails, Page Park - 16

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| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GRIESS | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | | | | ✓ |
| MOORE | ✓ | | | |
| TOTAL | 4 | | | 1 |

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.

MOTION CARRIED APPROVED
T. M. Franklin Coome
Mayor

Diane Rauh
City Clerk