



Roll Call Number

12-0770

Agenda Item Number

11

DATE May 21, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR E. INDIANOLA AVENUE WIDENING - S.E. 14TH STREET TO S.E. 16TH COURT, REILLY
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 E. Indianola Avenue Widening - S.E. 14th Street to S.E. 16th Court, 06-2009-003, in accordance with the contract approved between Reilly Construction Co., Inc., Chris R. Reilly, President, 110 E. Main Street, PO Box 99, Ossian, IA 52161, under Roll Call No. 09-1498, of August 10, 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 \$3,944,212.25 is the total construction cost of which \$3,914,212.25 has been paid to the Contractor, with a final partial payment of \$0.00 to be paid now, and the remaining balance of \$30,000.00 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 \$30,000.00 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.

Moved by *Wensley* to adopt.

FORM APPROVED:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

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

[Handwritten signature]

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Funding Source: 2012-2013 CIP, Page Street-16, Indianola Avenue Widening - S.E. 14th to Army Post Road, STR213, Various Funding, Being:

- \$403,649.83 in City G.O. Bonds from STR213;
- \$200,000 in Iowa DOT Traffic Safety Funds under IDOT Agreement No. 2009-TS-014 (Maximum \$500,000) for 100% construction contract costs only, which includes both 06-2009-003, E. Indianola Avenue Widening - S.E. 14th Street to S.E. 16th Court (\$200,000 maximum per Agreement) and 06-2009-002, S.E. 14th Street Widening at E. Indianola Avenue (\$300,000 maximum per Agreement), under IDOT Project No. CS-TSF-1945(744)--85-77;
- \$500,000 in Iowa DOT Traffic Safety Funds for 100% construction contract costs only under IDOT Agreement No. 2009-TS-015 (Max \$500,000) under IDOT Project No. CS-TSF-1945(749)--85-77;
- \$2,289,529.92 in Federal Surface Transportation Program (STP) funds being: 80% eligible const. costs only with \$2,289,529.92 max. and 80% of eligible real estate costs including labor with \$460,470.08 max. under IDOT Project No. STP-U-1945(704)--70-77;
- \$500,000 maximum in Federal funds from Iowa Clean Air Attainment Program (ICAAP) for 80% eligible const. costs only under IDOT Project No. STP-A-69-4(91)--86-77;
- \$51,032.50 from Des Moines Water Works for water main construction.

JFB CS-TSF-1945(744)--85-77, CS-TSF-1945(749)--85-77, STP-A-69-4(91)--86-77, STP-U-1945(704)--70-77

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

MOTION CARRIED

APPROVED

T. M. Franklin Cownie

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