

★ Roll Call Number

12-0869

Agenda Item Number

13B

DATE June 11, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR DEAN'S LAKE STORM SEWER CROSSING IMPROVEMENTS, 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 Dean's Lake Storm Sewer Crossing Improvements, 08-2009-005, 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. 10-1780, of October 25, 2010, 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 \$1,291,263.26 is the total cost, of which \$1,221,821.85 has been paid the Contractor, and \$4,878.25 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$64,563.16 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 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: 2012-2013 CIP, Page Storm-8, Dean's Lake Pump Station/Conveyance Improvements, STE080, Storm Water Utility Funds, Being: \$1,287,375.26 in Storm Water Utility Bonds, and the remaining \$3,888 from the Des Moines Water Works for 8" water main construction (Bid Item No. 37 and Bid Item No. 39)

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

MOTION CARRIED

APPROVED

*T. M. Franklin Council*

**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*