



Roll Call Number

12-0870

Agenda Item Number

13C

DATE June 11, 2012

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2011 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2, OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING

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 Expanded Street Resurfacing Program - Contract 2, 06-2011-011, in accordance with the contract approved between OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, P.O. Box 3365, Des Moines, IA 50316-0365, under Roll Call No. 11-1240, of July 11, 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 \$2,522,375.83 is the total cost, of which \$2,446,704.56 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$75,671.27 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 Deputy City Attorney

FUNDS AVAILABLE

Scott E. Sanders Des Moines Finance Director

Funding Source: 2012-2013 CIP, Page Street - 40, Special City-wide Street Improvements, STR217, Being: \$1,055,867 in I-JOBS Local Street & Road Funding (Rebuild Iowa Infrastructure Fund per House File 822); \$1,466,508.83 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa I-JOBS Local Street & Road Funding

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk