



Roll Call Number

12-1549

Agenda Item Number

11 C

DATE October 8, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR E. ARMY POST ROAD & INDIANOLA AVENUE CULVERT EXTENSION, GUS 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. Army Post Road & Indianola Avenue Culvert Extension, 08-2011-005, in accordance with the contract approved between Gus Construction Co., Inc., Darrell D. Ocheltree, Owner, 606 Antique Country Drive, Casey, IA 50048, under Roll Call No. 11-1518, of August 29, 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 \$605,072.11 is the total cost, of which \$586,919.95 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 \$18,152.16 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, Page Storm - 10, Easter Lake Watershed Improvements, STE061, Being: \$180,900 FEMA funding, with the remaining \$424,172.11 City Storm Water Utility Funds

Disaster Number: FEMA-1930-DR-IA



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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 Coome
Mayor

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 Fauh
City Clerk