

★ Roll Call Number
12-1921

Agenda Item Number
10E

DATE December 17, 2012

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR COURT AVENUE AND WATER STREET SEWER SEPARATION, H & W CONTRACTING LLC**

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 Court Avenue and Water Street Sewer Separation, 08-2009-003, in accordance with the contract approved between H & W Contracting LLC, Thomas L. Hurd, President, 3416 West Hovland Avenue, Sioux Falls, SD 57107, under Roll Call No. 11-0473, of March 14, 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 \$4,202,279.09 is the total cost, of which \$4,192,279.09 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 \$10,000.00 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 Basley to adopt.

FORM APPROVED:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

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

Funding Source: 2012-2013 CIP, Page Storm-6, Court Avenue/Water Street Sewer Separation, STE081, Being: \$1,296,841.98 in HUD Disaster funds (Federal Jumpstart Infrastructure Assistance funds) from the Iowa Department of Economic Development (portion of the \$1,610,000 grant allocated for Phase 2 storm sewer construction costs), \$1,116,180.03 in I-JOBS II Targeted Disaster Relief Grant funds (portion of the \$3,050,000 I-JOBS II Grant), \$275,023.43 from Des Moines Water Works, and the remaining \$1,514,233.65 in City Storm Water Utility Funds

08-DRI-032, I-JOBS #501



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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 Course 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 Rauh City Clerk