



**Roll Call Number**

**Agenda Item Number**

13-0632

10

DATE April 22, 2013

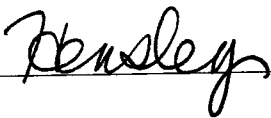
**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR SOUTHEAST CONNECTOR PAVING - SE 4TH STREET TO SE 9TH STREET, ELDER  
CORPORATION**

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 Southeast Connector Paving - SE 4th Street to SE 9th Street, 06-2009-001, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 09-422, of March 9, 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 \$3,640,798.03 is the total construction cost of which \$3,610,797.99 has been paid to the Contractor, with a final partial payment of \$0.04 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.

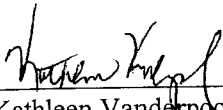
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

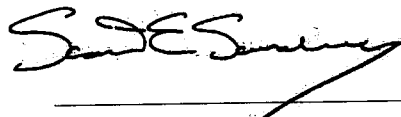
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


Moved by  to adopt.

FORM APPROVED:

FUNDS AVAILABLE

  
Kathleen Vanderpool  
Deputy City Attorney

  
Scott E. Sanders  
Des Moines Finance Director

 Funding Source: 2013-2014 CIP, Page Street - 35; Southeast Connector - S.E. Sixth Street to S.E. 14th, STR219, Being: \$585,082.05 in Federal IA116 Funds for 80% eligible construction (maximum \$731,352.56) with \$195,580.60 in Des Moines Tax Increment Bonds for 20% Local match on Division 1 work from SE 4th - SE 6th Streets funded under STR214, Page Street - 34; \$1,994,382.80 in Federal Transportation, Community, and System Preservation (TCSP) Program Funds for 80% eligible construction (maximum \$2,637,383.71) with \$498,595.70 in Des Moines Tax Increment Bonds for the 20% Local match on Division 2 work from SE 6th - SE 9th Streets funded under STR219, Page Street - 35; and \$367,156.88 from Des Moines Water Works for Division 3 water main construction not Federal eligible.



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NHSX-U-1945(406)--8S-77

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

MOTION CARRIED

APPROVED

*T. M. Franklin Council*

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