

★ Roll Call Number

14-1353

Agenda Item Number

9A

DATE September 8, 2014

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR EASTER LAKE DRIVE BRIDGE OVER EASTER LAKE REHABILITATION, HERBERGER 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 Interim City Engineer, showing the cost of the construction of the Easter Lake Drive Bridge over Easter Lake Rehabilitation, 12-2009-001, in accordance with the contract approved between Herberger Construction Co., Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA 50125, under Roll Call No. 12-1463, of September 10, 2012, 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 \$545,830.25 is the total cost, of which \$510,387.77 has been paid the Contractor, and \$19,067.57 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$16,374.91 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 Interim 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

Daniel E. Ritter Interim Des Moines Finance Director

Funding Source: 2014-2015 CIP, Page Bridge - 8, Easter Lake Drive over Branch of Easter Lake, BR041, Being: \$245,000 in Federal Surface Transportation Program (STP) funds being 80% eligible construction costs only (Max \$245,000) \$57,894.50 - Des Moines Water Works; \$300,830.25 from BR041, Gaming Monies

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL (7 yeas).

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.

Mayor signature: T. M. Franklin

City Clerk signature: Diane Rauh