

★ Roll Call Number

14-1354

Agenda Item Number

9B

DATE September 8, 2014

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR JOHN PAT DORRIAN TRAIL RENOVATION, ELDER CORPORATION

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 John Pat Dorrian Trail Renovation, 11-2007-016, 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. 12-0930, of June 11, 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 \$405,970.68 is the total cost, of which \$360,282.32 has been paid the Contractor, and \$33,509.24 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,179.12 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 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:

[Signature]

Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

[Signature]

Dan E. Ritter Interim Des Moines Finance Director

Funding Source: 2014-2015 CIP, Page Parks - 9, Multi-Use Trails, PK045, Being: \$366,435.23 from PK045, and the remaining \$39,535.45 in Storm Water Utility funds from Des Moines River Flood Mitigation Improvements, SM087, Page Storm - 6, for riprap installation under the I-235 Bridge

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

MOTION CARRIED APPROVED [Signature] 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.

[Signature] City Clerk