

★ Roll Call Number

17-2047

Agenda Item Number

13B

DATE December 4, 2017

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR YEADER CREEK GRADE CONTROL IMPROVEMENTS, RW EXCAVATING & DOZING, L.C.

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 Yeader Creek Grade Control Improvements, 08-2014-001, in accordance with the contract approved between RW Excavating & Dozing, L.C., Dan E. Wilson, Manager Member, 13293 S.88th Avenue W, Prairie City, IA 50228, under Roll Call No. 16-1091, of June 27, 2016, 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 \$740,062.68 is the total cost, of which \$686,882.49 has been paid the Contractor, and \$30,978.31 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$22,201.88 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:

[Signature of Kathleen Vanderpool]

Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

[Signature of Robert L. Fagen]

Robert L. Fagen Des Moines Finance Director

Funding Source: 2017-2018 CIP, Page Storm - 7, Easter Lake Watershed Improvements, SM061, Storm Water Utility Funds, Being: \$366,974.34 in IDNR Lake Restoration funding for 50% of eligible construction costs (Max \$449,696.50) under agreement 14-ESD-GSB-Rglaz-0010, \$366,974.34 in Storm Water Utility Funds, SM061; and the remaining \$6,114 in G.O. Bonds, PK045

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, Pass, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, 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.

[Signature of T. M. Franklin] Mayor

[Signature of Diane Rauh] City Clerk