

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION FOR FINAL ACCEPTANCE OF THE NEW SOUTH END FIRE STATION PROJECT (A/K/A MUSCATINE FIRE STATION NO. 2)", and moved that the same be adopted. Councilmember \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was:

AYES: \_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION FOR FINAL ACCEPTANCE OF THE NEW  
SOUTH END FIRE STATION PROJECT (A/K/A MUSCATINE  
FIRE STATION NO. 2)

WHEREAS, on the 15<sup>th</sup> day of March, 2011, the City of Muscatine, Iowa, and First Construction Group of Burlington, Iowa entered into a construction contract for the construction of certain public improvements generally described as the New South End Fire Station Project (a/k/a Muscatine Fire Station No. 2); and

WHEREAS, the City has identified certain deficiencies in the performance of the construction contract but has determined that it should finally accept the Project and move forward to effectuate the resolution of all claims against the Retainage and Performance Bond including claims by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA:

Section 1. That the New South End Fire Station Project (a/k/a Muscatine Fire Station No. 2) is Finally Accepted by the City of Muscatine.

Section 2. That the City Administrator and City Attorney are authorized to proceed to resolve all legitimate claims against the Retainage and Performance Bond including the filing of legal action pursuant to Iowa Code Section 573. Resolution of the claims may be accomplished through mediation.

PASSED AND APPROVED, this 21<sup>st</sup> day of May, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk, Muscatine, Iowa

## **NOTICE AND CALL OF PUBLIC MEETING**

Public Notice is hereby given that the City Council of Muscatine, Iowa, will meet on Thursday, May 21, 2015, at 7:00 p.m. in the City Hall Council Chambers concerning the Resolution for Final Acceptance of the New South End Fire Station Project (a/k/a Muscatine Fire Station #2) and proceeding to resolution of claims against the Retainage and Performance Bond.

All interested persons are invited to attend and will be given an opportunity to be heard relative to this matter.

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.

Gregg Mandsager, City Clerk