

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

**RESOLUTION ACCEPTING COMPLETED WORK PERFORMED UNDER  
WEST HILL SEWER SEPARATION PROJECT  
PHASE 3B  
AND AUTHORIZING FINAL PAYMENT**

WHEREAS, the City of Muscatine approved the Plans, Specifications, and Form of Contract for the West Hill Sewer Separation Project Phase 3B; and

WHEREAS, the City of Muscatine entered into a contract for said project with Hagerty Earthworks LLC for \$1,645,093.60 with 8 change orders, for a total contract amount of \$1,762,743.19; and

WHEREAS, all work under the contract has been completed by Hagerty Earthworks, LLC. and approved and accepted by the City Engineer and appears to meet the requirements of the Plans and Specifications heretofore adopted by this Council, as evidenced by the Project Engineer's Certificate; and

WHEREAS, the amount of \$1,688,923.14 has been previously paid to Hagerty Earthworks, LLC and a balance of \$73,820.05 including 5% retainage remains due and payable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, that the City of Muscatine make immediate payment of \$-0- to Hagerty Earthworks, LLC for completed and accepted work under the West Hill Sewer Separation Project Phase 3B and thereafter make no other additional payment for retainage until current contract and liquidated damages are resolved.

PASSED, APPROVED, ADOPTED THIS 1st DAY OF JUNE, 2017.

CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA

BY: \_\_\_\_\_  
Bob Bynum, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Gregg Mandsager, City Clerk