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## MEMORANDUM

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**TO:** GREGG MANDSAGER  
**FROM:** JON LUTZ  
**SUBJECT:** HERSEY AVENUE RECONSTRUCTION  
**DATE:** APRIL 5, 2011

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Sulzberger Excavating, Inc. was awarded the contract for Hershey Avenue Reconstruction at the March 17<sup>th</sup> 2010 Council meeting. Contract forms provided by Iowa DOT were completed by the Contractor. A bond in the full amount of the contract amount was submitted by the contractor. I have reviewed and approved these forms and recommend the city of Muscatine enter into a contract with Sulzberger Excavating, Inc in the amount of \$1,078,751.93.

The project will be funded by \$381,415 from the Surface Transportation Program with the remaining by municipal bonds.

**RESOLUTION** \_\_\_\_\_

**APPROVING CONTRACT AND BOND  
FOR HERSHY AVENUE RECONSTRUCTION PROJECT**

WHEREAS, this Council has awarded the contract for the Hershey Avenue Reconstruction Project to Sulzberger Excavating Inc. dated the 29th day of March 2011 in the amount of \$1,078,751.93; and

WHEREAS, this Council has authorized and directed the Mayor and City Clerk to enter into a written contract for this project with said contractor, subject to final approval by this Council; and

WHEREAS, the contract and bond has been examined by this Council;

NOW, THEREFORE, IT IS RESOLVED that:

1. The above contract between the City of Muscatine, Iowa and Sulzberger Excavating, Inc. dated the 29<sup>th</sup> day of March, 2011 in the amount of \$1,078,751.93 is approved.
2. The performance bond accompanying such contract, wherein Sulzberger Excavating, Inc. appears as principal and Selective Insurance Company of the SE appears as surety, is approved.

The original executed contract and performance bond shall be placed on file in the office of the City Clerk.

PASSED, APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF APRIL, 2011.

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Richard W. O'Brien, Mayor

ATTEST:

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Gregg Mandsager, City Administrator