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## COMMUNITY DEVELOPMENT

Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement

## MEMORANDUM

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Steven Boka, Director of Community Development  
**Date:** October 14, 2011  
**Re:** Resolution Accepting 2<sup>nd</sup> Street Apartment Parking Lot Improvements

**INTRODUCTION:** The City of Muscatine has entered into a Cooperation Agreement with the United States Army Corps of Engineers (USACE) for the design and construction of improvements to the Mad Creek Levee. Phase II bids have been opened, evaluated and are being prepared for contract.

**BACKGROUND:** The City is responsible for the acquisition of all temporary and permanent easements necessary for the construction of Phase II. On October 7, 2010, the City Council approved a resolution establishing temporary and permanent easements acquired from the owners of the apartment building located at 903 East 2<sup>nd</sup> Street. That agreement provided for the city to construct and pay for the parking lot improvements being lost as a part of the Project. Bids for this project were opened on July 25<sup>th</sup> and the low bid was accepted by the City Council on August 4<sup>th</sup>. On August 18<sup>th</sup>, City Council approved the contract and bond for the Project. The Project is now complete and the final cost is of the project is \$675.00 lower than the contract amount as a result of changes made during construction.

**RECOMMENDATION/RATIONALE:** It is recommended that City Council approve the attached resolution accepting the work performed on this project by Heuer Construction, Inc., and authorizing the release of the retainage 30 days following the acceptance of the project

**BACKUP INFORMATION:**

1. Resolution

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

**RESOLUTION ACCEPTING COMPLETED WORK PERFORMED UNDER  
“2<sup>ND</sup> STREET APARTMENT PARKING LOT IMPROVEMENTS” CONTRACT  
AND RELATED TO THE MAD CREEK LEVEE IMPROVEMENTS PROJECT**

**WHEREAS**, the City of Muscatine entered into a contract for the project identified as the “2<sup>nd</sup> Street Apartment Parking Lot Improvements” project with Heuer Construction, Inc. for **\$40,506.20** with one (1) change order deduct of **\$675.00**, for a total of **\$39,831.20**, and

**WHEREAS**, work under said contract has been completed by Heuer Construction, Inc., and approved and accepted by the City as having met the requirements of the Plans and Specifications adopted by this Council; and

**WHEREAS**, the amount of **\$1,564.41** is now due and payable to Heuer Construction, Inc., leaving a retainage of **\$1,991.56** which is due and payable to Heuer Construction Inc., within thirty (30) days of approval of this Resolution,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA**, that the City hereby accepts all work under the Project identified as the “2<sup>nd</sup> Street Apartment Parking Lot Improvements” and hereby authorizes that payment be made to Heuer Construction, Inc., for **\$1,564.41**, which represents 95% of all work performed under said contract.

**BE IT FURTHER RESOLVED** that the final retainage payment of **\$1,991.56** be paid to Heuer Construction, Inc., thirty (30) days from the date of the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** this 20th day of October, 2011.

**CITY COUNCIL OF THE CITY OF  
MUSCATINE, IOWA**

**ATTEST:**

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**Richard W. O'Brien, Mayor**

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**Gregg Mandsager, City Clerk**