

Date November 4, 2024

**APPROVING COMPLETION AND ACCEPTANCE OF THE
COOPERATIVE PUBLIC SERVICE PROJECT BETWEEN
POLK COUNTY AND THE CITY OF DES MOINES FOR
SCOTT AVENUE SIDEWALK FROM SE 30th STREET TO FOURMILE CREEK**

WHEREAS, on August 7, 2023 under Roll Call No. 23-1068, the City Council approved execution of the first amendment to the agreement for Cooperative Public Service between Polk County and the City of Des Moines for the NE Broadway Avenue Improvement Project from Iowa Highway 415 (NW 2nd Avenue) to US Highway 6 (Hubbell Avenue); and

WHEREAS, at the written request of the City, the first amendment to the Agreement stated that Polk County would also provide up to \$1,000,000 in additional related services and improvements within the city of Des Moines. With written approval from the City Engineer, Polk County provided services that included construction of the Scott Avenue Sidewalk from SE 30th Street to Fourmile Creek, and has provided a detailed invoice to the City for actual costs of \$747,098.11.

WHEREAS, Polk County is the lead agency for the project, including construction, and the City is to make payment to the County, and the County is to provide written notice of project completion to the City declaring and certifying the improvements have been completed and constructed in a substantial conformance with the plans and specifications and that all construction contracts have been paid in full and the County is to recommend final acceptance of the improvements by the City; and

WHEREAS, in accordance with the agreement, the City of Des Moines is to make payment to Polk County after acceptance of the project by Polk County and the City. The final cost to the City is \$747,098.11. Polk County has provided written notice of project completion to the City declaring that the improvements have been completed and constructed in substantial conformance with the plans and specifications and that all construction contracts have been paid in full.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached notice from Polk County of project completion and recommendation of final acceptance of improvements by the City, be received and filed; and that in accordance Roll Call No. 23-1068, that said related improvements within the City limits are hereby approved and accepted and that the Finance and Engineering Departments are authorized to make payment to Polk County.

 **Roll Call Number**

Agenda Item Number

9

Date November 4, 2024

Activity ID 14-2019-004

Moved by _____ to adopt. Second by _____

FORM APPROVED: s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney



Funding Source: 2024-25 CIP, Page 139, BUILD Grant – Broadway from 2nd Ave. to Hubbell, ST307, Being: G.O. Bonds and LOSST

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

City Clerk