



Roll Call Number

16-0373

Agenda Item Number

13

DATE March 7, 2016

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR ARMY POST ROAD BRIDGE OVER GREAT WESTERN TRAIL, C. J. MOYNA & SONS, INC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer, showing the cost of the construction of the Army Post Road Bridge Over Great Western Trail, 12-2011-001, in accordance with the contract approved between C. J. Moyna & Sons, Inc., John P. Moyna, President, 24412 Hwy 13, Elkader, IA 52043, under Roll Call No. 13-1600, of October 7, 2013, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$1,651,514.77 is the total cost, of which \$1,595,775.88 has been paid the Contractor, and \$6,193.45 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$49,545.44 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by Gatto to adopt.

FORM APPROVED:

Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

D. Ritter

Daniel E. Ritter
Des Moines Finance Director

Funding Source: 2013-2014, Page Bridge - 4, Army Post Road Bridge Over Great Western Trail, BR043, Being: \$915,499.77 from Army Post Road Bridge over Great Western Trail, BR043, Gaming Monies; and \$336,015 per the Iowa Department of Transportation Agreement 2001-TJ-002 for Transfer of Public Road Jurisdiction; and the remaining \$400,000 from Page Bridge-5, City-wide Bridges, BR003, G.O. Bonds

| COUNCIL ACTION | YEAS | NAYS | Pass | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MOORE | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

CERTIFICATE

I, DIANE RAUH, 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.

T. M. Franklin Mayor

Diane Rauh City Clerk