

★ Roll Call Number

Agenda Item Number

17-1547

14B

DATE September 11, 2017

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR SE CONNECTOR PAVING - S.E. 15TH STREET TO S.E. 30TH STREET, 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 SE Connector Paving - S.E. 15th Street to S.E. 30th Street, 06-2012-006, 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. 13-0949, of June 10, 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 \$31,475,450.92 is the total construction cost of which \$31,445,450.92 has been paid to the Contractor, with a final partial payment of \$0.00 to be paid now, and the remaining balance of \$30,000.00 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor.

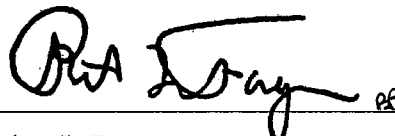
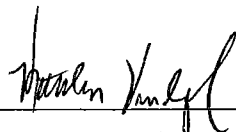
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents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

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool  
Deputy City Attorney

Robert L. Fagen  
Des Moines Finance Director

*AE* Funding Source: 2017-2018 CIP, Page Street - 36, Southeast Connector - S.E. 14th Street to S.E. 30th Street, ST249, Being: \$10,000,000 (maximum) in Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant Federal Earmark, being 80% eligible for grading, paving and bridge construction costs under NHS-U-1945(409)-8G-77; \$8,954,000 in Federal Surface Transportation Program (STP) funds being 80% eligible for roadway construction costs allocated through Des Moines Area MPO under NHS-U-1945(409)-8G-77; \$9,037,777.55 in IDOT - RISE funds being 50% eligible; \$301,430 from Des Moines Water Works for water main construction; and the remaining \$3,182,243.37 in G.O. Bonds.

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NHS-U-1945(409) -8G-77, NHS-U-1945(409)- -8G-77, NHS-U-1945(409)--8G-77,  
NHS-U-1945(409)-8G-77

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

*T. M. Franklin Cownie*

Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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.

*Diane Rauh*

City Clerk