

★ Roll Call Number

17-1878

Agenda Item Number

9B

DATE November 6, 2017

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR BIRDLAND MARINA UTILITY IMPROVEMENTS, MINTURN, 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 Birdland Marina Utility Improvements, 11-2017-008, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 17-0639, of April 3, 2017, 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 \$190,694.78 is the total cost, of which \$184,973.94 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,720.84 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 Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by Hensley to adopt.

FORM APPROVED:

FUNDS AVAILABLE

[Signature of Kathleen Vanderpool]

[Signature of Robert L. Fagen]

Kathleen Vanderpool Deputy City Attorney

Robert L. Fagen Des Moines Finance Director

Funding Source: 2017-2018 CIP, Page Park - 15, Road, Sidewalk, and Utility Improvements - Parks, PK175, Being: G. O. Bonds to be issued

Table with columns: COUNCIL ACTION, YEAS, NAYS, Pass, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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.

[Signature of T. M. Franklin] Mayor

[Signature of Diane Rauh] City Clerk