

★ **Roll Call Number**
19-095

Agenda Item Number
11C

DATE February 11, 2019

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2018 ADA SIDEWALK RAMP PROGRAM - CONTRACT 1, TI-ZACK CONCRETE, 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 2018 ADA Sidewalk Ramp Program - Contract 1, 09-2018-002, in accordance with the contract approved between Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, Le Center, MN 56057, under Roll Call No. 18-0821, of May 7, 2018, 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 \$882,868.40 is the total cost, of which \$856,382.35 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 \$26,486.05 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 Gatto to adopt.

FORM APPROVED:
Kathleen Vanderpool
 Deputy City Attorney

FUNDS AVAILABLE
Robert L. Fagen
 Des Moines Finance Director

SLN

Funding Source: 2018-2019 CIP, Page Street - 33, Sidewalks - ADA Compliance, SW095, G.O. Bonds to be issued, Being: \$811,453.10 in G.O. Bonds; and the remaining \$71,415.30 in G.O. Bonds transferred from SW084, Sidewalk Replacement

COUNCIL ACTION	YEAS	NAYS	Pass	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
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.

J. M. Frankhu Cownie Mayor

Diane Rauh City Clerk