

★ Roll Call Number  
19-0272

Agenda Item Number  
11B

DATE February 25, 2019

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 2018 SIDEWALK REPLACEMENT PROGRAM, 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 Sidewalk Replacement Program, 09-2018-001, 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. 18-0633, of April 9, 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 \$688,483.21 is the total cost, of which \$667,828.71 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 \$20,654.50 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  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

Robert L. Fagen  
Robert L. Fagen  
Des Moines Finance Director

SW Funding Source: 2018-2019 CIP, Page Street - 34, Sidewalk Replacement, SW084, G.O. Bonds to be issued

COUNCIL ACTION	YEAS	NAYS	Pass
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.

W. Frank Cownie Mayor

Diane Rauh City Clerk