

★ Roll Call Number

20-0032

Agenda Item Number

13C

DATE January 13, 2020

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR STORM DRAINAGE CATEGORY D REPAIR CONTRACT 2, TK 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 Storm Drainage Category D Repair Contract 2, 08-2019-007, in accordance with the contract approved between TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 18-1877, of November 5, 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 \$121,644.95 is the total cost, of which \$104,723.60 has been paid the Contractor, and \$13,272.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$3,649.35 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 Interim 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

Nickolas J. Schaul  
Nickolas J. Schaul  
Interim Des Moines Finance Director

SLN Funding Source: 2019-2020 Operating Budget, OP208, Being: \$103,398.21 anticipated FEMA Funding (85% of Construction Costs); and the remaining \$18,246.74 in Storm Water Utility Funds from City-wide Storm Water Utility Projects, SM057

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

**CERTIFICATE**

I, P. Kay Cmelik, 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. Franklin Cownie Mayor

P. Kay Cmelik City Clerk