



**Roll Call Number**

20-1649

**Agenda Item Number**

13 B

DATE October 19, 2020

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR MACRAE PARK POND DREDGING, 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 MacRae Park Pond Dredging, 112018005, 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. 18-1879, 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 \$965,183.54 is the total cost, of which \$936,154.33 has been paid the Contractor, and \$73.70 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$28,955.51 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 Director of Finance be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by Boesen to adopt.

**FORM APPROVED:**

Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

**FUNDS AVAILABLE**

Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance

SLN  
N75

Funding Source: 2020-2021 CIP, Page Park-12, Urban Conservation Projects, PK167, Being: \$200,000 in G.O Bonds, and the remaining \$765,183.54 in Storm Water Utility Funds transferred from SM057



Roll Call Number

20-1649

Agenda Item Number

13 B

DATE October 19, 2020

| 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.

MOTION CARRIED APPROVED  
*J. M. Franklin Cownie* Mayor

*P. Kay Cmelik* City Clerk