



Roll Call Number

21-0957

Agenda Item Number

13

DATE June 28, 2021

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SIMON ESTES AMPHITHEATER REPAIRS, 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 Simon Estes Amphitheater Repairs, 042020022, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 20-0960, of June 8, 2020, 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 \$726,686.09 is the total cost, of which \$704,885.51 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 \$21,800.58 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 Gatto to adopt.

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

SLN
pw

Funding Source: 2020/21 Operating Budget, OP212, Being: Anticipated FEMA funding

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

I, P. Kay Cmelik, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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