



Roll Call Number

22-0157

Agenda Item Number

12B

DATE February 7, 2022

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR DRAKE AND BATES PARKS WATER PLAYGROUNDS, JOINER CONSTRUCTION COMPANY 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 Drake and Bates Parks Water Playgrounds, 112020002, in accordance with the contract approved between Joiner Construction Company Inc., Rodney D. Joiner, President, 11996 490th Street, Plano, IA 52581, under Roll Call No. 20-0697, of April 20, 2020, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted.

BE IT FURTHER RESOLVED: That \$1,157,589.75 is the total cost, of which \$1,147,589.75 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 \$10,000.00 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. Second by Boesen.

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2021-2022 CIP, Page 63, Sprayground Improvements, PK034, Being: \$600,000 contribution from the Daniel and Mary Kelly Family Foundation, \$452,389.75 in G.O. Bonds to be issued transferred from PK137, \$90,000 in G.O. Bonds issued transferred from BL042, and the remaining \$15,200 in G.O. Bonds issued transferred from SW081.

SLN
PW

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|----------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| SHEUMAKER | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |
| MOTION CARRIED | | | | APPROVED |

J. M. Frankhu Cownie

Mayor

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.

P. Kay Cmelik

City Clerk