



Roll Call Number

Agenda Item Number

22-0311

22C

DATE March 7, 2022

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR S.W. 5TH STREET RAILROAD CROSSING IMPROVEMENTS, 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 S.W. 5th Street Railroad Crossing Improvements, 042020021, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 21-0053, of January 11, 2021, 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 \$166,352.11 is the total cost, of which \$161,361.55 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 \$4,990.56 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 *BB*

Nickolas J. Schaul
Director of Finance

Funding Source: 2021-2022 CIP, Page 109, Railroad Crossing Surface Repairs and Signal Improvements, ST139, G.O. Bonds, Being: \$85,852.11 G.O. Bonds, \$62,000 Federal funds from Iowa DOT, and the remaining \$18,500 in Sanitary Sewer Funds

*SLN
PW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
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