



Roll Call Number

22-1130

Agenda Item Number

17C

DATE July 18, 2022

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR DES MOINES RIVER SIMON ESTES AMPHITHEATER FLOODWALL 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 Des Moines River Simon Estes Amphitheater Floodwall Improvements, 082020003, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211, under Roll Call No. 20-0481, of March 9, 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 \$478,176.78 is the total cost, of which \$463,831.48 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 \$14,345.30 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:

FUNDS AVAILABLE

s/ Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance

Funding Source: 2022-23 CIP, Page 106, Flood Mitigation Improvements, SM087, Storm Water Utility

SLN

Funds

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

I, Laura Baumgartner, Acting 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. Frankhu Cownie

Mayor

Laura Baumgartner

Acting City Clerk