



Roll Call Number

22-1391

Agenda Item Number

13 C

DATE September 12, 2022

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2021 SIDEWALK REPLACEMENT PROGRAM, TK CONCRETE, 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 2021 Sidewalk Replacement Program, 092021001, in accordance with the contract approved between TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 21-0907, of June 14, 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 \$379,990.00 is the total cost, of which \$368,590.30 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 \$11,399.70 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

SLN<sup>pw</sup>

Funding Source: 2022-23 CIP, Page 169, Sidewalk Replacement, SW084, G.O. Bonds

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

MOTION CARRIED

APPROVED

J. M. Frankin Cownie

Mayor

Laura Baumgartner

City Clerk

I, Laura Baumgartner, 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.