



Roll Call Number

23-1164

Agenda Item Number

8B

Date August 21, 2023

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR MACRAE PARK IMPROVEMENTS PHASE 3, 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 MacRae Park Improvements Phase 3, 112019002, in accordance with the contract approved between Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA, 52211, under Roll Call No. 21-0655, of April 19, 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 \$3,522,723.40 is the total cost, of which \$3,417,041.70 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 \$105,681.70 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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 Voss

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE:

Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

SLN
pw

Funding Source: 2023-24 CIP, Page 83, MacRae Park Improvements, PK179, \$750,000 Private Funds, \$96,643 Iowa DNR REAP Funds, \$1,002,908.50 G.O. Bonds, and the remaining \$1,673,171.90 from 2023-24 CIP, Page 81, Park Infrastructure, PK175, G.O. Bonds.



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COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1
<small>NOTION CARRIED</small> J. M. Frank Cownie <small>APPROVED</small> Mayor				

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

Laura Baumgartner

City Clerk