



Roll Call Number

23-1231

Agenda Item Number

10A

Date September 11, 2023

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR WITMER PARK PLAYGROUND AND RESTROOM IMPROVEMENTS, GRAPHITE CONSTRUCTION GROUP, 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 Witmer Park Playground and Restroom Improvements, 112021004, in accordance with the contract approved between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313, under Roll Call No. 21-1063, of June 28, 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 \$482,691.73 is the total cost, of which \$465,885.98 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 \$16,805.75 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 Boasen

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 87, Witmer Park Improvements, PK184, \$184,207 in private funds and the remaining \$298,484.73 in Local Option Sales and Services Tax (LOSST)



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COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED		APPROVED		
<i>J. M. Franken Cownie</i> 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