



Roll Call Number

24-0940

Agenda Item Number

13C

Date July 15, 2024

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR HAMILTON DRAIN STORM WATER IMPROVEMENTS PHASE 2, RW EXCAVATING SOLUTIONS, LC

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 Hamilton Drain Storm Water Improvements Phase 2, Activity ID 082021002, in accordance with the contract approved between RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S. 88th Avenue W, Prairie City, IA, 50228, under Roll Call No. 21-1609, of October 18, 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 \$6,516,545.90 is the total cost, of which \$6,321,049.52 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 \$195,496.38 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 Coleman

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

Nickolas J. Schaul

Kathleen Vanderpool Deputy City Attorney

Nickolas J. Schaul Director of Finance

SLN

Funding Source: 2024-2025 CIP, Page 76, Hamilton Drainage Area Improvements, SM133, Being: \$6,110,834.41 in Storm Water Utility funds, and the remaining \$405,711.49 from Des Moines Water Works

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, SIMONSON, VOSS, WESTERGAARD, and TOTAL MOTION CARRIES. Includes signature of Carl B. Janssen, Mayor Pro Tem.

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