



Roll Call Number

26-0025

Agenda Item Number

10E

Date January 12, 2026

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR
HAMILTON DRAIN STORM WATER IMPROVEMENTS PHASE 3,
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 3, Activity ID 082022002 ("Project"), in accordance with the contract approved under Roll Call No. 22-1940, of December 12, 2022, between RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S. 88th Avenue W, Prairie City, IA, 50228, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and the construction of the Project is accepted.

BE IT FURTHER RESOLVED: That \$8,116,168.65 is the total cost, of which \$7,872,683.59 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 \$243,485.06 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/ Glenna K. Frank

Glenna K. Frank
Deputy City Attorney

FUNDS AVAILABLE:

/s/ Nickolas J Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2025-26 CIP, Page 103, Hamilton Drainage Area Improvements, SM133, Being: \$7,000,000 American Rescue Plan Act (ARPA) Funding (Storm Water), \$648,385.75 ARPA Funding (Water Main), and the remaining \$467,782.90 in Storm Water Utility Funds

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

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