



**Roll Call Number**

21-1799

**Agenda Item Number**

14 B

DATE December 6, 2021

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2021 RIVERWALK IMPROVEMENTS - BALUSTRADE REPLACEMENT, TNT TUCKPOINTING AND BUILDING RESTORATION, L.L.C.**

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 Riverwalk Improvements - Balustrade Replacement, 042021011, in accordance with the contract approved between TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Member, 202 Iowa Street, Stockton, IA 52769, under Roll Call No. 21-0584, of April 5, 2021, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$157,491.86 is the total cost, of which \$152,767.10 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 \$4,724.76 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.

FORM APPROVED:

SLN

Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance

Funding Source: 2021-2022 CIP, Page 71, Principal Riverwalk, PK162, G. O. Bonds

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

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED  
J. M. Franklin Cownie  
Mayor

P. Kay Cmelik  
City Clerk