



**Roll Call Number**

**Agenda Item Number**

22-1499

11A

DATE October 3, 2022

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2020 SIDEWALK REPLACEMENT PROGRAM, TK CONCRETE, 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 2020 Sidewalk Replacement Program, 092020003, in accordance with the contract approved between TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 20-0567, of March 23, 2020, 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 \$449,893.23 is the total cost, of which \$449,893.23 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 \$0.00 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 Boesen

FORM APPROVED:

FUNDS AVAILABLE

s/ Kathleen Vanderpool

Nickolas J. Schaul BB

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

SLW Funding Source: 2022-23 CIP, Page 169, Sidewalk Replacement, SW084, Being: \$200,000 G.O. Bonds issued, \$249,893.23 G.O Bonds to be issued

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

I, Laura Baumgartner, 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

T. M. Franklin Cowie

Laura Baumgartner

Mayor

City Clerk