



Roll Call Number

22-1716

Agenda Item Number

8 B

DATE November 7, 2022

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2021 HMA RESURFACING PROGRAM CONTRACT 1, OMG MIDWEST, INC. DBA DES MOINES ASPHALT & PAVING

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 HMA Resurfacing Program Contract 1, 062020018, in accordance with the contract approved between OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Kevin Bragg, President, 2401 SE Tones Drive, Ste. 13, Ankeny, IA 50021, under Roll Call No. 21-0911, of June 14, 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 \$844,077.15 is the total cost, of which \$818,754.84 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 \$25,322.31 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:

Kathleen Vanderpool

Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

Nickolas J. Schaul

Nickolas J. Schaul Director of Finance

SLN

Funding Source: 2022-23 CIP, Page 116, Roadway Rehabilitation – Collector, ST217, Gaming Monies

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, TOTAL.

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

John Fubell

MAYOR PRO TEM

Laura Baumgartner

City Clerk