



Roll Call Number

23-1068

Agenda Item Number

12

Date August 7, 2023

**APPROVING FIRST AMENDMENT TO AGREEMENT FOR COOPERATIVE PUBLIC SERVICE WITH POLK COUNTY FOR THE NE BROADWAY AVENUE IMPROVEMENT PROJECT FROM IOWA HIGHWAY 415 (NW 2ND AVENUE) TO US HIGHWAY 6 (HUBBELL AVENUE)**

WHEREAS, on September 12, 2022, by Roll Call No. 22-1382, the City Council approved entering into an Agreement for Cooperative Public Service with Polk County for the NE Broadway Avenue Improvement Project from Iowa Highway 415 (NW 2nd Avenue) to US Highway 6 (Hubbell Avenue) by which the City agreed to pay its share of construction project improvements which were estimated to be \$3,144,838.; and

WHEREAS, the bids received by the Iowa Department of Transportation and the Polk County awarded construction contract in the amount of \$53,769,000 exceeded the cost estimate resulting in increased City and County shares for the project with the calculated City share increased from \$3,144,838 to \$5,170,426.39; and

WHEREAS, this First Amendment to the Agreement for Cooperative Public Service between Polk County, Iowa and the City of Des Moines for the NE Broadway Avenue Improvement Project from Iowa Highway 415 to US Highway 6 increases the City's share to \$5,170,426.39 which is to be paid by July 30, 2024; and

WHEREAS, at the written request of the City, Polk County will also provide up to \$1,000,000 in additional related services and improvements within the City of Des Moines, subject to the City Engineer's prior written approval and City Council's acceptance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The First Amendment to the Agreement for Cooperative Public Service between Polk County, Iowa and the City of Des Moines for the NE Broadway Avenue Improvement Project from Iowa Highway 415 (NW 2<sup>nd</sup> Avenue) to US Highway 6 (Hubbell Avenue), is hereby approved.
2. That the Mayor is authorized and directed to execute said Amendment on behalf of the City of Des Moines and the City Clerk to attest to his signature.
3. That the Engineering Department is hereby authorized to administer the terms of said Amendment and the Finance Department is authorized to make payment in accordance with the Agreement and First Amendment.

(City Council Communication Number 23-316 attached)  
Activity ID 14-2019-004

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Moved by Gatto to adopt. Second by Boesen

FORM APPROVED: s/Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

**SLN**  
 Funding Source: 2023-2024 CIP, Page 155, BUILD Grant – Broadway from 2nd Ave to Hubbell, ST307, Being: G.O. Bonds and LOSST

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED  
J. M. Frankin Cownie 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