



Roll Call Number

23-1303

Agenda Item Number

14C

Date October 02, 2023

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR NEAL SMITH TRAIL REHABILITATION - EUCLID AVENUE TO SAYLOR CREEK BRIDGE , 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 Neal Smith Trail Rehabilitation - Euclid Avenue to Saylor Creek Bridge , 112019009, 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. 22-0271, of February 21, 2022, 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 \$984,784.11 is the total cost, of which \$955,240.59 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 \$29,543.52 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 *Boesen*

FORM APPROVED:

*s/Kathleen Vanderpool*

Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE:

*Nickolas J. Schaul*

Nickolas J. Schaul  
Director of Finance

**SLW**  
*PW*

Funding Source: 2023-24 CIP, Page 72, Multi-Use Trails, PK045, Being: \$849,934.11 in G.O. Bonds and the remaining \$134,850 in G.O. Bonds transferred from SW081



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

*J. M. Frankin Cownie*  
APPROVED  
 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