
DATE June 14, 2010

ACKNOWLEDGE COMPLETION OF THE PRIVATE CONSTRUCTION
CONTRACT FOR SANITARY SEWER IMPROVEMENTS, 5515 SE 14TH STREET,
BETWEEN TYLER EXCAVATING, INC. AND MELBOURNE APARTMENTS, LLP

WHEREAS, on November 23, 2009 under Roll Call No. 09-2090, the City Council approved a private construction contract in the amount of \$21,500.00, between Tyler Excavating, Inc., Rob Tyler, Owner, 5372 NW 111th Drive, Grimes, IA, 50111 - as Contractor, and Melbourne Apartments, LLP, Steve Niebuhr, Senior Vice President, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer to serve the Melbourne Apartments at 5515 SE 14th Street, Des Moines, Iowa, as per Plan File Number 484-130, and granted permission to the parties of said contract to construct these improvements in accordance with the contract documents and subject to the inspection and approval of the Des Moines City Engineer.

WHEREAS, said Roll Call No. 09-2090 included the following:

These sanitary sewer improvements to serve the Melbourne Apartments shall be constructed as a private sanitary sewer, and it is anticipated that upon completion of the work will remain a private sanitary sewer owned and maintained by Melbourne Apartments, LLP. Upon completion, the city of Des Moines will only acknowledge completion on the work, and this sanitary sewer will not be accepted or maintained by the City of Des Moines.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer acknowledging the completion of the construction of said Sanitary Sewer Improvements in the amount of \$21,500.00, which have been constructed in substantial compliance with the contract documents between Tyler Excavating, Inc. and Melbourne Apartments, LLP, which were approved under Roll Call No. 09-2090, dated November 23, 2009, be received and filed; and that completion of said Sanitary Sewer Improvements described as sanitary sewer to serve the Melbourne Apartments at 5515 SE 14th Street, Des Moines, Iowa, as per Plan File Number 484-130, is hereby acknowledged. Said Sanitary Sewer Improvements shall remain a private sanitary sewer owned and maintained by Melbourne Apartments, LLP.



Roll Call Number

Agenda Item Number

11

DATE June 14, 2010

Activity ID 07-2010-103

Moved by _____ to adopt.

FORM APPROVED:

Kathleen Vanderpool
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Melbourne Apartments, LLP

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

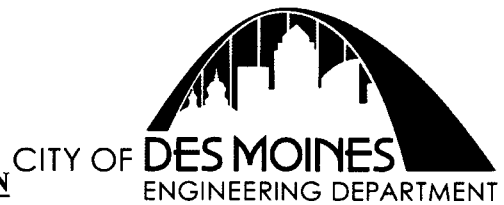
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

June 14, 2010

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Acknowledge completion of the Private Construction Contract for Sanitary Sewer Improvements 5515 SE 14th Street, between Tyler Excavating, Inc. and Melbourne Apartments, LLP.

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion and acknowledge the completion of said improvement.

FISCAL IMPACT:

Amount: \$21,500.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Melbourne Apartments, LLP

CERTIFICATION OF COMPLETION:

On November 23, 2009, under Roll Call No. 09-2090, the City Council approved a private construction contract in the amount of \$21,500.00, between Tyler Excavating, Inc., Rob Tyler, Owner, 5372 NW 111th Drive, Grimes, IA 50111 - as Contractor, and Melbourne Apartments, LLP, Steve Niebuhr, Senior Vice President, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer to serve the Melbourne Apartments at 5515 SE 14th Street, Des Moines, Iowa, as per Plan File Number 484-130, and granted permission to the parties of said contract to construct these improvements in accordance with the contract documents and subject to the inspection and approval of the Des Moines City Engineer.

Said Roll Call No. 09-2090 included the following statement:

These sanitary sewer improvements to serve the Melbourne Apartments shall be constructed as a private sanitary sewer, and it is anticipated that upon completion of the work will remain a private sanitary sewer owned and maintained by Melbourne Apartments, LLP. Upon completion, the City of Des Moines will only acknowledge completion on the work, and this sanitary sewer will not be accepted or maintained by the City of Des Moines.

I hereby certify that the construction of said Sanitary Sewer Improvements described as sanitary sewer to serve the Melbourne Apartments at 5515 SE 14th Street, Des Moines, Iowa, as per Plan File Number 484-130, Activity ID 07-2010-103, has been completed in substantial compliance with the contract documents between Tyler Excavating, Inc. and Melbourne Apartments, LLP, which were approved under Roll Call No. 09-2090, dated November 23, 2009. The above Sanitary Sewer Improvements will remain a private sanitary sewer owned and maintained by Melbourne Apartments, LLP. The amount of completed Sanitary Sewer Improvements is \$21,500.00.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jeb E. Brewer, P.E.
Des Moines City Engineer

ESTIMATE OF CONSTRUCTION COMPLETED
FINAL

Project Name 5515 SE 14th Street Sanitary Sewer Activity ID 07-2010-103
Street Melbourne Apartments Plan No. 484-138
From _____ To _____ Date May 28, 2010

ITEM	DESCRIPTION	ESTIMATED		UNITS		BID	AMOUNT
		UNITS		CONSTRUCTED	TO DATE		
1	Sanitary Manhole	3	EA	3	EA		
2	Tie-into Existing MH	1	EA	1	EA	LS	\$21,500.00
3	8" Sanitary	410	LF	410	LF		

Total Construction Cost \$21,500.00

PREPARED BY 

CHECKED BY 