

DATE July 24, 2006

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN
ECO-TECH CONSTRUCTION, LLC AND
SAVANNAH HOMES
FOR PAVING, SANITARY, AND STORM SEWER IMPROVEMENTS IN SAWYER'S LANDING PHASE 1
\$920,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached contract documents for a Private Construction Contract in the amount of \$920,000.00 between Eco-Tech Construction, LLC, Steve Gillotti, President, 5600 Enterprise Drive, Grimes, IA, 50111 - as Contractor, and Savannah Homes, Ted Grob, President, 1309 50th Street, West Des Moines, IA, 50266 - as Owner, for construction of Paving, Sanitary, and Storm Sewer Improvements described as paving, sanitary sewer, and storm sewer improvements in the proposed Sawyer's Landing Phase 1 development located at the east end of Hillcrest Drive and Bel-Aire Road in Des Moines, Iowa, as per Plan File Nos. 466-098/109, be and the same are hereby approved subject to the conditions listed below.

BE IT FURTHER RESOLVED: That permission be and is hereby granted to the parties of said contract to construct said Paving, Sanitary, and Storm Sewer Improvements in accordance with said contract documents and subject to inspection and approval of the Des Moines City Engineer and subject to the conditions listed below.

BE IT FURTHER RESOLVED: That the City of Des Moines has a proposed construction project entitled Twana/Bel-Aire Storm Sewer Improvements, Activity ID, 08-2006-003, which is scheduled for public bid opening on July 25, 2006, and presentation to the Des Moines City Council on August 7, 2006 for a public hearing and consideration for award of the construction contract; and this action of the City Council to approved the Private Construction Contract and grant permission to construct for the Sawyer's Landing improvements shall be subject improvements subject to the following conditions:

Condition 1. Receipt of a low responsible, responsive bid, as determined by the City Engineer, on July 25, 2006 on the Twana/Bel-Aire Storm Sewer Improvements Project, Activity ID 08-2006-00, less than 5% over the City's estimate of \$1,325,235 (less than \$1,391,500). If, after the City Engineer's tabulation and evaluation of the said bids which should be completed by 5:00 p.m. on July 25, 2006, the low responsible, responsive bid as determined by the City Engineer is less than 5% over the City's estimate of \$1,325,235.00 (less than \$1,391,500); then this Private Construction Contract for the Sawyer's Landing improvements is approved, permission is granted to construct the Sawyer's Landing improvements, and the Contractor may begin work and the condition in paragraph 2 below shall not apply. If after the City Engineer's tabulation and evaluation of said bids, the low responsible, responsive bid as determined by the City Engineer exceeds \$1,391,500, then this Private Construction Contract for the Sawyer's Landing improvements is not approved, permission is not granted to construct the Sawyer's Landing improvements, and the Contractor shall not start any work on the Sawyer's Landing improvements prior to the City Council's consideration of said bids on August 7, 2006 and the condition in paragraph 2 below shall apply.

★ **Roll Call Number**

Agenda Item Number

15

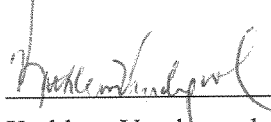
DATE July 24, 2006

Condition 2. Approval and award by the City Council of the contract for the Twana/Bel-Aire Storm Sewer Improvements Project, Activity ID, 08-2006-003 on August 7, 2006. If the contract for the Twana/Bel-Aire Storm Sewer Improvements Project, Activity ID, 08-2006-003, is awarded on August 7, 2006, then this Private Construction Contract for the Sawyer's Landing improvements is approved, permission is granted to construct the Sawyer's Landing improvements, and the Contractor may begin work. If the contract for the Twana/Bel-Aire Storm Sewer Improvements, Activity ID, 08-2006-003 is not approved and awarded on August 7, 2006, then this Private Construction Contract for the Sawyer's Landing improvements is not approved, permission is not granted to construct the Sawyer's Landing improvements and the Contractor shall not start work.

Activity ID: 06-2007-101

Moved by _____ to adopt.

FORM APPROVED:


Kathleen Vanderpool
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Savannah Homes

DEB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VCLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

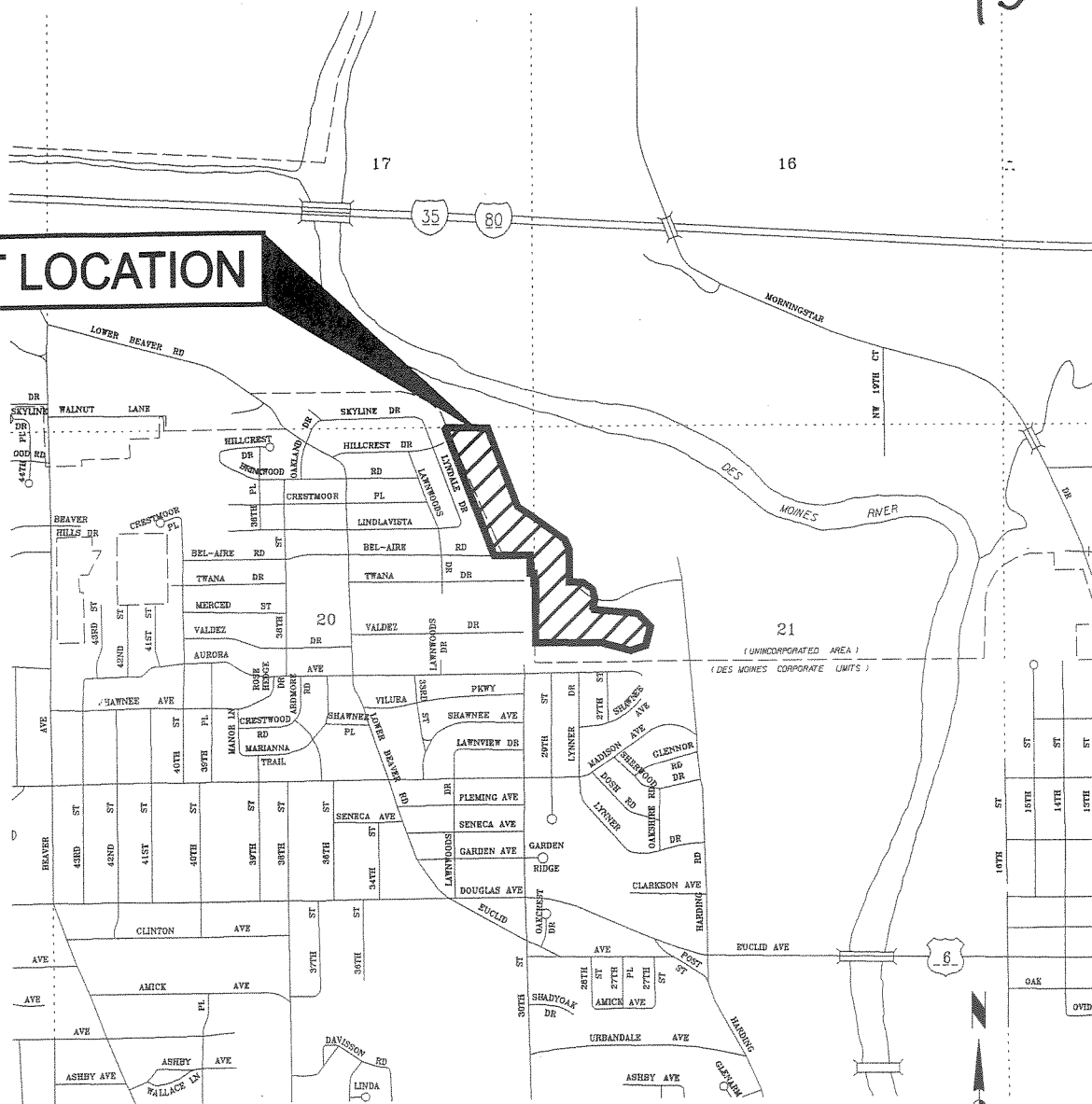
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

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

Mayor

City Clerk

PROJECT LOCATION



VICINITY SKETCH

SAWYER'S LANDING PHASE 1
PAVING - ACTIVITY ID 06-2007-101
SANITARY SEWER – ACTIVITY ID 07-2007-102
STORM SEWER – ACTIVITY ID 08-2007-102