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DATE December 6, 2010

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION  
CONTRACT FOR STORM SEWER IMPROVEMENTS, 5TH AVENUE SOUTH OF LAUREL STREET,  
BETWEEN ELDER CORPORATION AND NEUMANN BROTHERS, INC.

WHEREAS, on July 27, 2009 under Roll Call No. 09-1305, the City Council approved a private construction contract in the amount of \$43,311.00, between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 - as Contractor, and Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA, 50314 - as Owner, for construction of Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, 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.

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 and recommending the acceptance of the construction of said Storm Sewer Improvements in the amount of \$43,311.00, which have been constructed in substantial compliance with the contract documents between Elder Corporation and Neumann Brothers, Inc., which were approved under Roll Call No. 09-1305, dated July 27, 2009, be received and filed; and that completion of said Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

★ **Roll Call Number**

Agenda Item Number

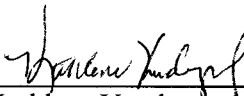
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
DATE December 6, 2010

Activity ID 08-2010-100

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
 \_\_\_\_\_  
 Kathleen Vanderpool  
 Deputy City Attorney

 Funding Source: All project costs are to be paid by the Owner(s), Neumann Brothers, Inc.

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

MOTION CARRIED APPROVED

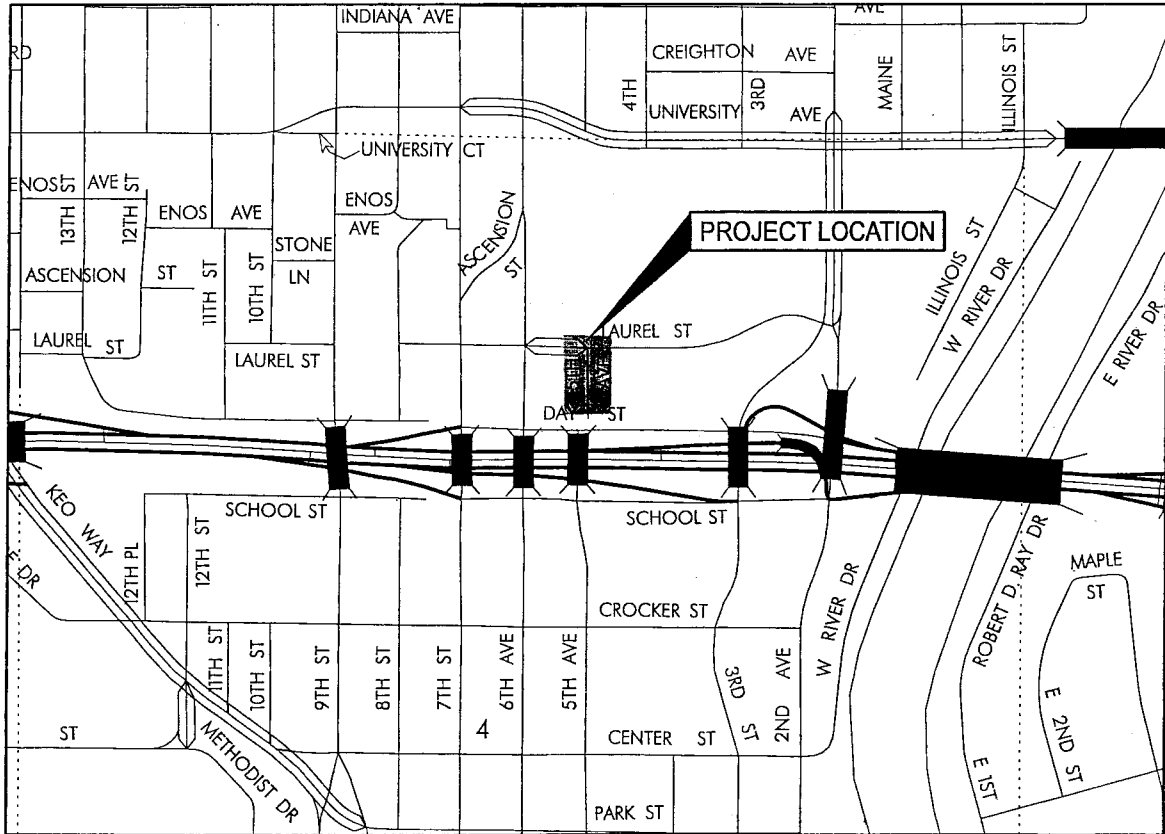
\_\_\_\_\_  
 Mayor

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

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NOT TO SCALE

VICINITY MAP

# 5<sup>TH</sup> AVENUE EXTENTION at MERCY HOSPITAL

## PAVING & STORM SEWER

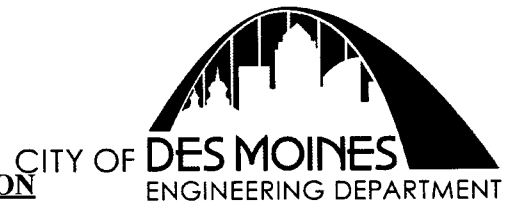
ACTIVITY ID 06-2010-100

ACTIVITY ID 08-2010-100

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December 6, 2010

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Approving completion and recommending acceptance of the Private Construction Contract for Storm Sewer Improvements 5th Avenue south of Laurel Street, between Elder Corporation and Neumann Brothers, Inc..

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$43,311.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Neumann Brothers, Inc.

**CERTIFICATION OF COMPLETION:**

On July 27, 2009, under Roll Call No. 09-1305, the City Council approved a private construction contract in the amount of \$43,311.00, between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 - as Contractor, and Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA, 50314 - as Owner, for construction of Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, 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.

I hereby certify that the construction of said Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, Activity ID 08-2010-100, has been completed in substantial compliance with the contract documents between Elder Corporation and Neumann Brothers, Inc., which were approved under Roll Call No. 09-1305, dated July 27, 2009 and I hereby recommend that the above Storm Sewer Improvements be accepted.

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I further certify that the amount of completed Storm Sewer Improvements is \$43,311.00.



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

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ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA

ESTIMATE OF CONSTRUCTION COMPLETED  
FINAL

Project Name 5th Ave. Extension @ Mercy Hospital Stotm Sewer Activity ID 08-2010-100  
Street 5th Ave @ Mercy Hospital Plan No. \_\_\_\_\_  
From \_\_\_\_\_ To \_\_\_\_\_ Date November 17, 2010

ITEM	DESCRIPTION	ESTIMATED		UNITS CONSTRUCTED		BID UNIT PRICE	AMOUNT
		UNITS		TO DATE			
1	Connection to Existing Manhole/Intake	1	EA	1	EA		
2	Storm Sewer 15" RCP	231.5	LF	231.5	LF	LS	\$43,311.00
3	Type M-A Intake with Type R Casting	2	EA	2	EA		
4	Type M-C Intake with Type R Casting	1	EA	1	EA		
5	Type M-D Intake with Type R Casting	1	EA	1	EA		
6	Subgrade Preparartion, 12"	1312	SY	1312	SY		

Total Construction Cost \$43,311.00

PREPARED BY [Signature]

CHECKED BY [Signature]