



Date August 27, 2018

APPROVAL OF PRIVATE CONSTRUCTION CONTRACT, CONTINGENT UPON AND SUBJECT TO THE CONDITIONS SET FOR IN THIS ROLL CALL, BETWEEN MCANINCH CORPORATION AND HRC NFS I LLC FOR FOR STORM SEWER IMPROVEMENTS IN GRAY'S STATION PLAT 2 \$1,004,342.00

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 \$1,004,342.00 between McAninch Corporation, Douglas D. McAninch, President/CEO, 4001 Delaware Avenue, Des Moines, IA, 50313 - as Contractor, and HRC NFS I, LLC, Rick Tollakson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Storm Sewer Improvements described as storm sewer improvements to serve Gray's Station Plat 2, as shown on Plan File Numbers 598-001/064, be and the same are hereby approved and permission be and is hereby granted to the parties of said contract to construct said Paving Improvements in accordance with said contract documents all contingent upon and subject to:

- 1. Receipt of documentation provided on or before August 30, 2018, acceptable to the Engineering and Legal Departments as evidenced in writing, of the conveyance of the necessary permanent property interests to construct the storm sewer improvements from Riverpoint West, L.L.C., to HRC NFS I LLC; and
2. Receipt of contract and bond approved as to form by the Legal Department and certificate of insurance acceptable to the Engineering Department; and
3. Inspection and approval of the Des Moines City Engineer.

Activity ID: 08-2019-106

Moved by _____ to adopt.

FORM APPROVED:

[Signature]
Kathleen Vanderpool
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), HRC NFS I, LLC

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk