



Date October 5, 2020

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN RYAN COMPANIES US, INC. AND DES MOINES INDUSTRIAL, LLC FOR STORM SEWER IMPROVEMENTS IN 200 E.15TH STREET \$416,278.25

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 \$416,278.25 between Ryan Companies US, Inc., Patrick Ryan, President/CEO, 533 South Third Street, Minneapolis, MN, 55415 - as Contractor, and Des Moines Industrial, LLC, Gabe Claypool, President & COO, 512 1/2 E. Grand Avenue, Des Moines, IA, 50309 - as Owner, for construction of storm sewer Improvements described as Work described as Des Moines Industrial Transload Facility - Storm Sewer improvements located at 200 E. 15th Street, as shown on Plan File Numbers 603-111/136 as documented to the reasonable satisfaction of the City Engineer., be and the same are hereby approved, subject and contingent upon the following conditions precedent being met:

- 1. Owner obtaining all permanent property interests in all real property by December 1, 2020, to the satisfaction of the City Legal Department, needed to construct operate, maintain and repair the Storm Sewer Improvements shown in plan File Numbers 603-111/136 and thereafter convey them to the City.
2. Owner's Contractor obtaining a Grading Permit from the City of Des Moines, which issuance does not authorize work to begin under the Private Construction Contract until all conditions of this Roll Call are met.
3. Receipt of contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department, subject to inspection and approval of the Des Moines City Engineer.

BE IT FURTHER RESOLVED: That permission is hereby granted to the parties of said contract to construct said improvements in accordance with said contract documents, contingent upon and subject to the above conditions precedent being met.

Activity ID: 082021102

Moved by _____ to approve.

FORM APPROVED: s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Des Moines Industrial, LLC

★ Roll Call Number

Agenda Item Number

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Date October 5, 2020

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

City Clerk