



Roll Call Number

Agenda Item Number

17 B

DATE June 27, 2022

**APPROVING COMPLETION AND ACCEPTANCE OF THE
PAVING, SANITARY SEWER, AND STORM SEWER IMPROVEMENTS SET FORTH IN AND
CONSTRUCTED**

**PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, SE 2ND STREET BETWEEN E VINE
STREET AND E ELM STREET AND E ELM STREET BETWEEN SE 3RD STREET AND SE 4TH STREET,
BETWEEN RYAN COMPANIES US, INC. AND THE DISTRICT DEVELOPER, LLC**

WHEREAS, on May 10, 2021 under Roll Call No. 21-0678, the City Council approved a private construction contract in the amount of \$2,796,584.00, between Ryan Companies US, Inc., Russell Lewton, Senior Vice President, 50 South Tenth Street, Suite 300, Minneapolis, MN, 55403 - as Contractor, and The District Developer, LLC, Paul D. Hayes, President, 512 1/2 E Grand Avenue, Des Moines, IA, 50309 - as Owner, for construction of paving, sanitary sewer, and storm sewer Improvements described as Market District Phase 1A infrastructure including grading, storm sewer facilities, stormwater bioswales including concrete walls and cross beams, sanitary sewer facilities, and concrete street paving. Scope of work is inclusive of and defined as construction of SE 2nd Street between E Vine Street and E Elm Street and construction of E Elm Street between SE 3rd Street and SE 4th Street, 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 paving, sanitary sewer, and storm sewer Improvements in the amount of \$2,796,584.00, which have been constructed in substantial compliance with the contract documents between Ryan Companies US, Inc. and The District Developer, LLC, which were approved under Roll Call No. 21-0678, dated May 10, 2021, be received and filed; and that completion of said paving, sanitary sewer, and storm sewer Improvements described as Market District Phase 1A infrastructure including grading, storm sewer facilities, stormwater bioswales including concrete walls and cross beams, sanitary sewer facilities, and concrete street paving. Scope of work is inclusive of and defined as construction of SE 2nd Street between E Vine Street and E Elm Street and construction of E Elm Street between SE 3rd Street and SE 4th Street, is hereby acknowledged and that said paving, sanitary sewer, and storm sewer Improvements are hereby accepted.

Activity ID 082021107

Moved by _____ to adopt. Second by _____

FORM APPROVED:

sl Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

SLW
pn

Funding Source: All project costs are to be paid by the Owner(s), The District Developer, LLC

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED				APPROVED

I, Laura Baumgartner, Acting 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

Acting City Clerk

June 27, 2022

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Approving completion and recommending acceptance of the Private Construction Contract for paving, sanitary sewer, and storm sewer Improvements SE 2nd Street between E Vine Street and E Elm Street and E Elm Street between SE 3rd Street and SE 4th Street, between Ryan Companies US, Inc. and The District Developer, LLC.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$2,796,584.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, The District Developer, LLC

CERTIFICATION OF COMPLETION:

On May 10, 2021, under Roll Call No. 21-0678, the City Council approved a private construction contract in the amount of \$2,796,584.00, between Ryan Companies US, Inc., Russell Lewton, Senior Vice President, 50 South Tenth Street, Suite 300, Minneapolis, MN 55403 - as Contractor, and The District Developer, LLC, Paul D. Hayes, President, 512 1/2 E Grand Avenue, Des Moines, IA, 50309 - as Owner, for construction of paving, sanitary sewer, and storm sewer Improvements described as Market District Phase 1A infrastructure including grading, storm sewer facilities, stormwater bioswales including concrete walls and cross beams, sanitary sewer facilities, and concrete street paving. Scope of work is inclusive of and defined as construction of SE 2nd Street between E Vine Street and E Elm Street and construction of E Elm Street between SE 3rd Street and SE 4th Street, 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 paving, sanitary sewer, and storm sewer Improvements described as Market District Phase 1A infrastructure including grading, storm sewer facilities, stormwater bioswales including concrete walls and cross beams, sanitary sewer facilities, and concrete street paving. Scope of work is inclusive of and defined as construction of SE 2nd Street between E Vine Street and E Elm Street and construction of E Elm Street between SE 3rd Street and SE 4th Street, Activity ID 082021107, has been completed in substantial compliance with the contract documents between Ryan Companies US, Inc. and The District Developer, LLC, which were approved under Roll Call No. 21-0678, dated May 10, 2021 and I hereby recommend that the above paving, sanitary sewer, and storm sewer Improvements be accepted.

I further certify that the amount of completed paving, sanitary sewer, and storm sewer Improvements is \$2,796,584.00.

Steven L. Naber, P.E.
Des Moines City Engineer

ESTIMATE OF CONSTRUCTION COMPLETED
FINAL

Project Name Market District Ph 1A - Storm Sewer Improvements Activity ID 08-2021-107
 Location Market District Plan No. 624-001/134
 From _____ to _____ Date June 27, 2022

ITEM	DESCRIPTION	ESTIMATED UNITS	UNITS CONSTRUCTED TO DATE	BID UNIT PRICE	AMOUNT
1	Lump Sum Amount		1	\$ 2,796,584.00	\$2,796,584.00

Total
Total Construction Cost \$2,796,584.00

Prepared By Rosa Olsen