



**Date** November 06, 2023

**APPROVING COMPLETION AND ACCEPTANCE OF THE  
SANITARY SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED  
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, BROOK LANDING PLAT 2,  
BETWEEN PRIORITY EXCAVATING, LLC AND BROOK LANDING, LLC**

WHEREAS, on November 06, 2017 under Roll Call No. 17-1874, the City Council approved a private construction contract in the amount of \$351,626.00, between Priority Excavating, LLC, Toby T. Torstenson, Owner, 9550 Hickman Road, Ste. 101, Clive, IA, 50325, as Contractor, and Brook Landing, LLC, Jonathan Galloway, President, 6750 Westown Parkway, Suite 220, West Des Moines, IA, 50266, as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, 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 Sanitary Sewer Improvements in the amount of \$351,626.00, which have been constructed in substantial compliance with the contract documents between Priority Excavating, LLC and Brook Landing, LLC, which were approved under Roll Call No. 17-1874, dated November 06, 2017, be received and filed; and that completion of said Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, is hereby acknowledged and that said Sanitary Sewer Improvements are hereby accepted.

Activity ID: 072018105

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

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney



Funding Source: All project costs are to be paid by the Owner(s), Brook Landing, LLC

12A

ESTIMATE OF CONSTRUCTION COMPLETED  
FINAL

Project Name Brook Landing Plat 2- Sanitary Sewer Activity ID 07-2018-105  
S of NE 38th Ave and W of NE 56th st Plan No. 503- 203/227  
From \_\_\_\_\_ To \_\_\_\_\_ Date May 17, 2019

ITEM	DESCRIPTION	ESTIMATED UNITS	UNITS	BID	AMOUNT
			CONSTRUCTED	UNIT	
			DATE	E	
1	Sanitary Sewer 8" Main	2,479 LF			
2	Sanitary Sewer 4" Service	48 EA			
3	Sanitary Sewer 48" SW-301 Manhole	12 EA			

Total Construction \$351,626.00

Prepared By 

November 6, 2023

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Approving completion and recommending acceptance of the Private Construction Contract for Sanitary Sewer Improvements Brook Landing Plat 2, between Priority Excavating, LLC and Brook Landing, LLC.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$351,626.00 As-Built Contract Cost

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

**CERTIFICATION OF COMPLETION:**

On November 6, 2017, under Roll Call No. 17-1874, the City Council approved a private construction contract in the amount of \$351,626.00, between Priority Excavating, LLC, Toby T. Torstenson, Owner, 9550 Hickman Road, Ste. 101, Clive, IA 50325 - as Contractor, and Brook Landing, LLC, Jonathan Galloway, President, 6750 Westown Parkway, Suite 220, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, 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 Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, Activity ID 072018105, has been completed in substantial compliance with the contract documents between Priority Excavating, LLC and Brook Landing, LLC, which were approved under Roll Call No. 17-1874, dated November 6, 2017 and I hereby recommend that the above Sanitary Sewer Improvements be accepted.

I further certify that the amount of completed Sanitary Sewer Improvements is \$351,626.00.

A handwritten signature in blue ink that reads "Steven L. Naber" with a small "pwl" written below the name.

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

