



Roll Call Number

Agenda Item Number

12 B

Date November 3, 2025

**APPROVING COMPLETION AND ACCEPTANCE OF THE STORM SEWER IMPROVEMENTS
SET FORTH IN AND CONSTRUCTED PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT
LOCATED AT 4000 MERLE HAY ROAD, BETWEEN GRAPHITE CONSTRUCTION GROUP,
INC. AND MERLE HAY ANCHORS, LLC**

WHEREAS, on January 23, 2023 under Roll Call No. 23-0091, the City Council approved a private construction contract in the amount of \$12,000.00, between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313 as Contractor, and Merle Hay Anchors, LLC, Jim Sutphen, Chief Operating Officer, 30 N. LaSalle Street, Suite 2120, Chicago, IL, 60602 as Owner, for construction of Storm Sewer Improvements to serve the Kohls Development at Merle Hay Mall located at 4000 Merle Hay Road, as shown on Plan File Numbers: 635-224/227, 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 Storm Sewer Improvements in the amount of \$12,000.00, which have been constructed in substantial compliance with the contract documents between Graphite Construction Group, Inc. and Merle Hay Anchors, LLC, which were approved under Roll Call No. 23-0091, dated January 23, 2023, be received and filed; and that completion of said Storm Sewer Improvements to serve the Kohls Development at Merle Hay Mall located at 4000 Merle Hay Road, as shown on Plan File Numbers: 635-224/227, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

Activity ID: 082022104

Moved by _____ to adopt. Second . by _____

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank

Deputy City Attorney



Funding Source: All project costs are to be paid by the Owner(s), Merle Hay Anchors, LLC

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

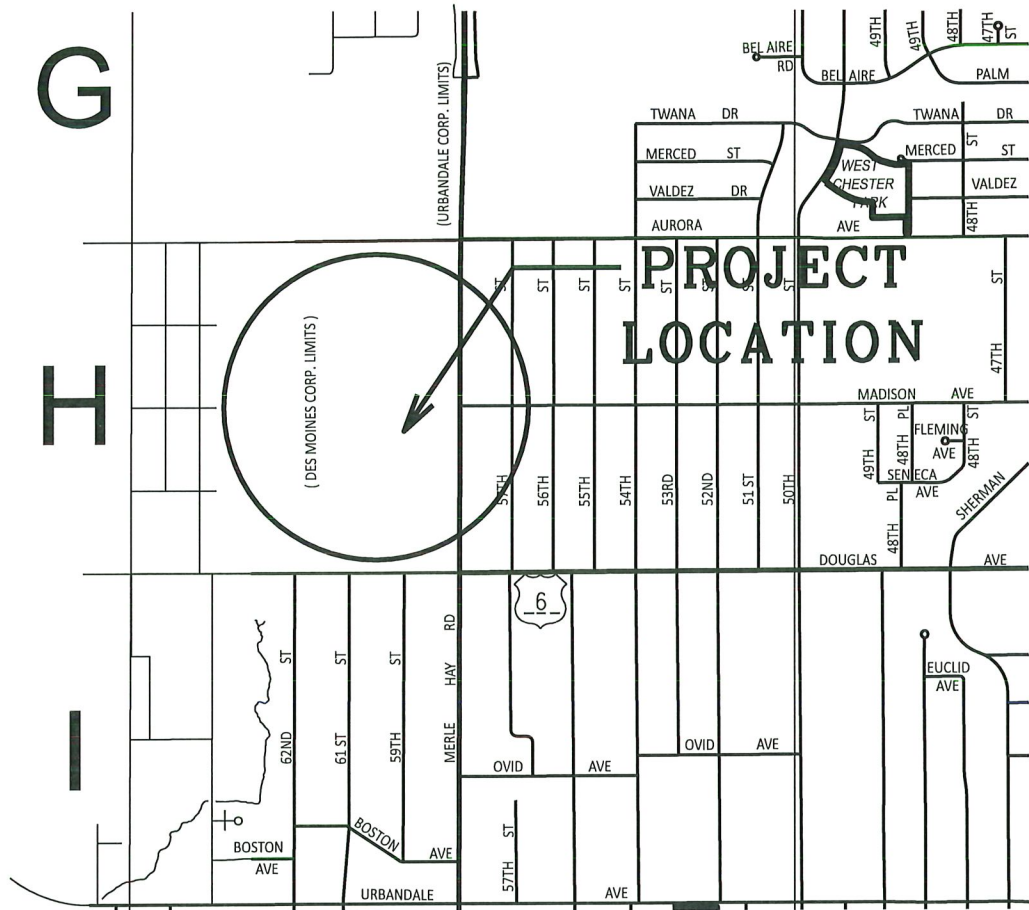
CERTIFICATE

I, Laura Baumgartner, 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.

Mayor

City Clerk



**4000 MERLE HAY ROAD
PUBLIC STORM SEWER
IMPROVEMENTS
ACTIVITY ID 08-2022-104**



November 3, 2025

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Approving completion and recommending acceptance of the Private Construction Contract for Storm Sewer Improvements located at 4000 Merle Hay Road, between Graphite Construction Group, Inc. and Merle Hay Anchors, LLC.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$12,000.00 As-Built Contract Cost

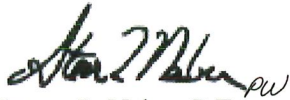
Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Merle Hay Anchors, LLC

CERTIFICATION OF COMPLETION:

On January 23, 2023, under Roll Call No. 23-0091, the City Council approved a private construction contract in the amount of \$12,000.00, between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA 50313 - as Contractor, and Merle Hay Anchors, LLC, Jim Sutphen, Chief Operating Officer, 30 N. LaSalle Street, Suite 2120, Chicago, IL, 60602 - as Owner, for construction of Storm Sewer Improvements described as Storm Sewer Improvements to serve the Kohls Development at Merle Hay Mall located at 4000 Merle Hay Road, as shown on Plan File No. 635-224/227, 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 Storm Sewer Improvements described as Storm Sewer Improvements to serve the Kohls Development at Merle Hay Mall located at 4000 Merle Hay Road, as shown on Plan File No. 635-224/227, Activity ID 082022104, has been completed in substantial compliance with the contract documents between Graphite Construction Group, Inc. and Merle Hay Anchors, LLC, which were approved under Roll Call No. 23-0091, dated January 23, 2023 and I hereby recommend that the above Storm Sewer Improvements be accepted.

I further certify that the amount of completed Storm Sewer Improvements is \$12,000.00.

A handwritten signature in black ink, appearing to read "Steven L. Naber", with a stylized "PW" or similar mark to the right.

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

12B

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA

ESTIMATE OF CONSTRUCTION COMPLETED
FINAL

Project Name Kohls Development at Merle Hay Mall - Storm Sewer Imp Activity ID 08-2022-104
Location 4000 Merle Hay Road Plan No. 635-224/227
From _____ to _____ Date August 5, 2025

ITEM	DESCRIPTION	ESTIMATED UNITS	UNITS CONSTRUCTED TO DATE	BID UNIT PRICE	AMOUNT
1	Lump Sum Storm Sewer Work		1		\$12,000.00

Total \$12,000.00

Prepared By 