

★ Roll Call Number

09-827

Agenda Item Number

11A

DATE May 18, 2009

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION  
CONTRACT FOR SANITARY AND STORM SEWER IMPROVEMENTS, MIDTOWN HEIGHTS,  
BETWEEN GATOR EXCAVATING, INC. AND HUBBELL REALTY COMPANY

WHEREAS, on September 10, 2007 under Roll Call No. 07-1703, the City Council approved a private construction contract in the amount of \$45,596.00, between Gator Excavating, Inc., Kevin Henter, President, 5640 Mische Drive, Grimes, IA, 50111 - as Contractor, and Hubbell Realty Company, Rick J. Tollakson, President & CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary and Storm Sewer Improvements described as Sanitary and Storm Sewer Improvements for the proposed Midtown Heights at 2110 High Street, Des Moines, IA as per Plan File No. 474-084/085, 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 and Storm Sewer Improvements in the amount of \$45,596.00, which have been constructed in substantial compliance with the contract documents between Gator Excavating, Inc. and Hubbell Realty Company, which were approved under Roll Call No. 07-1703, dated September 10, 2007, be received and filed; and that completion of said Sanitary and Storm Sewer Improvements described as Sanitary and Storm Sewer Improvements for the proposed Midtown Heights at 2110 High Street, Des Moines, IA as per Plan File No. 474-084/085, is hereby acknowledged and that said Sanitary and Storm Sewer Improvements are hereby accepted.

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Activity ID 07-2008-102

Moved by Kiernan to adopt.

FORM APPROVED:

Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Hubbell Realty Company

*JEB*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			1

MOTION CARRIED APPROVED

T. M. Franklin Course

Mayor

I, Diane Rauh, 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.

Diane Rauh

City Clerk