

★ Roll Call Number

09-1306

Agenda Item Number

9

DATE July 27, 2009

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR STORM SEWER IMPROVEMENTS, THE EAST SIDE OF 4TH STREET @ 1200 - 4TH
STREET,
BETWEEN GATOR EXCAVATING, INC. AND WALDEN POINT LIMITED PARTNERSHIP

WHEREAS, on August 22, 2005 under Roll Call No. 05-2027, the City Council approved a private construction contract in the amount of \$5,850.00, between Gator Excavating, Inc., Kevin Henter, President, 5640 Miede Drive, Grimes, IA, 50111 - as Contractor, and Walden Point Limited Partnership, Robert P. Burns, Manager, Burns & Burns, L.C., General Partner, 319 E. Washington Street, Suite 111, Iowa City, IA, 52244-1226 - as Owner, for construction of Storm Sewer Improvements described as pavement sawing and removal, install Type M-A Intake structure, and pavement replacement at 1200 - 4th Street, one half block north of University Avenue on the east side of 4th Street as per Plan File Nos. 455-027/028, 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 \$5,850.00, which have been constructed in substantial compliance with the contract documents between Gator Excavating, Inc. and Walden Point Limited Partnership, which were approved under Roll Call No. 05-2027, dated August 22, 2005, be received and filed; and that completion of said Storm Sewer Improvements described as pavement sawing and removal, install Type M-A Intake structure, and pavement replacement at 1200 - 4th Street, one half block north of University Avenue on the east side of 4th Street as per Plan File Nos. 455-027/028, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

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Activity ID 08-2006-101

Moved by Hensley to adopt.

FORM APPROVED:

Kathleen Vanderpool by AD
 Kathleen Vanderpool
 Deputy City Attorney

REB Funding Source: All project costs are to be paid by the Owner(s), Walden Point Limited Partnership

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED APPROVED
T. M. Franklin
 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