

★ **Roll Call Number**

10-1981

Agenda Item Number

8 B

DATE December 6, 2010

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR STORM SEWER IMPROVEMENTS, 5TH AVENUE SOUTH OF LAUREL STREET,
BETWEEN ELDER CORPORATION AND NEUMANN BROTHERS, INC.

WHEREAS, on July 27, 2009 under Roll Call No. 09-1305, the City Council approved a private construction contract in the amount of \$43,311.00, between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 - as Contractor, and Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA, 50314 - as Owner, for construction of Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, 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 \$43,311.00, which have been constructed in substantial compliance with the contract documents between Elder Corporation and Neumann Brothers, Inc., which were approved under Roll Call No. 09-1305, dated July 27, 2009, be received and filed; and that completion of said Storm Sewer Improvements described as construction of all storm sewer work related to the 5th Avenue Extension Part 1 at Mercy Hospital including subgrade preparation and necessary structures per 06-08-2009 drawings by Snyder & Associates, Inc. being Plan File Nos. 506-107/118, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

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101981

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Activity ID 08-2010-100

Moved by Mahaffey to adopt.

FORM APPROVED:

Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

JB Funding Source: All project costs are to be paid by the Owner(s), Neumann Brothers, Inc.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED 7 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