

★ **Roll Call Number**

16-1696

**Agenda Item Number**

9B

DATE October 10, 2016

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION  
CONTRACT FOR STORM SEWER IMPROVEMENTS, 130 E. 3RD STREET,  
BETWEEN BEAL DERKENNE CONSTRUCTION LLC AND MARKET ONE, LLC

WHEREAS, on September 8, 2014 under Roll Call No. 14-1352, the City Council approved a private construction contract in the amount of \$43,385.00, between Beal Derkenne Construction LLC, Andy Beal, Co-owner, 215 E. 3rd Street, Suite 200, Des Moines, IA, 50309 - as Contractor, and Market One, LLC, Justin Doyle, Owner, 1717 Ingersoll Avenue, Des Moines, IA, 50309 - as Owner, for construction of Storm Sewer Improvements described as storm sewer improvements along the east side of East 3rd Street south of East Court Avenue and north of East Market Street for a project located at 130 E. 3rd Street, in accordance with the construction documents and Plan File Nos. 540-98/99, 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 \$43,385.00, which have been constructed in substantial compliance with the contract documents between Beal Derkenne Construction LLC and Market One, LLC, which were approved under Roll Call No. 14-1352, dated September 8, 2014, be received and filed; and that completion of said Storm Sewer Improvements described as storm sewer improvements along the east side of East 3rd Street south of East Court Avenue and north of East Market Street for a project located at 130 E. 3rd Street, in accordance with the construction documents and Plan File Nos. 540-98/99, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

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Activity ID 08-2015-101

Moved by Hensley to adopt.

FORM APPROVED:

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

AE Funding Source: All project costs are to be paid by the Owner(s), Market One, LLC

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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

City Clerk