

★ Roll Call Number  
17-0751

Agenda Item Number  
18

Date May 8, 2017

RESOLUTION ORDERING PREPARATION OF PLAT AND SCHEDULE OF  
ASSESSMENTS FOR  
SE 14TH STREET SIDEWALKS FROM VARIOUS LOCATIONS BETWEEN INDIANOLA  
AVENUE & ARMY POST ROAD,  
ACTIVITY ID 09-2015-002, SCHEDULE NO. 2015-01

WHEREAS, on October 12, 2015, by Roll Call No. 15-1673, the City Council adopted the Preliminary Resolution for the SE 14<sup>th</sup> Street Sidewalk from Various Locations Between Indianola Ave and Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01, which stated under Subdivision E that:

SUBDIVISION E. The said improvement shall be designated as follows: SE 14<sup>th</sup> Street Sidewalk from Various Locations Between Indianola Ave and Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01, and such name shall be a sufficient designation to refer to said improvement in all subsequent proceedings; and

WHEREAS, on October 12, 2015, by Roll Call No. 15-1676, the City Council adopted the Resolution of Necessity for the SE 14<sup>th</sup> Street Sidewalk from Various Locations Between Indianola Ave and Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01, described as:

- Sidewalk construction with Portland Cement Concrete 4-inches thick, construction of sidewalk ramps with truncated domes, grading, seeding and other incidental items along S.E. 14th Street from Indianola Avenue to Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01.

WHEREAS, on May 9, 2016, under Roll Call No. 16-0813, the City Council approved a construction contract with Gruss Construction, LLC, Derek J. Gruss, President, 149 N. 58th Place, P.O. Box 131, Cumming, IA, 50061 in the amount of \$86,351.00, for the following improvements:

SE 14<sup>th</sup> St. Sidewalk from Park Ave to Army Post Rd, 09-2015-002

The improvement includes construction of Portland Cement Concrete (PCC) sidewalk 5 feet wide and 4 inches thick (7 inches through driveways and driveway approaches), 6 inch thick ADA compliant curb ramps, grading, sodding, traffic control, and other incidental items; in accordance with the contract documents, including Plan File Nos. 572-111/129, along the east side of S.E. 14th Street from Park Avenue to Army Post Road where sidewalk does not exist, Des Moines, Iowa.

WHEREAS, said contractor has fully completed the construction of said improvements, known as the SE 14<sup>th</sup> St. Sidewalk from Park Ave to Army Post Rd, 09-2015-002, which included said SE 14<sup>th</sup> Street Sidewalk from Various Locations Between Indianola Ave and Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01, in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk and as City Council accepted the construction of the improvements with an as-built cost of \$84,116.23 on November 21, 2016, under Roll Call No. 16-1980; and

★ Roll Call Number  
17-0751

Agenda Item Number  
18

Date May 8, 2017

WHEREAS, the Chief Civil Engineer now recommends the City Council levy the final assessments for the work against the benefited properties for the construction of said improvements known as the SE 14<sup>th</sup> Street Sidewalk from Various Locations Between Indianola Ave and Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES, IOWA, REGARDING SAID SE 14<sup>TH</sup> STREET SIDEWALK FROM VARIOUS LOCATIONS BETWEEN INDIANOLA AVE AND ARMY POST ROAD, ACTIVITY ID 09-2015-002, SCHEDULE NO. 2015-01:

Section 1. That the previous report of the Engineer was approved and adopted and said improvements were accepted as having been fully completed in accordance with the said plans, specifications and contract. The total as-built cost of the improvements payable under said contract was determined to be \$84,116.23.

Section 2. That the total project cost shall include all construction, engineering, legal, right-of-way and administrative costs that has been determined to be \$94,871.37 and the total project cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Section 3. That the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefore, and \$22,717.12 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Moved by Wensley to adopt.

FORM APPROVED: Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney



- Funds Available: 2016-2017 CIP, Page Street-33, Sidewalks, SW081, being: \$22,717.12 from Special Assessments against benefited property owners and \$61,399.11 in G. O. Bonds

★ Roll Call Number  
170951

Agenda Item Number  
18

Date May 8, 2017

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         | ✓    |      |      |        |
| COLEMAN        | ✓    |      |      |        |
| GATTO          | ✓    |      |      |        |
| GRAY           | ✓    |      |      |        |
| HENSLEY        | ✓    |      |      |        |
| MOORE          | ✓    |      |      |        |
| WESTERGAARD    | ✓    |      |      |        |
| TOTAL          | 7    |      |      |        |

**CERTIFICATE**

I, DIANE RAUH, 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.

MOTION CARRIED 7 APPROVED  
T. M. Franklin Mayor

Diane Rauh City Clerk