

★ Roll Call Number

17-2124

Agenda Item Number

13A

DATE December 18, 2017

APPROVING COMPLETION AND ACCEPTANCE OF THE  
STORM SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED  
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, BROOK LANDING PLAT 1,  
BETWEEN GATOR EXCAVATING, INC. AND BROOK LANDING, LLC

WHEREAS, on September 26, 2016 under Roll Call No. 16-1598, the City Council approved a private construction contract in the amount of \$534,688.80, between Gator Excavating, Inc., Kevin Henter, President, 3100 S.E. Miehle Drive, Grimes, IA, 50111 - as Contractor, and Brook Landing, LLC, Jonathan Galloway, Manager, 6750 Westown Parkway, #220, West Des Moines, IA, 50266 - as Owner, for construction of Storm Sewer Improvements described as storm sewer improvements located in Brook Landing Plat 1, located south of E. Douglas Avenue near E. 54th Court and Brookview Avenue, constructed in accordance with Plan File Nos. 563-136-167, 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 \$534,688.80, which have been constructed in substantial compliance with the contract documents between Gator Excavating, Inc. and Brook Landing, LLC, which were approved under Roll Call No. 16-1598, dated September 26, 2016, be received and filed; and that completion of said Storm Sewer Improvements described as storm sewer improvements located in Brook Landing Plat 1, located south of E. Douglas Avenue near E. 54th Court and Brookview Avenue, constructed in accordance with Plan File Nos. 563-136-167, is hereby acknowledged and that said Storm Sewer Improvements are hereby accepted.

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Activity ID 08-2017-103

Moved by Hensley to adopt.

FORM APPROVED:

*Kathleen Vanderpool*

Kathleen Vanderpool  
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Brook Landing, LLC

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

MOTION CARRIED

APPROVED

*T. M. Franklin Cownie*

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