

★ Roll Call Number

19-0974

Agenda Item Number

9D

DATE June 24, 2019

APPROVING COMPLETION AND ACCEPTANCE OF THE  
SANITARY SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED  
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT CARMAN ESTATES PLAT6,  
BETWEEN TEAM EXCAVATING INC. AND JERRY'S HOMES, INC.

WHEREAS, on May 21, 2018 under Roll Call No. 18-0850, the City Council approved a private construction contract in the amount of \$92,026.72, between Team Excavating, Inc., Timothy A. Prohaska, President, 2525 N.E. 80th Street, Altoona, IA, 50009 - as Contractor, and Jerry's Homes, Inc., Adam J. Grubb, President, 3900 Westown Parkway, Suite 100, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements located east of Indianola Avenue west of S.E. 24th Street and north of E. Payton Avenue, as shown on Plan File Nos.593-179/184, 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 Sanitary Sewer Improvements in the amount of \$92,026.72, which have been constructed in substantial compliance with the contract documents between Team Excavating, Inc. and Jerry's Homes, Inc., which were approved under Roll Call No. 18-0850, dated May 21, 2018, be received and filed; and that completion of said Sanitary Sewer Improvements described as sanitary sewer improvements located east of Indianola Avenue west of S.E. 24th Street and north of E. Payton Avenue, as shown on Plan File Nos.593-179/184, is hereby acknowledged and that said Sanitary Sewer Improvements are hereby accepted.

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Activity ID 07-2018-107

Moved by Boesen to adopt.

FORM APPROVED:

*Kathleen Vanderpool*  
 Kathleen Vanderpool  
 Deputy City Attorney

SLN

Funding Source: All project costs are to be paid by the Owner(s), Jerry's Homes, Inc.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED  
Bice Gray  
 MAYOR PRO TEM

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