

★ **Roll Call Number**

20-0191

**Agenda Item Number**

44B3

DATE January 27, 2020

APPROVING COMPLETION AND ACCEPTANCE OF THE  
SANITARY SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED  
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, GRAY'S STATION PLAT 2,  
BETWEEN MCANINCH CORPORATION AND HRC NFS I, LLC

WHEREAS, on December 3, 2018 under Roll Call No. 18-1979, the City Council approved a private construction contract in the amount of \$47,152.00, between McAninch Corporation, Douglas D. McAninch, President/CEO, 4001 Delaware Avenue, Des Moines, IA, 50313 - as Contractor, and HRC NFS I, LLC, Rick Tollackson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements to serve Gray's Station Plat 2, as shown on Plan File Numbers 598-001/064, that are located on property previously owned by River Point West, LLC and now owned by the City of Des Moines, Iowa, which improvements and property were excluded from the Private Construction Contract for construction of sanitary sewer improvements between Owner and Contractor dated September 7, 2018, 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 \$47,152.00, which have been constructed in substantial compliance with the contract documents between McAninch Corporation and HRC NFS I, LLC, which were approved under Roll Call No. 18-1979, dated December 3, 2018, be received and filed; and that completion of said Sanitary Sewer Improvements described as sanitary sewer improvements to serve Gray's Station Plat 2, as shown on Plan File Numbers 598-001/064, that are located on property previously owned by River Point West, LLC and now owned by the City of Des Moines, Iowa, which improvements and property were excluded from the Private Construction Contract for construction of sanitary sewer improvements between Owner and Contractor dated September 7, 2018, is hereby acknowledged and that said Sanitary Sewer Improvements are hereby accepted.

Activity ID 07-2019-108

Moved by Mandelbaum to adopt.

FORM APPROVED:

Kathleen Vanderpool

Kathleen Vanderpool

SLN Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), HRC NFS I, LLC

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

*J. M. Frankin Cownie*

Mayor

I, P. Kay Cmelik, 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.

*P. Kay Cmelik*

City Clerk