

★ Roll Call Number

21-0678

Agenda Item Number

11B

Date May 10, 2021

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN RYAN COMPANIES US, INC. AND THE DISTRICT DEVELOPER, LLC. FOR PAVING, SANITARY SEWER, AND STORM SEWER IMPROVEMENTS IN SE 2<sup>ND</sup> STREET BETWEEN E VINE STREET AND E ELM STREET AND CONSTRUCTION OF E ELM STREET BETWEEN SE 3<sup>RD</sup> STREET AND SE 4<sup>TH</sup> STREET \$2,796,584.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached contract documents for a Private Construction Contract in the amount of \$2,796,584.00 between Ryan Companies US, Inc., Russell Lewton, Senior Vice President, 50 South Tenth Street, Suite 300, Minneapolis, MN, 55403 - as Contractor, and The District Developer, LLC., Paul D. Hayes, President, 512 1/2 E Grand Avenue, Des Moines, IA, 50309 - as Owner, for construction of paving, sanitary sewer, and storm sewer Improvements described as Market District Phase 1A infrastructure including grading, storm sewer facilities, stormwater bioswales including concrete walls and cross beams, sanitary sewer facilities, and concrete street paving. Scope of work is inclusive of and defined as construction of SE 2nd Street between E Vine Street and E Elm Street and construction of E Elm Street between SE 3rd Street and SE 4th Street, be and the same are hereby approved, subject to receipt of contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department.

BE IT FURTHER RESOLVED: That permission be and is hereby granted to the parties of said contract to construct said paving, sanitary sewer, and storm sewer Improvements in accordance with said contract documents and subject to receipt of contract and bond approved as to form by the Legal Department and certificate of insurance acceptable to the Engineering Department, subject to inspection and approval of the Des Moines City Engineer.

Activity ID: 082021107

Moved by Gatto to adopt.

FORM APPROVED:

s/Kathleen Vanderpool Kathleen Vanderpool Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), The District Developer, LLC.

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk