



Roll Call Number

23-1526

Agenda Item Number

12A

Date November 06, 2023

**APPROVING COMPLETION AND ACCEPTANCE OF THE
SANITARY SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, BROOK LANDING PLAT 2,
BETWEEN PRIORITY EXCAVATING, LLC AND BROOK LANDING, LLC**

WHEREAS, on November 06, 2017 under Roll Call No. 17-1874, the City Council approved a private construction contract in the amount of \$351,626.00, between Priority Excavating, LLC, Toby T. Torstenson, Owner, 9550 Hickman Road, Ste. 101, Clive, IA, 50325, as Contractor, and Brook Landing, LLC, Jonathan Galloway, President, 6750 Westown Parkway, Suite 220, West Des Moines, IA, 50266, as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, 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 \$351,626.00, which have been constructed in substantial compliance with the contract documents between Priority Excavating, LLC and Brook Landing, LLC, which were approved under Roll Call No. 17-1874, dated November 06, 2017, be received and filed; and that completion of said Sanitary Sewer Improvements described as sanitary sewer improvements located south of E. Douglas Avenue (NE 38th Avenue) and west of NE 56th Street, to service Brook Landing Plat 2, as shown on Plan File Nos. 587-203/227, is hereby acknowledged and that said Sanitary Sewer Improvements are hereby accepted.

Activity ID: 072018105

Moved by Matto to adopt. Second by Boesen

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney



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

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			
<i>T. M. Franklin Cowme</i> Mayor				

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner

City Clerk