



Roll Call Number

24-0091

Agenda Item Number

9A

Date January 22, 2024

**APPROVING COMPLETION AND ACCEPTANCE OF THE
STORM SEWER, SANITARY SEWER, AND PAVING IMPROVEMENTS
SET FORTH IN AND CONSTRUCTED PURSUANT TO SAID
PRIVATE CONSTRUCTION CONTRACT, MARKET DISTRICT PHASE 1B,
BETWEEN RYAN COMPANIES US, INC. AND THE DISTRICT DEVELOPER, LLC**

WHEREAS, on March 21, 2022 under Roll Call No. 22-0397, the City Council approved a private construction contract in the amount of \$1,494,154.00, between Ryan Companies US, Inc., Russell Lewton, Senior Vice President, 533 South Third Street, Suite 100, Minneapolis, MN, 55415 as Contractor, and The District Developer, LLC, Paul D. Hayes, President, 512 ½ E Grand Avenue, Des Moines, IA, 50309 as Owner, for construction of storm sewer, sanitary sewer, and paving improvements described as Storm Sewer, Sanitary Sewer, and Paving Improvements to serve Market District Phase 1B, located along E 3rd Street from Market Street to Vine Street, as shown on Plan File Numbers 634-163/278., 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, sanitary sewer, and paving improvements in the amount of \$1,494,154.00, which have been constructed in substantial compliance with the contract documents between Ryan Companies US, Inc. and The District Developer, LLC, which were approved under Roll Call No. 22-0397, dated March 21, 2022, be received and filed; and that completion of said storm sewer, sanitary sewer, and paving improvements described as Storm Sewer, Sanitary Sewer, and Paving Improvements to serve Market District Phase 1B, located along E 3rd Street from Market Street to Vine Street, as shown on Plan File Numbers 634-163/278., is hereby acknowledged and that said storm sewer, sanitary sewer, and paving improvements are hereby accepted.

Activity ID: 082022108

Moved by Gatto to adopt. Second by Coleman

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

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

MOTION CARRIED

APPROVED

Connie Boesen 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