

★ Roll Call Number

14-0941

Agenda Item Number

13B

Date June 23, 2014

RESOLUTION ACCEPTING WORK AND ORDERING PREPARATION OF
PLAT AND SCHEDULE OF ASSESSMENTS FOR
EAST 37TH STREET SANITARY SEWER – EUCLID AVENUE TO HUBBELL AVENUE,
ACTIVITY ID 07-2013-001, SCHEDULE NO. 2013-01

WHEREAS, on March 25, 2013, by Roll Call No. 13-0450, the City Council adopted the Preliminary Resolution for East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001, Schedule Number 2013-01, which stated under Subdivision E that:

SUBDIVISION E. The said improvement shall be designated as East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001, Schedule Number 2013-01, and such name shall be a sufficient designation to refer to said improvement in all subsequent proceedings, and

WHEREAS, on April 22, 2013, by Roll Call No. 13-0665, the City Council adopted the Resolution of Necessity for East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001, Schedule Number 2013-01, described as:

Construction of a new sanitary sewer to service three properties in the 3600 block of East 37th Street including construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items which will allow for the abandonment of deteriorated and obsolete septic systems that are located on the properties.

WHEREAS, on July 15, 2013, under Roll Call No. 13-1149, the City Council awarded a contract to TK Concrete Inc., Tony Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219, for the construction of the following improvement:

East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001

The improvement includes street paving in accordance with the contract documents including Plan File Nos. 553-131/140 further described as:

Construction of a new sanitary sewer to service three properties in the 3600 block of East 37th Street including construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items which will allow for the abandonment of deteriorated and obsolete septic systems that are located on the properties.

WHEREAS, said contractor has fully completed the construction of said improvements, known as East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001, Schedule Number 2013-01, in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on June 23, 2014, and



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WHEREAS, your Chief Civil Engineer now recommends that the City Council accept the construction of the improvements known as East 37th Street Sanitary Sewer – Euclid Avenue to Hubbell Avenue, Activity ID 07-2013-001, Schedule Number 2013-01, and levy the final assessments for the work against the benefited properties on the street.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES, IOWA, REGARDING SAID EAST 37TH STREET SANITARY SEWER – EUCLID AVENUE TO HUBBELL AVENUE, ACTIVITY ID 07-2013-001, SCHEDULE NO. 2013-01:

Section 1. That the attached report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been fully completed in accordance with the said plans, specifications and contract. The total as-built cost of the improvements payable under said contract is hereby determined to be \$160,600.30.

Section 2. That the total project cost shall include all construction, engineering, legal, right-of-way and administrative costs that has been determined to be \$243,838.91 and the total project cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Section 3. That the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefore, and \$23,306.43 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Moved by [Signature] to adopt.

FORM APPROVED: [Signature] Kathleen Vanderpool Deputy City Attorney

Funds Available 2014-2015 CIP, Page Sanitary - 6, City-wide Sanitary Sewers, SS054, being \$23,306.43 from Special Assessments against benefited property owners and \$53,507.87 in Sanitary Sewer funds



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
GATTO				✓
TOTAL	5			2

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh

City Clerk

MOTION CARRIED

APPROVED

T. M. Franklin Council