

★ **Roll Call Number**
23-0091

Agenda Item Number
7

Date January 23, 2023

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN
 GRAPHITE CONSTRUCTION GROUP, INC. AND
 MERLE HAY ANCHORS, LLC
 FOR STORM SEWER IMPROVEMENTS IN 4000 MERLE HAY ROAD
 \$12,000.00

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 \$12,000.00 between Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313 - as Contractor, and Merle Hay Anchors, LLC, Jim Sutphen, Chief Operating Officer, 30 N. LaSalle Street, Suite 2120, Chicago, IL, 60602 - as Owner, for construction of Storm Sewer Improvements described as Storm Sewer Improvements to serve the Kohls Development at Merle Hay Mall located at 4000 Merle Hay Road, as shown on Plan File Numbers: 635-224/227, 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 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: 082022104

Moved by *Gatto* to adopt. Second by *Boesen*

FORM APPROVED:

s/ Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

SLN
 p.w

Funding Source: All project costs are to be paid by the Owner(s), Merle Hay Anchors, LLC

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO		✓		
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD		✓		
TOTAL	5	2		
MOTION CARRIED	APPROVED			

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City Council, 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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk