

★ Roll Call Number

23-0805

Agenda Item Number

12c

Date June 12, 2023

APPROVING COMPLETION AND ACCEPTANCE OF THE PAVING AND STORM SEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, 2716 BEAVER AVENUE, BETWEEN BALLTEAM, L.L.C. AND FAREWAY STORES, INC.

WHEREAS, on October 18, 2021 under Roll Call No. 21-1539, the City Council approved a private construction contract in the amount of \$35,470.00, between BallTeam, L.L.C., Richard Ball, Managing Member, 10550 New York Avenue, Suite 100, Urbandale, IA, 50322 - as Contractor, and Fareway Stores, Inc., Reynolds Cramer, Chief Operating Officer - as Owner, for construction of Paving and Storm Sewer Improvements described as Storm Sewer and Paving Improvements located on Urbandale Avenue and in the alley between 41st Place and Beaver Avenue to serve the future Fareway Meat Market located at 2716 Beaver Avenue as shown on Plan File numbers 629-001/003, 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 Paving and Storm Sewer Improvements in the amount of \$35,470.00, which have been constructed in substantial compliance with the contract documents between BallTeam, L.L.C. and Fareway Stores, Inc., which were approved under Roll Call No. 21-1539, dated October 18, 2021, be received and filed; and that completion of said Paving and Storm Sewer Improvements described as Storm Sewer and Paving Improvements located on Urbandale Avenue and in the alley between 41st Place and Beaver Avenue to serve the future Fareway Meat Market located at 2716 Beaver Avenue as shown on Plan File numbers 629-001/003, is hereby acknowledged and that said Paving and Storm Sewer Improvements are hereby accepted.

Activity ID 06-2021-107

Moved by Gatto to adopt. Second by Mandelbaum

FORM APPROVED: s/Kathleen Vanderpool

Kathleen Vanderpool Deputy City Attorney

SLN

Funding Source: All project costs are to be paid by the Owner(s), Fareway Stores, Inc.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL. Total yeas is 6, total absent is 1.

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