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City of Hiawatha

Engineering Department

101 Emmons St., Hiawatha Iowa, 52233-1697
PHONE (319) 393-1515 ext. 511 FAX (319) 393-1516

To: Mayor and City Council **Date: July 23, 2018**

From: John Bender PE, City Engineer

Re: Bali Hai 1st Addition

Description: Sanitary Sewer Construction Reimbursement

Report:

The plan of improvements for Bali Hai 1st Addition has been completed. The developer's agreement for this addition included an extension of the sanitary sewer for the proposed 2 lots. The extension of the sewer farther to the east side of Robins Road will provide sewer service for another approximately 25 acres.

We negotiated a cost share with the acceptance of the final plat based upon the developer preparing the design, acquiring the IDNR permit, hiring a contractor, and performing the construction. We included our share plus a contingency cost for unknown issues. In fact, a large area of rock and concrete was discovered that the contractor was required to break up and remove. We were limited to a 10% of the cost agreement for unseen construction costs.

Attached is a plat showing the new area west of Robins Road to be served. A rezoning request has already been submitted to the planning and zoning commission for this area and will be reviewed this month.

Engineering has performed construction observation of the sanitary sewer improvements and the contractor's costs. Now that the improvements can be accepted by the City, Engineering recommends the City reimburse the developer the base cost, plus the 10% contigency according to the agreement.

If you need any further information, please let me know.

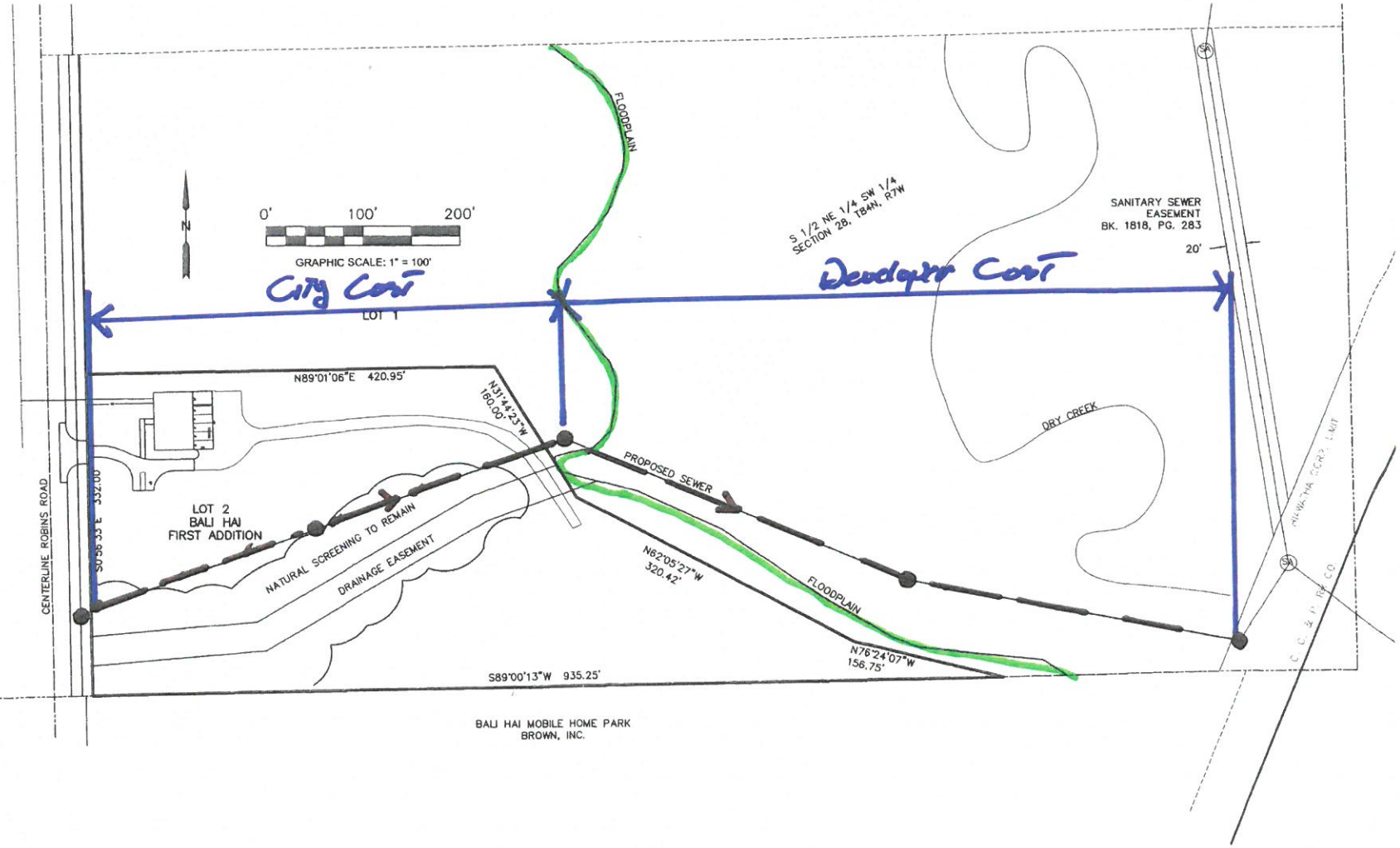
SITE PLAN
LOT 2, BALI HAI FIRST ADDITION
IN THE CITY OF HIAWATHA
LINN COUNTY, IOWA

PROPERTY LOCATION:
2100 BLOCK, ROBINS ROAD
HIAWATHA, IA 52233

PROPRIETOR:
BROWN INC.
3627 MIDWAY ROAD
TODDVILLE, IA 52341

APPLICANT:
FRANK BELLON
3613 CARIBOU CT. NE
CEDAR RAPIDS, IA 52402
319-363-3444

DATE SUBMITTED: APRIL 24, 2017
DATE REVISED: JUNE, 2017



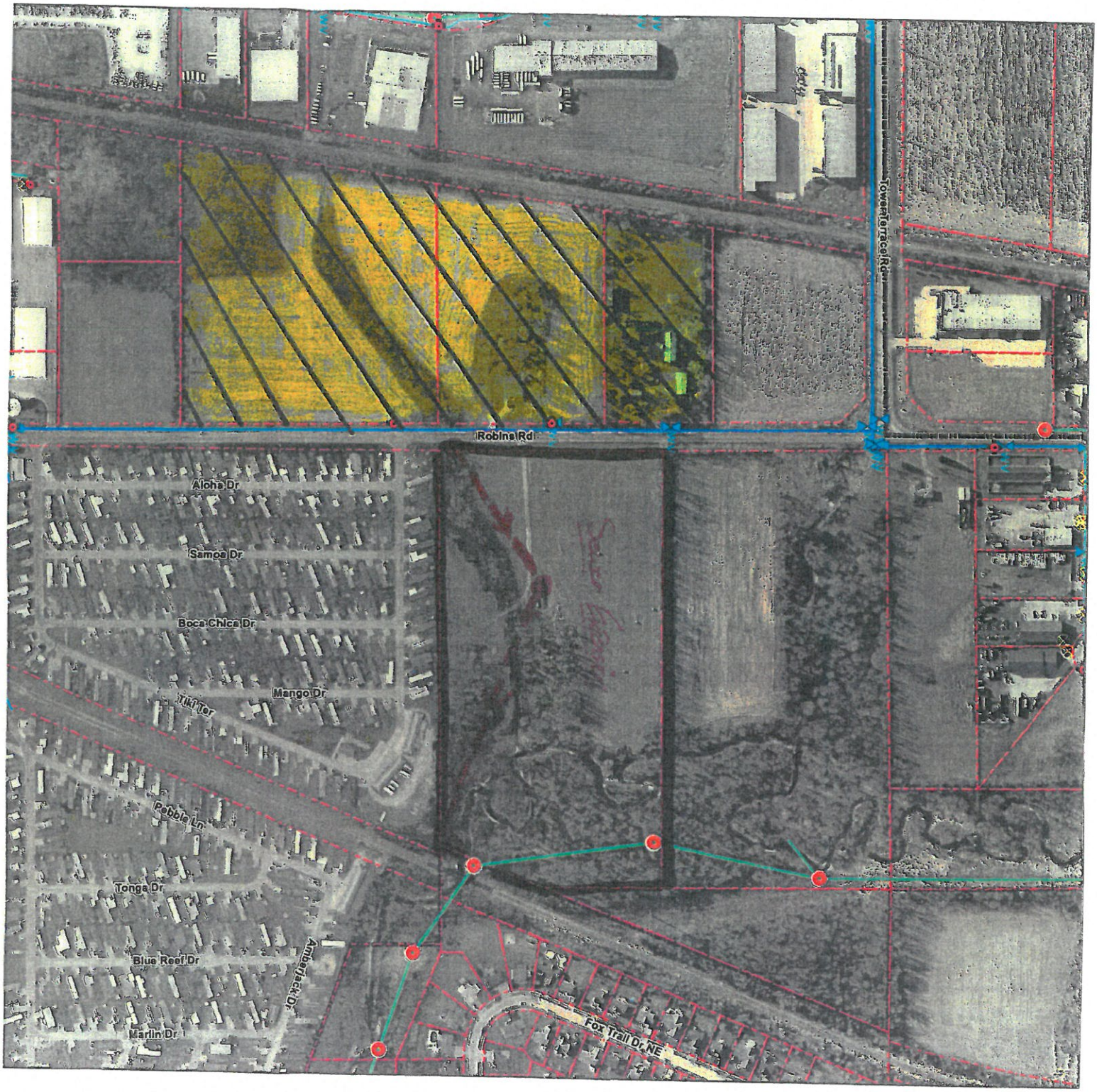
UTILITY NOTE:
THE LOCATIONS OF UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THERE MAY BE OTHER AERIAL AND/OR BURIED UTILITY FACILITIES THAT ARE NOT SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THEIR EXISTANCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO.

SCOTT SURVEY INC

Stephen M. Scott, P.E. & L.S.
Civil Engineer & Land Surveyor

319-540-5263 www.scottsurvey.com
email@scottsurvey.com
P.O. Box 315, Center Point, IA 52213-0315

PROJECT NO. 1761802


Robins Rd
Tower Terrace Rd
Aloha Dr
Samoa Dr
Boca Chica Dr
Mango Dr
Tiki Tor
Pebble Ln
Tonga Dr
Blue Reef Dr
Marlin Dr
Anchorage Dr
Fox Trail Dr NE

be executed and/or filed any additional instrument(s) reasonably required by the DEVELOPER to further demonstrate that the Improvements have been satisfactorily completed.

2. That the CITY shall share in the actual construction costs for the installation of the public sanitary sewer. This improvement is necessary to provide sanitary sewer service for lands west of Robins Road. The cost share shall be as follows:
   a. Forty Thousand Dollars and NO/100 ($40,000.00) shall be paid to the DEVELOPER by the CITY.
   b. In addition, as much as Four Thousand Dollars and NO/100 ($4,000.00) the "CONTINGENCY" shall be paid to the DEVELOPER by the CITY.The CONTINGENCY is provided to allow for the equal cost share between the CITY and DEVELOPER should actual costs exceed estimates. The DEVELOPER shall provide reasonable proof of the claim acceptable to the City Engineer.

   All payments to the DEVELOPER by the CITY shall be made within thirty days of acceptance of the improvement.

3. That the City acknowledges that the DEVELOPER has paid the final plat filing fee in the amount of $300.00.

4. That the DEVELOPER has secured a NPDES General Permit No. 2 from the Department of Natural Resources and developed a pollution prevention plan and agrees to maintain and control the premises so as to prevent erosion. The DEVELOPER further assumes responsibility for any costs associated with erosion and/or siltation of this development as outlined in Section 167 of the Code of Ordinances as a result of development of this subdivision.

5. That all public improvements shall be constructed to CITY standards and shall be inspected by the City Engineer. The DEVELOPER and any contractor or other agent employed by the DEVELOPER shall provide maintenance surety required by Chapter 165 of the Hiawatha Unified Development Code prior to acceptance of the completed Improvements by the City.

6. DEVELOPER and any contractor or agent employed by the DEVELOPER shall provide insurance as reasonably required by the City Council when working within the public rights-of-way.

7. That all improvements and construction on property dedicated to the CITY shall become property of the CITY upon acceptance by the CITY (except private service connections to sewer and water lines). Such acceptance by the CITY of an improvement shall constitute a release of the obligations hereunder with respect to said improvement, except, as to being a surety under the maintenance bond.

8. If the DEVELOPER fails to complete the Improvements within the time period as provided in the Agreement, the CITY may cause the Improvements to be constructed in all respects as it shall reasonably deem appropriate. DEVELOPER shall remain responsible for their share of the cost as agreed in paragraph two(2) above and incurred by the CITY in completing the

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RESOLUTION NO. 18-
City Council
Bali Hai First Addition Sanitary Sewer Extension

RESOLUTION APPROVING PAYMENT OF HIAWATHA PORTION OF COSTS FOR SANITARY SEWER EXTENSION IN CONNECTION WITH A DEVELOPMENT AGREEMENT FOR BALI HAI FIRST ADDITION

WHEREAS, the City Council of the City of Hiawatha entered into an development agreement with Brown, Inc. for Bali Hai First Addition, that includes cost sharing for the installation of the public sanitary sewer to provide sanitary sewer service for lands west of Robins Road, with the City's portion of costs in the amount of $40,000.00, including a $4,000.00 contingency, and

WHEREAS, City Council passed Resolution No. 18- accepting improvements installation including sanitary sewer extension for Bali Hai First Addition, and

WHEREAS, the City Engineer recommended the City make payment to the developer for Hiawatha's portion of cost sharing for the installation of the public sanitary sewer in the amount of $40,000.00, including a $4,000.00 contingency, per the development agreement with Brown, Inc., and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to approve payment to the developer for Hiawatha's portion of cost sharing for the installation of the public sanitary sewer in the amount of $40,000.00, including a $4,000.00 contingency, per the Development Agreement with Brown, Inc. for Bali Hai First Addition

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 1st day of August, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk