
DATE January 26, 2009

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR TRAFFIC SIGNALS IMPROVEMENTS, MERLE HAY ROAD NORTH OF DOUGLAS
AVENUE AND SOUTH OF MADISON AVENUE,
BETWEEN BAKER ELECTRIC, INC. AND MERLE HAY MALL

WHEREAS, on June 9, 2008 under Roll Call No. 08-963, the City Council approved a private construction contract in the amount of \$133,946.00, between Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA, 50315 - as Contractor, and Merle Hay Mall, Elizabeth I. Holland, Secretary, General Partner Abbell Credit Corporation, 30 North Michigan Avenue, Chicago, IL, 60602 - as Owner, for construction of Traffic Signals Improvements described as Traffic Signal construction on Merle Hay Road north of Douglas Avenue and south of Madison Avenue at the driveways to Merle Hay Mall and Bankers Trust all in accordance with the contract documents including Plan File Nos. 478-071/176, 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 Traffic Signals Improvements in the amount of \$133,946.00, which have been constructed in substantial compliance with the contract documents between Baker Electric, Inc. and Merle Hay Mall, which were approved under Roll Call No. 08-963, dated June 9, 2008, be received and filed; and that completion of said Traffic Signals Improvements described as Traffic Signal construction on Merle Hay Road north of Douglas Avenue and south of Madison Avenue at the driveways to Merle Hay Mall and Bankers Trust all in accordance with the contract documents including Plan File Nos. 478-071/176, is hereby acknowledged and that said Traffic Signals Improvements are hereby accepted.

★ **Roll Call Number**

Agenda Item Number

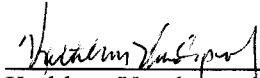
13

DATE January 26, 2009


Activity ID 06-2008-101

Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

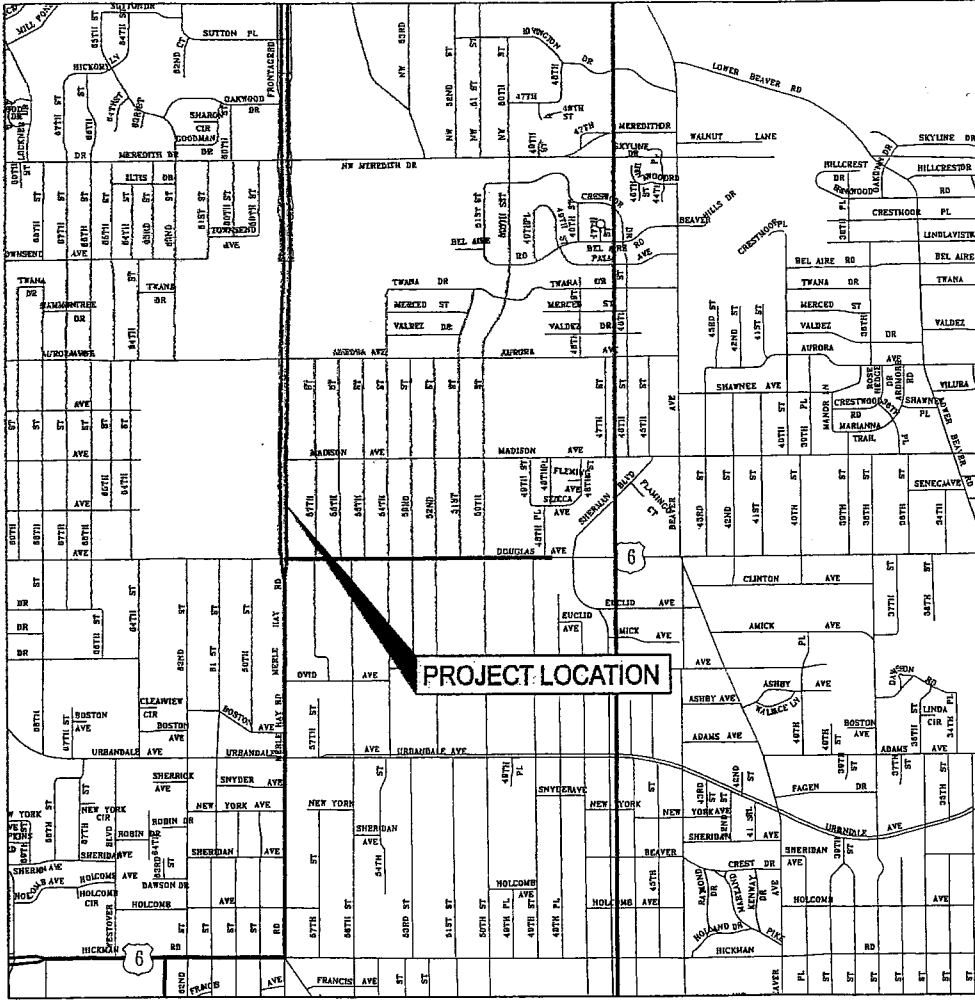
MOTION CARRIED APPROVED

Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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.

City Clerk



PROJECT LOCATION



VICINITY MAP

NOT TO SCALE

VICINITY MAP

**MERLE HAY ROAD TRAFFIC SIGNALS AT
 BANKERS TRUST/MERLE HAY MALL DRIVEWAY
 ACTIVITY ID 06-2008-101**

January 26, 2009

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Approving completion and recommending acceptance of the Private Construction Contract for Traffic Signals Improvements Merle Hay Road north of Douglas Avenue and south of Madison Avenue, between Baker Electric, Inc. and Merle Hay Mall.

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, acknowledge the completion and accept construction of said improvement.

FISCAL IMPACT:

Amount: \$133,946.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Merle Hay Mall

CERTIFICATION OF COMPLETION:

On June 9, 2008, under Roll Call No. 08-963, the City Council approved a private construction contract in the amount of \$133,946.00, between Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA 50315 - as Contractor, and Merle Hay Mall, Elizabeth I. Holland, Secretary, General Partner Abbell Credit Corporation, 30 North Michigan Avenue, Chicago, IL, 60602 - as Owner, for construction of Traffic Signals Improvements described as Traffic Signal construction on Merle Hay Road north of Douglas Avenue and south of Madison Avenue at the driveways to Merle Hay Mall and Bankers Trust all in accordance with the contract documents including Plan File Nos. 478-071/176, 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.

I concur with the attached certification from Mark A. Perington, P.E., Snyder & Associates, 2727 SW Snyder Boulevard, Ankeny, Iowa, that the construction of said Traffic Signals Improvements described as Traffic Signal construction on Merle Hay Road north of Douglas Avenue and south of Madison Avenue at the driveways to Merle Hay Mall and Bankers Trust all in accordance with the contract documents including Plan File Nos. 478-071/176, Activity ID 06-2008-101, has been completed in substantial compliance with the contract documents between Baker Electric, Inc. and Merle Hay Mall, which were approved under Roll Call No. 08-963, dated June 9, 2008 and I hereby recommend that the above Traffic Signals Improvements be accepted.



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

I further certify that the amount of completed Traffic Signals Improvements is \$133,946.00.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer" with a small mark at the end.

Jeb E. Brewer, P.E.
Des Moines City Engineer



January 12, 2009

Mr. Jeb Brewer, P.E.
City of Des Moines Engineering Department
400 Robert D. Ray Dr.
Des Moines, Iowa 50309

Re: Traffic Signal at Merle Hay Road and Merle Hay Mall/Bankers Trust Driveways
S & A Project No.: 106.0688

Dear Mr. Brewer;

We are pleased to report to you that the traffic signal installation associated with this project is complete at the intersection of Merle Hay Road and Merle Hay Mall/Bankers Trust Driveways. We request that you place the acceptance of these improvements on the City Council agenda.

We certify the traffic signal public improvements for the intersection of Merle Hay Road and Merle Hay Mall/Bankers Trust Driveways in Des Moines, Iowa has been completed in substantial compliance with the approved construction plans and the Des Moines Standard Construction Specifications for this development. All punch list items for this project have been completed. The 30-day test period was completed on October 18, 2008 with no malfunctions.

Signed: Mark A. Perington January 12, 2009
 Mark A. Perington, P.E. Snyder & Associates, Inc. Date

- CC: Mike Ring, City of Des Moines Traffic & Transportation (w/ encl.)
- John McKee, City of Des Moines Engineering (w/ encl.)
- Paul Erickson, Bankers Trust (w/ encl.)
- Aaron Edwards, Merle Hay Mall (w/ encl.)
- Bill Lillis, Connolly O'Malley Lillis Hansen & Olson LLP (w/ encl.)

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA

ESTIMATE OF CONSTRUCTION COMPLETED
FINAL

Project Name Merle Hay Rd. Traffic Signals at Bankers Tr Activity ID 06-2008-101
 Street Merle Hay Rd & Bankers Trust Driveway Plan No. 478-71/76
 From _____ To _____ Date January 5, 2009

ITEM	DESCRIPTION	ESTIMATED UNITS	UNITS CONSTRUCTED TO DATE	BID UNIT PRICE	AMOUNT
1.	Traffic Signalization	1 LS	1 LS	133,946.00	133,946.00
Total Construction Cost					\$133,946.00

PREPARED BY [Signature]

CHECKED BY [Signature]