

★ **Roll Call Number**

**Agenda Item Number**

12 B

DATE July 9, 2007

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION  
CONTRACT FOR PAVING IMPROVEMENTS, STERLING TRACE PLAT 2,  
BETWEEN NUCKOLLS CONCRETE SERVICES, INC. AND STERLING TRACE DEVELOPMENT, L.L.C.

WHEREAS, on March 20, 2006 under Roll Call No. 06-501, the City Council approved a private construction contract in the amount of \$255,130.00, between Nuckolls Concrete Services, Inc., Scott Temple, President, 5550 NE 22nd Street, Des Moines, IA, 50313 - as Contractor, and Sterling Trace Development, L.L.C., Dick Moffitt, President, 6600 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Improvements described as paving improvements in Sterling Trace Plat 2 as per Plan File Nos. 445-74/83, 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 Improvements in the amount of \$255,130.00, which have been constructed in substantial compliance with the contract documents between Nuckolls Concrete Services, Inc. and Sterling Trace Development, L.L.C., which were approved under Roll Call No. 06-501, dated March 20, 2006, be received and filed; and that completion of said Improvements described as paving improvements in Sterling Trace Plat 2 as per Plan File Nos. 445-74/83, is hereby acknowledged and that said Improvements are hereby accepted.

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DATE July 9, 2007

Activity ID 06-2006-104

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Kathleen Vanderpool*  
 Kathleen Vanderpool  
 Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Sterling Trace Development, L.L.C.

*DEB*

| 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



July 9, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Approving completion and recommending acceptance of the Private Construction Contract for the Improvements Sterling Trace Plat 2, between Nuckolls Concrete Services, Inc. and Sterling Trace Development, L.L.C..

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$255,130.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Sterling Trace Development, L.L.C.

**CERTIFICATION OF COMPLETION:**

On March 20, 2006, under Roll Call No. 06-501, the City Council approved a private construction contract in the amount of \$255,130.00, between Nuckolls Concrete Services, Inc., Scott Temple, President, 5550 NE 22nd Street, Des Moines, IA 50313 - as Contractor, and Sterling Trace Development, L.L.C., Dick Moffitt, President, 6600 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Improvements described as paving improvements in Sterling Trace Plat 2 as per Plan File Nos. 445-74/83, 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.

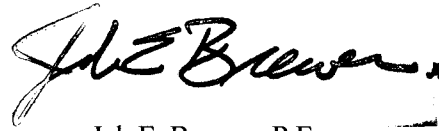
I hereby certify that the construction of the said Improvements described as paving improvements in Sterling Trace Plat 2 as per Plan File Nos. 445-74/83, Activity ID 06-2006-104, has been completed in substantial compliance with the contract documents between Nuckolls Concrete Services, Inc. and Sterling Trace Development, L.L.C., which were approved under Roll Call No. 06-501, dated March 20, 2006 and I hereby recommend that the above 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 Improvements is \$255,130.00.

A handwritten signature in black ink, reading "Jeb E. Brewer". The signature is written in a cursive style with a large initial "J" and "B".

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

