

Date May 9, 2011

RESCIND PREVIOUS PRIVATE CONSTRUCTION CONTRACT APPROVAL
PER ROLL CALL NO. 11-0512 DATED MARCH 28, 2011

WHEREAS, on March 28, 2011, by Roll Call No. 11-0512, the City Council conditionally approved a Private Construction Contract between Opus Design Build, L.L.C., Dave Bangasser, President & CEO, 10350 Bren Road West, Minnetonka, MN, 55343 - as Contractor, and ODC Gannett Ave, L.L.C., Tom Shaver, President & CEO, 9700 West Higgins Road, Suite 900, Chicago, IL, 60018 - as Owner, for construction of Paving, Sanitary and Storm Sewer Improvements described as Airport Business Park Plat 3 located in the vicinity of SW 34th Street and Gannett Avenue, Des Moines, Iowa, in accordance with the contract documents including Plan File Nos. 511-118/124, and granted permission to the parties to construct said Paving, Sanitary and Storm Sewer Improvements, and

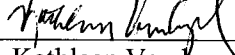
WHEREAS, Opus Design Build, L.L.C. has requested to cancel the above conditional contract for construction of Paving, Sanitary and Storm Sewer Improvements described as Airport Business Park Plat 3 located in the vicinity of SW 34th Street and Gannett Avenue, Des Moines, Iowa, in order that the owner could enter into separate contracts with the respective contractors.

WHEREAS, the City Engineer recommends that the City Council rescind its previous action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the City Council hereby rescinds its action on March 28, 2011, under Roll Call No. 11-0512, to approve a contract between Opus Design Build, L.L.C. and ODC Gannett Ave, L.L.C.

Activity ID 06-2011-103

Moved by _____ to adopt.

FORM APPROVED: 
Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		

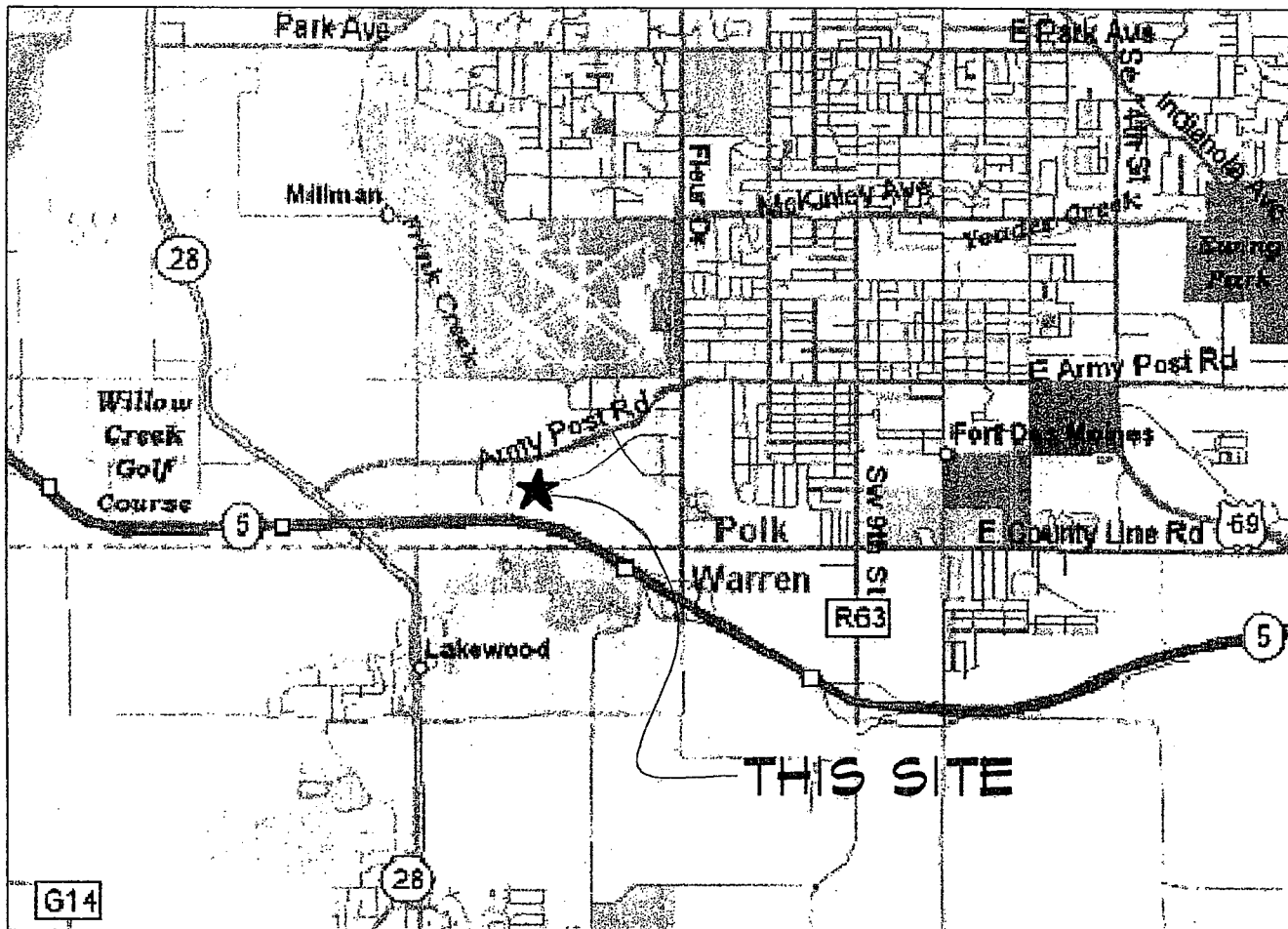
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City 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.

City Clerk



VICINITY SKETCH
NO SCALE



**AIRPORT BUS PARK PLAT 3 – STREET
ACTIVITY ID 06-2011-103**