

DATE August 29, 2011

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION  
CONTRACT FOR BUILDING IMPROVEMENTS, ROBERT D. RAY ASIAN GARDEN,  
BETWEEN REGENCY COMMERCIAL SERVICES, LLC AND CHINESE CULTURAL CENTER OF  
AMERICA

WHEREAS, on June 19, 2006 under Roll Call No. 06-1182, the City Council approved a private construction contract in the amount of \$154,550.00, between Regency Commercial Services, LLC, James M. Meyers, President, 6600 Westown Parkway, West Des Moines, IA, 50266 - as Contractor, and Chinese Cultural Center of America, Paul Shao, President, 3200 Ross Road, PO Box 896, Ames, IA, 50014 - as Owner, for construction of Building Improvements described as erection of the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. The scope includes the erection of the heavy timber structure which was fabricated in China by the Landscape Architecture Corporation of China and shipped to Des Moines for assembly. This includes the main structure, the secondary roof framing, wood screens and glazed tile roof and ornamentation; in accordance with the contract documents, 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 Building Improvements in the amount of \$154,550.00, which have been constructed in substantial compliance with the contract documents between Regency Commercial Services, LLC and Chinese Cultural Center of America, which were approved under Roll Call No. 06-1182, dated June 19, 2006, be received and filed; and that completion of said Building Improvements described as erection of the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. The scope includes the erection of the heavy timber structure which was fabricated in China by the Landscape Architecture Corporation of China and shipped to Des Moines for assembly. This includes the main structure, the secondary roof framing, wood screens and glazed tile roof and ornamentation; in accordance with the contract documents, is hereby acknowledged and that said Building Improvements are hereby accepted.

★ **Roll Call Number**

Agenda Item Number

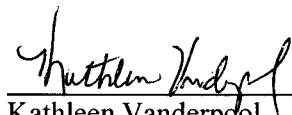
73A-2

DATE August 29, 2011

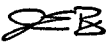
Activity ID 11-2006-029

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

FORM APPROVED:

  
 \_\_\_\_\_  
 Kathleen Vanderpool  
 Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Chinese Cultural Center of America



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

MOTION CARRIED APPROVED

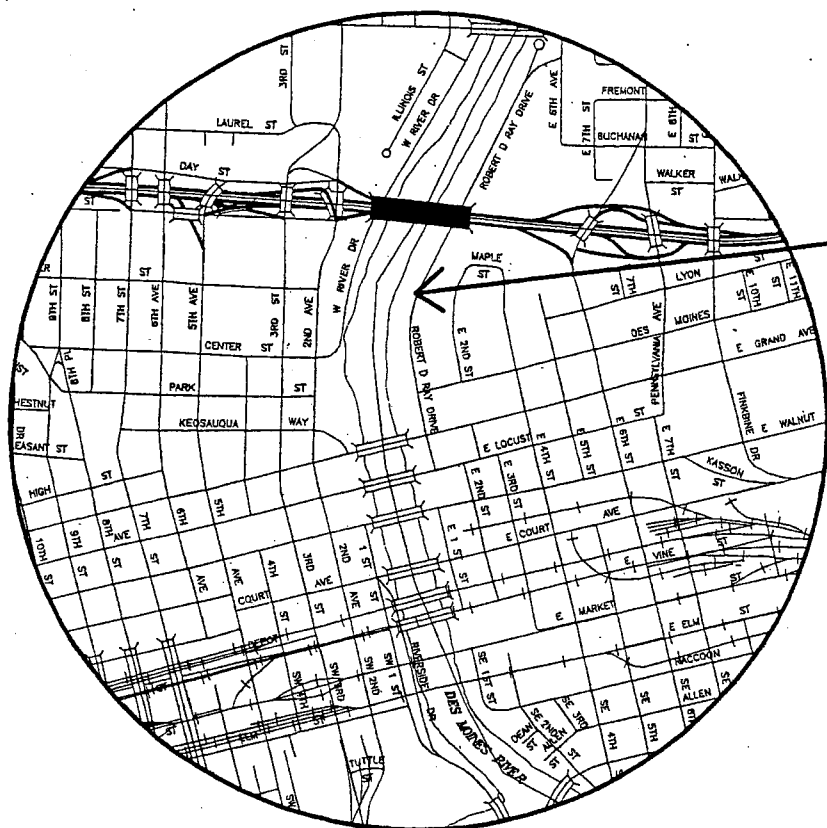
\_\_\_\_\_  
 Mayor

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

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PROJECT LOCATION

**ROBERT D. RAY ASIAN GARDEN  
CONTRACT 2 - PAVILION  
ACTIVITY ID 11-2006-029**

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August 29, 2011

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Approving completion and recommending acceptance of the Private Construction Contract for Building Improvements Robert D. Ray Asian Garden, between Regency Commercial Services, LLC and Chinese Cultural Center of America.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$154,550.00 As-Built Contract Cost

Funding Source: No Cost to the City of Des Moines; all costs are to be paid by the Owner, Chinese Cultural Center of America

**CERTIFICATION OF COMPLETION:**

On June 19, 2006, under Roll Call No. 06-1182, the City Council approved a private construction contract in the amount of \$154,550.00, between Regency Commercial Services, LLC, James M. Meyers, President, 6600 Westown Parkway, West Des Moines, IA 50266 - as Contractor, and Chinese Cultural Center of America, Paul Shao, President, 3200 Ross Road, PO Box 896, Ames, IA, 50014 - as Owner, for construction of Building Improvements described as erection of the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. The scope includes the erection of the heavy timber structure which was fabricated in China by the Landscape Architecture Corporation of China and shipped to Des Moines for assembly. This includes the main structure, the secondary roof framing, wood screens and glazed tile roof and ornamentation; in accordance with the contract documents, 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 said Building Improvements described as erection of the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. The scope includes the erection of the heavy timber structure which was fabricated in China by the Landscape Architecture Corporation of China and shipped to Des Moines for assembly. This includes the main structure, the secondary roof framing, wood screens and glazed tile roof and ornamentation; in accordance with the contract documents, Activity ID 11-2006-029, has been completed in substantial compliance with the contract documents between Regency Commercial Services, LLC and Chinese Cultural Center of America, which were approved under Roll Call No. 06-1182, dated June 19, 2006 and I hereby recommend that the above Building Improvements be accepted.

I further certify that the amount of completed Building Improvements is \$154,550.00.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a long horizontal stroke at the end.

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