

DATE August 29, 2011

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

WHEREAS, on July 9, 2007 under Roll Call No. 07-1304, the City Council approved a private construction contract in the amount of \$462,142.00, 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 Sitework Improvements described as development of the site surrounding the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. Scope to include rough and fine grading of the site, sodding of all turf areas, installation of all pond liners, rock retaining walls, concrete and crushed rock paths, character stones, stone paving at the Circle for Diversity, water service, mechanical pumps and piping, video surveillance equipment, electrical service, and path and pavilion lighting; all in accordance with the contract documents including Plan File Nos. 474-001/011, 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 Sitework Improvements in the amount of \$462,142.00, 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. 07-1304, dated July 9, 2007, be received and filed; and that completion of said Sitework Improvements described as development of the site surrounding the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. Scope to include rough and fine grading of the site, sodding of all turf areas, installation of all pond liners, rock retaining walls, concrete and crushed rock paths, character stones, stone paving at the Circle for Diversity, water service, mechanical pumps and piping, video surveillance equipment, electrical service, and path and pavilion lighting; all in accordance with the contract documents including Plan File Nos. 474-001/011, is hereby acknowledged and that said Sitework Improvements are hereby accepted.

★ **Roll Call Number**

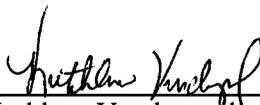
Agenda Item Number
73A-3

DATE August 29, 2011

Activity ID 11-2007-019

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

73A-3

August 29, 2011



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Approving completion and recommending acceptance of the Private Construction Contract for Sitework 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: \$462,142.00 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 July 9, 2007, under Roll Call No. 07-1304, the City Council approved a private construction contract in the amount of \$462,142.00, 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 Sitework Improvements described as development of the site surrounding the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. Scope to include rough and fine grading of the site, sodding of all turf areas, installation of all pond liners, rock retaining walls, concrete and crushed rock paths, character stones, stone paving at the Circle for Diversity, water service, mechanical pumps and piping, video surveillance equipment, electrical service, and path and pavilion lighting; all in accordance with the contract documents including Plan File Nos. 474-001/011, 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 Sitework Improvements described as development of the site surrounding the pavilion at the Robert D. Ray Asian Garden, 700 Robert D. Ray Drive, Des Moines, Iowa. Scope to include rough and fine grading of the site, sodding of all turf areas, installation of all pond liners, rock retaining walls, concrete and crushed rock paths, character stones, stone paving at the Circle for Diversity, water service, mechanical pumps and piping, video surveillance equipment, electrical service, and path and pavilion lighting; all in accordance with the contract documents including Plan File Nos. 474-001/011, Activity ID 11-2007-019, 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. 07-1304, dated July 9, 2007 and I hereby recommend that the above Sitework Improvements be accepted.

I further certify that the amount of completed Sitework Improvements is \$462,142.00.

A handwritten signature in black ink that reads "Jeb E. Brewer" followed by a stylized flourish and the letters "PE".

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