

Date ..... December 5, 2016 .....

RESCIND PREVIOUS PRIVATE CONSTRUCTION CONTRACT APPROVAL AND APPROVE  
NEW PRIVATE CONSTRUCTION CONTRACT  
SUMMERSFIELD PLAT 3 PAVING

WHEREAS, on August 20, 2007, by Roll Call No. 07-1581, the City Council approved a Private Construction Contract in the amount of \$138,136, between Eco-Tech Construction, LLC, (Steve Gillotti, President, 5600 Enterprise Drive, Grimes, IA, 50111 – as Contractor), and Summersfield, LLC, (Rick J. Tollakson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 – as Owner), for construction of Paving Improvements to service the proposed Summerfield Plat 3 on E. 48<sup>th</sup> Street, north of E. Merced Street, as per Plan File Nos. 474-12/20, Activity ID 06-2008-100, and granted permission to the parties to construct said Paving Improvements, and

WHEREAS, construction proposed in the previous private construction contract has not initiated, and

WHEREAS, Summersfield, LLC desires to modify the development improvements prior to proceeding with constructing improvements, and has submitted a new Contract for said work to the City Engineer, and

WHEREAS, before the City Council can approve the replacement Contract it must 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 August 20, 2007, by Roll Call No. 07-1581, to approve a Private Construction Contract in the amount \$138,136, between Eco-Tech Construction, LLC, and Summersfield, LLC; and directs the City Engineer to return all original contracts and bonds to Summersfield, LLC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached contract documents for a Private Construction Contract in the amount of \$125,469, between Alliance Construction Group, LLC, (Dustin Jones, President, 3000 S.E. Grimes Blvd., Suite 800, Grimes, IA, 50111 – as Contractor), and Summersfield, LLC, (Rick J. Tollakson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 – as Owner), for construction of Paving Improvements to service the revised proposed Summerfield Plat 3 on E.48<sup>th</sup> Street, north of E. Merced Street, in accordance with the contract documents including Plan File Nos. 563-168/172, Activity ID 06-2017-102, be and the same are hereby approved.

BE IT FURTHER RESOLVED: That permission be and is hereby granted to the parties of said contract to construct said Paving Improvements in accordance with said contract documents and subject to inspection and approval of the Des Moines City Engineer.

Activity ID 06-2008-100  
06-2017-102

★ Roll Call Number

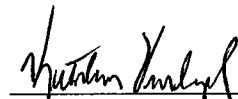
Agenda Item Number

9

Date December 5, 2016

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

FORM APPROVED:

  
 Kathleen Vandepool  
 Deputy City Attorney

*AC* Funding Source: All project costs are to be paid by the Owners(s), Summersfield, LLC.

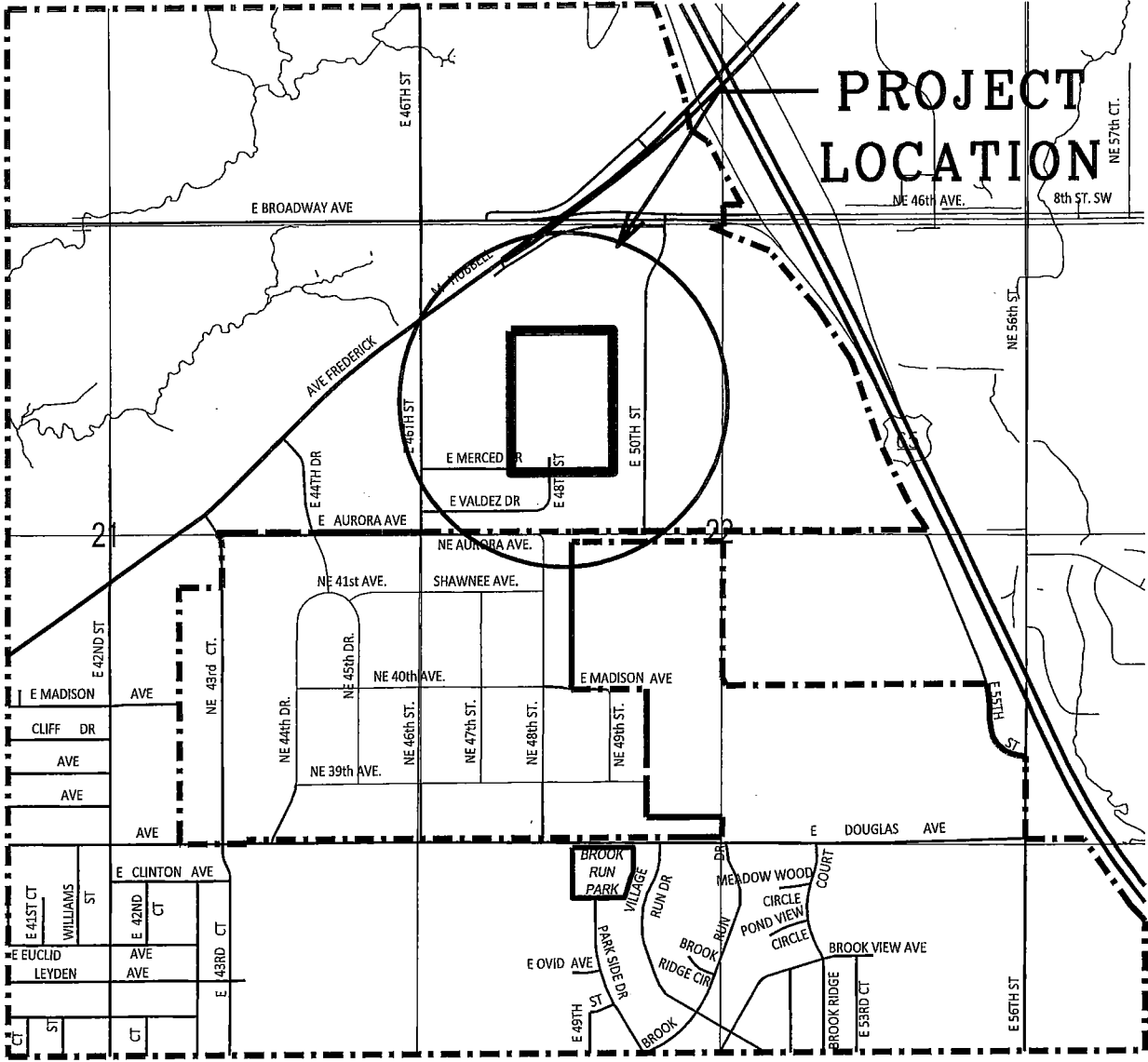
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

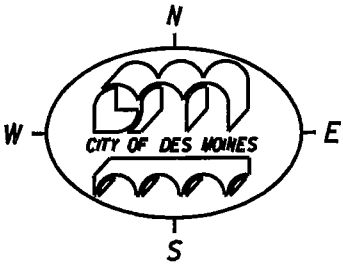
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk



**PROJECT  
LOCATION**



**SUMMERSFIELD PLAT 3 PAVING  
ACTIVITY ID  
STORM:06-2017-102**