Roll Call Number	Agenda Item Number
······································	26

**Date** August 20, 2018

## RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO 7&GRAND RAMP DEVELOPER, LLC, FOR THE NEW PARKING GARAGE AT 701 GRAND AVENUE

WHEREAS, on April 11, 2016, by Roll Call No. 16-0630, the City Council approved an *Urban Renewal Agreement for Sale of Land for Private Redevelopment* (the "Agreement") with 7&Grand Ramp Developer, LLC ("7&Grand"), a development entity created by Principal Financial Group, Inc., whereby 7&Grand purchased the City-owned block at 701 Grand Avenue for redevelopment with a six-level parking garage in substantial conformance with the Conceptual Development Plan provided as part of that Agreement; and,

WHEREAS, the six level parking garage at 701 Grand Avenue and the related streetscape improvements have been completed in substantial conformance with the Agreement and the Conceptual Development Plan; and,

WHEREAS, 7&Grand has requested the City issue a Certificate of Completion as evidence of satisfaction of all of 7&Grand's construction obligations under the Agreement; and,

WHEREAS, the Economic Development Director recommends that the Certificate of Completion be issued for the new parking garage as requested by 7&Grand.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council hereby finds and acknowledges that on or before December 31, 2017, 7&Grand Ramp Developer, LLC, satisfied its obligation to complete the parking garage at 701 Grand Avenue, more specifically described below, in substantial compliance with the Agreement and the Conceptual Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 3.5 of the Agreement, to evidence the satisfactory completion of all the required Improvements on the property described below:

Except the South 7.0 feet, all of Block F, Grimmel's Addition to Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, including all the vacated alleys therein.

Roll Call Number	Agenda Item Number
	26
-2-	
<b>Date</b> August 20, 2018	

2. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded in the land records of the Polk County Recorder.

MOTION	to adopt.
MOVED by	to adobt.
TYLO Y LID U Y	

FORM APPROVED:

Roger K. Brown

Assistant City Attorney

G:\APPDATA\LEGAL\Urban-Renewal\Metro\Projects\7th & Grand\Principal\RC Cert of Completion.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

## 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
Mayor	_ city citin



## Certificate of Substantial Completion

PROJECT: (name and address)
7th & Grand Parking Ramp
701 Grand Ave Des Moines, IA 50309

OWNER; (name and address)

7th & Grand Ramp Developer, LLC

711 High Street Des Moines IA 50309

CONTRACT INFORMATION:

Contract For: General Construction

Date: April 15, 2016

ARCHITECT: (name and address)

Substance Architecture

1300 Walnut St Des Moines, IA 50309

CERTIFICATE INFORMATION:

Certificate Number:

Date:

CONTRACTOR: (name and address)

The Weitz Company

5901 Thornton Ave Des Moines, IA

50321

The Work identified below has been reviewed and found, to the Architect's best knowledge, information, and belief, to be substantially complete. Substantial Completion is the stage in the progress of the Work when the Work or designated portion is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion designated below is the date established by this Certificate. (Identify the Work, or portion thereof, that is substantially complete.)

The entire project including parking ramp, skywalks and site work.

Substance Architecture
ARCHITECT (Firm Name)

-See attached digital signature's page-SIGNATURE Todd Garner
Principal
PRINTED NAME AND TITLE

December 8, 2017

DATE OF SUBSTANTIAL COMPLETION

SEX 1985

WARRANTIES

The date of Substantial Completion of the Project or portion designated above is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below;

required by the Contract Documents, except as stated below.
(Identify warranties that do not commence on the date of Substantial Completion, if any, and indicate their date of commencement.)

WORK TO BE COMPLETED OR CORRECTED

A list of items to be completed or corrected is attached hereto, or transmitted as agreed upon by the parties, and identified as follows: (Identify the list of Work to be completed or corrected.)

See attached Punch List dated February 7, 2018.

The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. Unless otherwise agreed to in writing, the date of commencement of warranties for items on the attached list will be the date of issuance of the final Certificate of Payment or the date of final payment, whichever occurs first. The Contractor will complete or correct the Work on the list of items attached hereto within one hundred ninety (190) days from the above date of Substantial Completion.

Cost estimate of Work to be completed or corrected: \$10,000.00

The responsibilities of the Owner and Contractor for security, maintenance, heat, utilities, damage to the Work, insurance, and other items identified below shall be as follows:

(Note: Owner's and Contractor's legal and insurance counsel should review insurance requirements and coverage.)

The Owner and Contractor hereby accept the responsibilities assigned to them in this Certificate of Substantial Completion:

The Weitz Company, LLC CONTRACTOR (Firm

Name)

7 & Grand Ramp Developer, LLC

OWNER (Firm Name)

-See attached digital signatures page-

SIGNATURE

-See attached digital signatures page-

SIGNATURE

Bryan Myers

Vice President

PRINTED NAME AND TITLE

2/27/2018

DATE

DMIC

PRINTED NAME AND TITLE DATE VP Corporate Real Estate

3/15/2018

AlA Document G704<sup>TM</sup> – 2017. Copyright © 1963, 1978, 1992, 2000 and 2017 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. This document was produced by AIA software at 18:17:33 on 02/22/2018 under Order No. 6017/890535 which expires on 04/06/2018, and is not for resale.

User Notes: