

★ Roll Call Number

09-1195

Agenda Item Number

10 E

DATE July 13, 2009

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR PAVING, SIDEWALK, AND STORM SEWER IMPROVEMENTS, UNIVERSITY
AVENUE AND FOREST AVENUE AT VACATED 28TH STREET, DES MOINES, IA,
BETWEEN ELDER CORPORATION AND DRAKE UNIVERSITY

WHEREAS, on July 28, 2008 under Roll Call No. 08-1377, the City Council approved a private construction contract in the amount of \$58,069.94, between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 - as Contractor, and Drake University, Victoria Payseur, Vice President for Business & Finance, 2507 University Avenue, Des Moines, IA, 50311 - as Owner, for construction of Paving, Sidewalk, and Storm Sewer Improvements described as construction of pedestrian dropoff lanes on University Avenue and Forest Avenue at vacated 28th Street including curb removal, PCC pavement widening, sidewalk, and storm sewer in accordance with the contract documents including Plan File Numbers 491-110/134, 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 Paving, Sidewalk, and Storm Sewer Improvements in the amount of \$58,069.94, which have been constructed in substantial compliance with the contract documents between Elder Corporation and Drake University, which were approved under Roll Call No. 08-1377, dated July 28, 2008, be received and filed; and that completion of said Paving, Sidewalk, and Storm Sewer Improvements described as construction of pedestrian dropoff lanes on University Avenue and Forest Avenue at vacated 28th Street including curb removal, PCC pavement widening, sidewalk, and storm sewer in accordance with the contract documents including Plan File Numbers 491-110/134, is hereby acknowledged and that said Paving, Sidewalk, and Storm Sewer Improvements are hereby accepted.

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Activity ID 06-2008-102

Moved by *Kiernan* to adopt.

FORM APPROVED:

 Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), Drake University

JB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED *T. M. Franklin Cooney* 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.

 Diane Rauh
 City Clerk