



**Roll Call Number**

11-1525

**Agenda Item Number**

73A-3

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.

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Activity ID 11-2007-019

Moved by Hensley to adopt.

FORM APPROVED:

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

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

*DEB*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE				
TOTAL	7			

MOTION CARRIED T. M. Franklin Council 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