

★ Roll Call Number

Agenda Item Number

11-1802

41A.2

DATE October 24, 2011

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR STORM AND SANITARY SEWER IMPROVEMENTS, AIRPORT BUSINESS PARK
PLAT 3,
BETWEEN ELDER CORPORATION AND ODC GANNETT AVE, L.L.C.

WHEREAS, on May 9, 2011 under Roll Call No. 11-0775, the City Council approved a private construction contract in the amount of \$180,698.00, between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 - as Contractor, and ODC Gannett Ave, L.L.C., Tom Shaver, President & CEO, 9700 West Higgins Road, Suite 900, Chicago, IL, 60018 - as Owner, for construction of Storm and Sanitary Sewer Improvements described as Airport Business Park Plat 3 located in the vicinity of SW 34th Street and Gannett Avenue, Des Moines, Iowa, in accordance with the contract documents including Plan File Nos. 512-130/136, 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 Storm and Sanitary Sewer Improvements in the amount of \$180,698.00, which have been constructed in substantial compliance with the contract documents between Elder Corporation and ODC Gannett Ave, L.L.C., which were approved under Roll Call No. 11-0775, dated May 9, 2011, be received and filed; and that completion of said Storm and Sanitary Sewer Improvements described as Airport Business Park Plat 3 located in the vicinity of SW 34th Street and Gannett Avenue, Des Moines, Iowa, in accordance with the contract documents including Plan File Nos. 512-130/136, is hereby acknowledged and that said Storm and Sanitary Sewer Improvements are hereby accepted.



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Activity ID 08-2011-103

Moved by Mahaffey to adopt.

FORM APPROVED:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

JB

Funding Source: All project costs are to be paid by the Owner(s), ODC Gannett Ave, L.L.C.

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

MOTION CARRIED APPROVED

T. M. Franklin
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