



Roll Call Number

19-1805

Agenda Item Number

10 B

DATE November 18, 2019

APPROVING COMPLETION AND ACCEPTANCE OF THE
PAVING IMPROVEMENTS SET FORTH IN AND CONSTRUCTED
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, 5TH AND WALNUT,
BETWEEN THE WEITZ COMPANY, LLC AND 5TH AND WALNUT PARKING LLC

WHEREAS, on September 10, 2018 under Roll Call No. 18-1483, the City Council approved a private construction contract in the amount of \$65,875.00, between The Weitz Company, LLC, Leonard Martling, President, CEO, 5901 Thornton Avenue, Des Moines, IA, 50321 - as Contractor, and 5th and Walnut Parking, LLC, Justin Mandelbaum, Manager, 4500 Westown Parkway, Suite 115, West Des Moines, IA, 50266 - as Owner, for construction of Paving Improvements described as paving on 5th Avenue between Walnut Street and Court Avenue to service The Fifth Parking Garage, as shown on Plan File Numbers 593-170/171, 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 Improvements in the amount of \$65,875.00, which have been constructed in substantial compliance with the contract documents between The Weitz Company, LLC and 5th and Walnut Parking, LLC, which were approved under Roll Call No. 18-1483, dated September 10, 2018, be received and filed; and that completion of said Paving Improvements described as paving on 5th Avenue between Walnut Street and Court Avenue to service The Fifth Parking Garage, as shown on Plan File Numbers 593-170/171, is hereby acknowledged and that said Paving Improvements are hereby accepted.

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Activity ID 06-2019-104

Moved by Boesen to adopt.

FORM APPROVED:

SLN
Kathleen Vanderpool by AD
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), 5th and Walnut Parking LLC

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
 Mayor

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk