

★ Roll Call Number
09-524

Agenda Item Number
10A

DATE April 6, 2009

APPROVING COMPLETION AND ACCEPTANCE OF THE PRIVATE CONSTRUCTION
CONTRACT FOR SANITARY SEWER IMPROVEMENTS, VISTA BROADWAY INDUSTRIAL PLAT 1,
BETWEEN THE UNDERGROUND COMPANY, LTD. AND VISTA REAL ESTATE CORPORATION

WHEREAS, on September 25, 2006 under Roll Call No. 06-1859, the City Council approved a private construction contract in the amount of \$83,566.00, between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 - as Contractor, and Vista Real Estate Corporation, Ken Smith, President, 2400 86th Street, Suite 24, Urbandale, IA, 50322 - as Owner, for construction of Sanitary Sewer Improvements described as Sanitary sewer service to Vista Broadway Industrial Plat 1, Southwest of NE 14th Street and Broadway Avenue, extending from west property line east into middle of site as per Plan File Nos. 467-075/082, 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 Sanitary Sewer Improvements in the amount of \$83,566.00, which have been constructed in substantial compliance with the contract documents between The Underground Company, Ltd. and Vista Real Estate Corporation, which were approved under Roll Call No. 06-1859, dated September 25, 2006, be received and filed; and that completion of said Sanitary Sewer Improvements described as Sanitary sewer service to Vista Broadway Industrial Plat 1, Southwest of NE 14th Street and Broadway Avenue, extending from west property line east into middle of site as per Plan File Nos. 467-075/082, is hereby acknowledged and that said Sanitary Sewer Improvements are hereby accepted.

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Activity ID 07-2007-103

Moved by Hensley to adopt.

FORM APPROVED:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

REB Funding Source: All project costs are to be paid by the Owner(s), Vista Real Estate Corporation

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