



Council Communication

Office of the City Manager

Date

September 22, 2008

Agenda Item No. 51
Roll Call No. ~~08-~~
Communication No. ~~08-574~~
Submitted by: Jeb E. Brewer, P.E.
City Engineer

AGENDA HEADING:

Hearing on John & Mary Pappajohn Sculpture Park: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Pinnacle Construction Group, LLC, Shane E. Madison, President, 10626 Justin Drive, Urbandale, IA, 50322, \$2,014,500.

SYNOPSIS:

This is a public hearing to allow for public input on the John & Mary Pappajohn Sculpture Park and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. The John & Mary Pappajohn Sculpture Park project includes the reconstruction of two square blocks of the Western Gateway Park into an outdoor art gallery in which seventeen significant pieces of sculpture, by sixteen internationally acclaimed modern and contemporary masters, will be permanently displayed.

FISCAL IMPACT:

Amount: \$2,014,500 Construction Contract (\$2,641,500 City Engineer's Estimate)

Funding Source: 2008-2009 CIP, Page Parks-17, Pappajohn Sculpture Garden, PKS169, being:

- \$1,000,000 grant approved May 14, 2008 by the Vision Iowa Board (Vision Iowa No. 08-VI-002),
- \$100,000 contribution from Polk County,
- \$300,000 Prairie Meadows Legacy Grant, and
- the remainder being privately funded with collection and disbursement of the private funds by the Greater Des Moines Community Foundation.

ADDITIONAL INFORMATION:

Philanthropists John and Mary Pappajohn are donating seventeen significant pieces of sculpture, by sixteen internationally acclaimed modern and contemporary masters, to the Art Center. The donation offers the City an opportunity to showcase one of the most significant collections of art in the United States. This is believed to be the largest single public gift in Des Moines' history and the largest public gift of art in Iowa history. Sotheby's has appraised sixteen of the works originally intended for donation at \$26,110,000; since the appraisal, an additional work valued at \$1.5 million has been purchased for the park, raising this value to \$27,500,000.

To best showcase the art in Western Gateway Park, which is located in the portion of the park from 13th to 15th Streets to be called the John and Mary Pappajohn Sculpture Park, as well as to address security and

maintenance, it is necessary to make infrastructure alterations to the current design of the park. The architectural design firm of Agrest and Gandelsonas, with the support of several local sub-consultants including RDG, has created a design for development in Western Gateway. The grounds of the sculpture park will be sculpted to frame the pieces of artwork; plenty of open green space will remain for the likely addition of art. Paved walkways will allow people to move through the park to view the art.

The design of the sculpture park considers scale, flexibility, view corridors and security. Scale is provided by creating virtual “rooms” through topographic “waves” that give the perception of a reduced space in which an observer has the possibility of looking at a smaller cluster of sculptures, rather than the larger, more overwhelming total collection. The “rooms” modulate the scale of an otherwise very large and flat site. The parabolic waves rise to a height of 8 feet, rapidly descending in a natural slope that allows open views while partially screening other sculpture areas. Generous spaces allow the number of sculptures to be increased. View corridors are important to people seeing the park as their vehicles enter and exit the downtown area along the major Grand and Locust arterial streets bordering the 14-acre Western Gateway Park. Semi-enclosed “rooms” allow monitoring of sculptures and surface treatments can serve to notify passage into zones with minimum-allowed distances through the use of security equipment.

On August 11, 2008, under Roll Call No. 08-1399, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the John & Mary Pappajohn Sculpture Park. Before the City Council can enter into a contract, a public hearing needs to be held to approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the John & Mary Pappajohn Sculpture Park, 11-2008-011.

The John & Mary Pappajohn Sculpture Park project includes the reconstruction of two square blocks of the Western Gateway Park into an outdoor art gallery in which numerous pieces of art and sculptures will be permanently displayed. This project includes construction of four earth berms, three with reinforced PCC retaining walls with hand rails, various sculpture foundations, park lighting and electrical, PCC paths, electrical transformer relocation, water meter, water fountain and backflow preventer relocation, subdrain system, irrigation system, bike racks and park benches installation, landscaping and sod installation; along with the necessary grading, earthwork, construction surveying, removals, salvage and relocations, NPDES permitting, mobilization, site security, and traffic control, and any of the add or deduct alternates selected by the City of Des Moines to be part of this contract. All work shall be in accordance with the contract documents, including Plan File Nos. 476-051/080, on the project site, which is bounded by Grand Avenue on the north, 13th Street on the east, Locust Street on the south, and 15th Street on the west, in Des Moines, Iowa.

Sealed bids for said improvement were submitted by the following bidders:

Pinnacle Construction Group, LLC, West Des Moines, IA, Bid read under advisement
Rochon Corporation of Iowa, Inc., Urbandale, IA, Bid read under advisement
Larson & Larson Construction LLC, Urbandale, IA
The Weitz Company, LLC, Des Moines, IA
Neumann Brothers, Des Moines, IA

The bids were received and opened at a public meeting presided over by the City Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D Ray Drive, Des Moines, Iowa at 11:00 a.m. on September 9, 2008.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Pinnacle Construction Group, LLC, in the amount of \$2,014,500, and said bid should be accepted. The Finance Director has determined that funds are available for said improvement as stated above.

PREVIOUS COUNCIL ACTION(S):

Date: August 25, 2008

Roll Call Number: 08-1499

Action: Resolution to receive and file the Access Advisory Board recommendation regarding construction plans for the John and Mary Pappajohn Sculpture Park. Moved by Vlassis to receive and file. Motion Carried 6-1.

Date: August 11, 2008

Roll Call Number: 08-1399

Action: Ordering construction of the following: John & Mary Pappajohn Sculpture Park – Receiving of bids, (9-9-08), and Setting date of hearing, (9-22-08). (Construction Estimate - \$2,641,500). (Council Communication No. 08-495

) Moved by Hensley to adopt. Motion Carried 7-0.

Date: March 24, 2008

Roll Call Number: 08-534

Action: Approving Professional Services Agreement with Agrest and Gandelsonas Architects, LLC, \$271,200. (Council Communication No. 08-172) Moved by Hensley to adopt. Motion Carried 7-0.

Date: March 10, 2008

Roll Call Number: 08-403

Action: Authorization to submit Grant Application to Vision Iowa Board for development of a sculpture garden in “Western Gateway” Park, \$1,950,000. (Council Communication No. 08-133) Moved by Hensley to approve. Motion Carried 7-0.

Date: November 5, 2007

Roll Call Number: 07-2154

Action: Professional Services Agreement with Agrest and Gandelsonas Architects, LLP for schematic design of the Pappajohn Sculpture Garden at Western Gateway Park, not to exceed \$132,750. (Council Communication No. 07-671) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 7, 2007

Roll Call Number: 07-909

Action: Resolution to close the hearing on Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Art Center for “Western Gateway” Sculpture Park. Moved by Hensley to approve. Motion Carried 7-0.

Date: March 26, 2007

Roll Call Number: 07-588

Action: On Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Art Center for “Western Gateway” Sculpture Park. Moved by Kiernan to continue the

public hearing to May 7, 2007 at 5:00 P.M. in the Council Chambers. Motion Carried 6-1. Absent: Coleman.

BOARD/COMMISSION ACTION(S):

Date: August 20, 2008

Roll Call Number: N/A

Action: Access Advisory Board recommended not approving the construction plans for the John and Mary Pappajohn Sculpture Park. This recommendation was received and filed by City Council on August 25, 2008 (Roll Call No. 08-1499)

Date: February 21, 2008

Roll Call Number: N/A

Action: Information presentation of the schematic design to the Plan & Zoning Commission.

Date: February 5, 2008 and March 11, 2008

Roll Call Number: N/A

Action: Presentation to and opportunity for comment by the Urban Design Review Board

Date: February 5, 2008

Roll Call Number: 08-017

Action: Park and Recreation Board approval of Schematic Design

Date: February 8, 2007

Roll Call Number: 07-016

Action: Park Board received and filed the Art Center agreement for Western Gateway Park Sculpture Garden.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Partial payments to the contractor and final acceptance of work.

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