


# COUNCIL COMMUNICATION

	Number:	<b>23-019</b>	Meeting:	<b>January 9, 2023</b>
	Agenda Item:	<b>49</b>	Roll Call:	<b>23-0069</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director, Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Hearing on Stone Park Community Garden: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Burkett Construction, LLC, Andrew Burkett, Owner, \$518,897.98.

## SYNOPSIS:

This is a public hearing to allow for public input on the Stone Park Community Garden and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. The existing downtown community garden located in Allen Park at 800 S.E. 6th Street is being displaced by a levee improvement project. This improvement includes relocation of the existing community garden at Allen Park to a new location in Stone Park at 2100 S.E. 5th Street.

## FISCAL IMPACT:

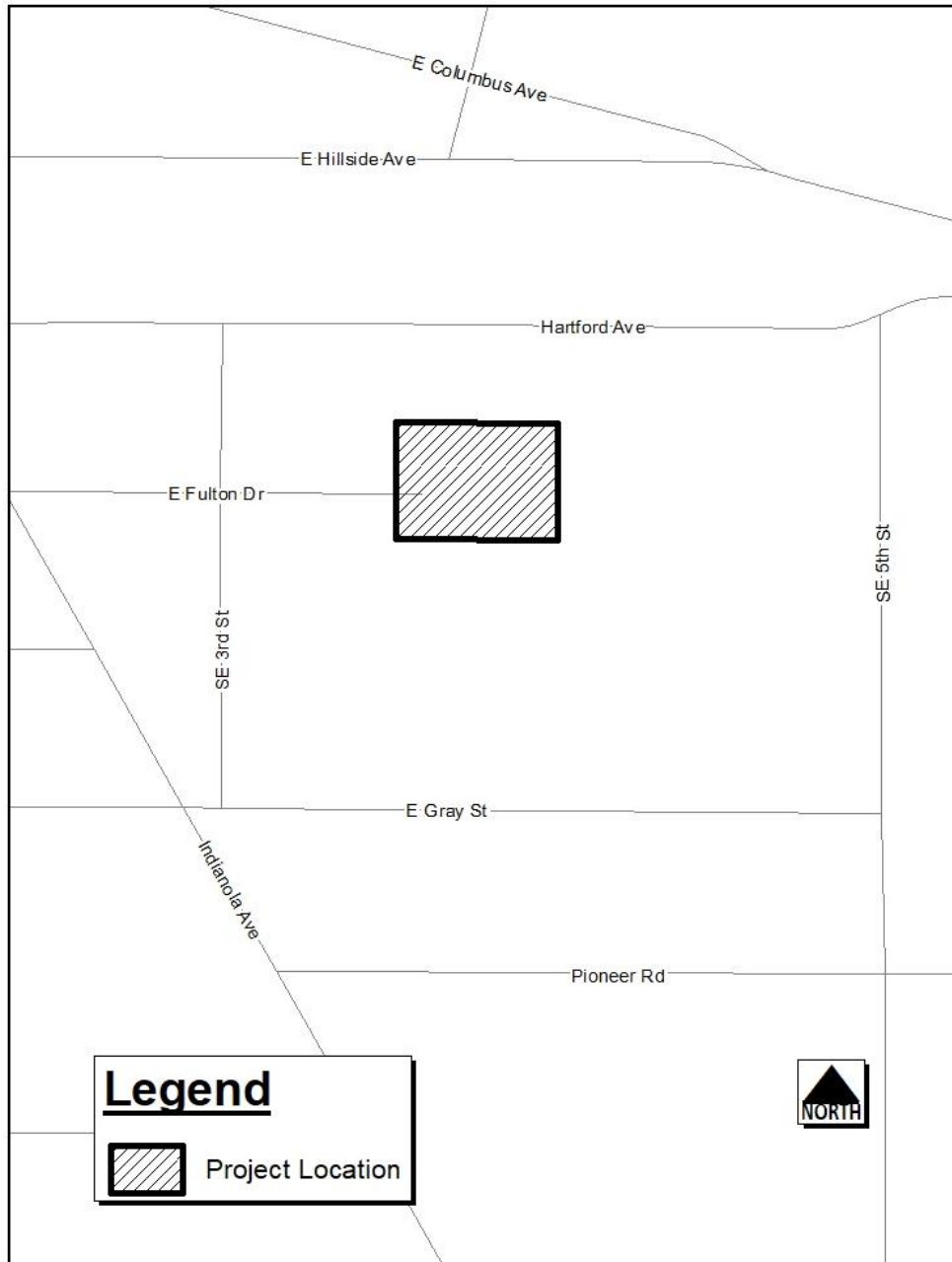
Amount: \$518,897.98 construction contract (\$650,000 City Engineer's Estimate).

Funding Source: 2022-23 CIP, Page 106, Flood Mitigation Improvements, SM087, Being: \$300,000 American Rescue Plan Act (ARPA) Funding; \$84,448.99 General Obligation bonds issued; and the remaining \$134,448.99 to be transferred from Storm Water Utility Funds SM087.

## ADDITIONAL INFORMATION:

- On November 21, 2022, under Roll Call No. 22-1775, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Stone Park Community Garden. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the Stone Park Community Garden, Activity ID 04-2022-019. The improvement includes relocation of the existing community garden at Allen Park to Stone Park. The project includes fine grading, fence, new water service, irrigation system and hydrants, Portland Cement Concrete (PCC) sidewalks, installing and filling raised planter beds, aggregate walking surface around the planter beds, and other incidental items; all in accordance with the contract documents, including Plan File No. 649-297/316, located at Stone Park, 2100 S.E. 5th Street.

- Sealed bids for said improvement were submitted by the following bidders:
  - Burkett Construction, LLC, De Soto, IA, - Low Bidder (bid read under advisement)
  - Jasper Construction Services, Inc., Newton, IA
  - MPS Engineers, P.C. d/b/a Kingston Services, P.C., Des Moines, IA
  - TK Concrete, Inc., Pella, IA
  - GTG Construction, LLC, Johnston, IA
  - Lansink Construction, Inc., Johnston, IA
  - Synergy Contracting, LLC, Altoona, 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 December 13, 2022.
  
- The low bid submitted by Burkett Construction, L.L.C. was read under advisement because the Bidder Status Form was completed and submitted with the Proposal but was not signed. The City Engineer and Legal Department have reviewed the information provided by the bidder and reviewed the information available on the Iowa Secretary of State's website which identifies the bidder as a limited liability company incorporated in Iowa; and reviewed the information available on the Iowa Workforce Development webpage, which indicates the bidder does not have an out of state bond, which is required if a bidder were an out of state contractor. In this case, the City Council may determine that failure to sign the completed Bidder Status Form is a minor irregularity and accept the bid.
  
- The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Burkett Construction, LLC (Andrew Burkett, Owner, 25 Ellefson Drive, De Soto, IA, 50069), in the amount of \$518,897.98, and said bid should be accepted. The Finance Director has determined that funds are available for said improvement as stated above.
  
- Construction of this project is anticipated to be completed by end of summer 2023 to facilitate and support an operational 2024 community garden season for the levee impacted downtown community garden.



**PREVIOUS COUNCIL ACTION(S):**

Date: November 21, 2022

Roll Call Number: [22-1775](#)

Action: Ordering construction of the following:

- (C) [Stone](#) Park Community Garden: Receiving of bids, (12-13-22) and Setting date of hearing, (1-9-23), Engineer's estimate, \$650,000. ([Council Communication No. 22-536](#)) Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.

**BOARD/COMMISSION ACTION(S):**

Board: Access Advisory Board

Date: July 20, 2022

Resolution Number: N\A

Action: Stone Park Community Garden - Plans presented by Eric Doll, Park Planner, City of Des Moines Parks & Recreation. Recommended by members present as presented Motion Carried –0.

\*Due to lack of quorum, a consensus of the present members recommended approval.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Partial payments to the contractor and final acceptance of work.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).