


# COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	<b>24-423</b>	Meeting:	<b>October 21, 2024</b>
	Agenda Item:	<b>29</b>	Roll Call:	<b>24-1450</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director</b>		

## AGENDA HEADING:

Approving playground equipment donation agreement with Kids Around the World, Inc. (KATW) for removal and donation of Jordan and Sayers Parks Playground Equipment.

## SYNOPSIS:

Recommend approval of agreement between with KATW (5245 28th Avenue, Rockford, IL 61109) for donation and removal of playground equipment at Jordan and Sayers Parks at no cost or liability to the City.

## FISCAL IMPACT:

Cost savings will be realized by allowing KATW to remove the Jordan and Sayers Parks playground equipment, saving the City the cost of such work.

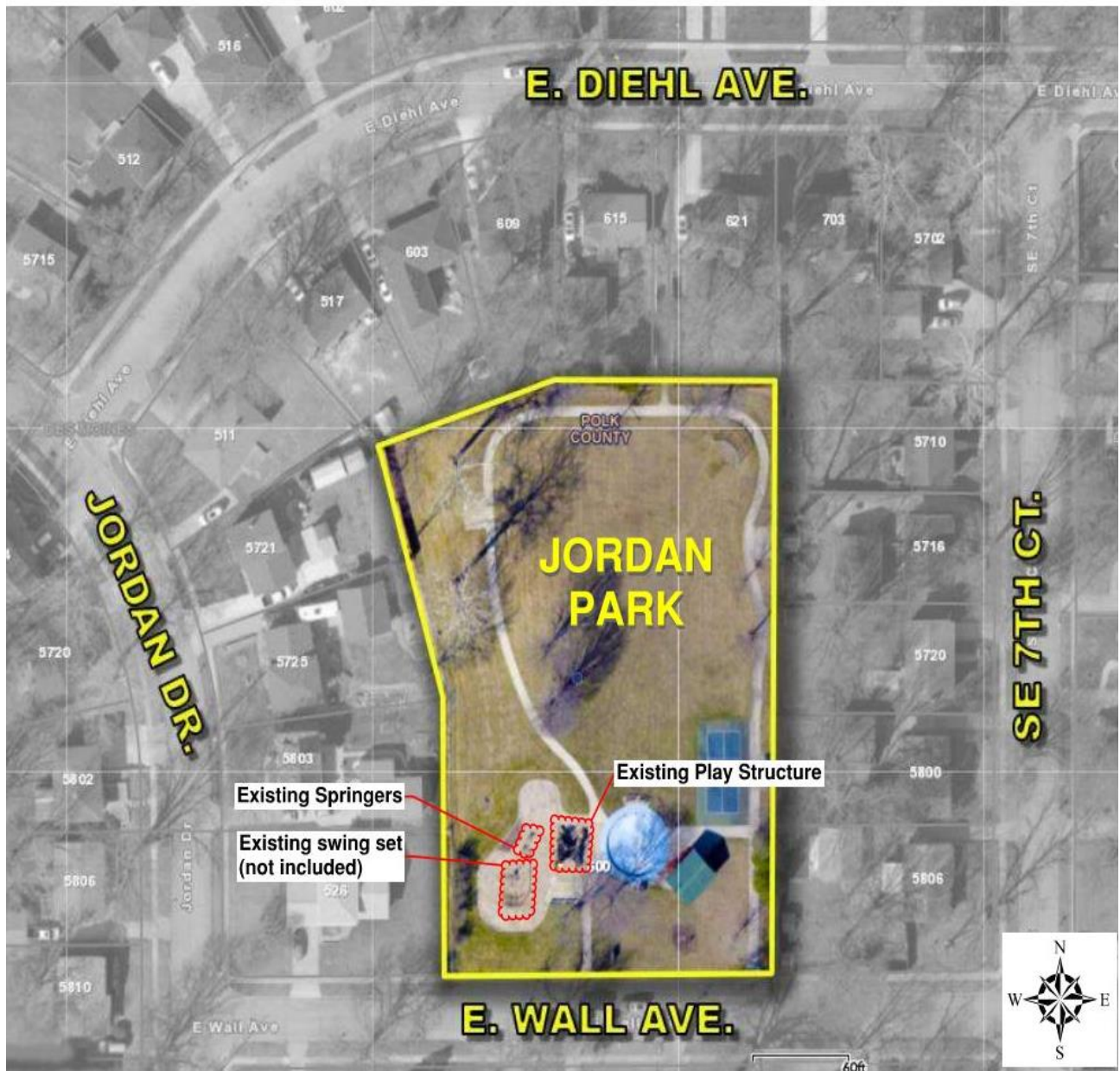
## ADDITIONAL INFORMATION:

- The adopted Capital Improvement Plan (CIP) for Parks and Recreation includes Fiscal Year (FY) 2023-2025 improvements at both Jordan Park and Sayers Park.
  - Sayers Park improvements are anticipated to include a new sprayground, accessible playground, parking, walkways, fitness stations, picnic areas, grills, and site furnishings. Pending Council approval, these park improvements are anticipated to be completed fall 2025.
  - Jordan Park improvements are anticipated to include a new sprayground, accessible playground, walkways, site furnishings, and an Americans with Disabilities Act (ADA) parking stall. Pending Council approval, these park improvements are anticipated to be completed fall 2025.
- The existing playgrounds at both Jordan Park and Sayers Park are falling into disrepair and the equipment manufactures no longer supply replacement parts for these 20-year-old models. Without parts from the manufacturer, the playgrounds will not be compliant with federal safety standards that are industry standard for cities to follow, including the City of Des Moines.

- When City playgrounds such as those at Jordan Park and Sayers Park reach this condition and are approved and ready for replacement, the standard removal process includes the use of equipment and disposal methods that lead to recycling the metal components and disposing of the plastic and rubber components so that the equipment that will not be able to meet United States federal safety regulations is not reused while out of our compliance standards.
- KATW is a not-for-profit entity registered in Illinois as a 501(c)(3) and performs charitable programs including refurbishing and building playgrounds for children in underprivileged locations world-wide since 1994. During these 30 years of service, KATW has built 1,207 playgrounds in 87 counties.
- KATW desires to work with the City of Des Moines and donate services for the removal, modification, and refurbishment of the Jordan Park and Sayers Park playgrounds for the purpose of then donating the refurbished equipment to children and families in other countries.
- The agreement outlines these division of responsibilities:
  - City of Des Moines will:
    - Maintain parkland in accordance with regular maintenance standards.
    - Confirm and approve KATW's commencement of work.
    - Inspect and approve site restoration following removal of equipment.
  - KATW will:
    - Accept liability and ensure removal of equipment, site restoration, refurbishment, modification and installation of equipment.
    - Be responsible for all costs, charges, and expenses associated with the equipment removal and site restoration.
    - Provide anticipated start and end dates, regularly communicating to provide current information regarding timeline, coordination, commencement and completion of work at each park.
    - Provide plans confirming ingress and egress to the park property, staging, contractor parking, construction fencing, and tree protection prior to commencement of work.
    - Be solely responsible for removal of the equipment from the location(s) specified as Jordan and Sayers Parks.
    - Any obligation, liability, or risk has been agreed to be borne by KATW upon removal of the equipment.
- The City has not made, and does not hereby make, any representation, warranty, or covenant, express or implied, with respect to the merchantability, condition, quality, durability, design, operation, fitness for use, or suitability of the equipment in any respect whatsoever or in connection with or for the purposes and uses of KATW.

- Title and ownership of the equipment shall transfer to KATW immediately upon removal of the equipment from the specified locations, including all risk of loss and liability.
- The term of this agreement is from October 23, 2024 through November 29, 2024.
- Not every child in the world can access a safe environment to experience play. Approval of this collaboration will allow KATW and the City of Des Moines to support children and families who may never otherwise have access to the developmental benefits, wonder, and hope a playground brings to a community.

**SITE MAP AND PHOTOS OF EXISTING JORDAN PARK PLAY STRUCTURE AND EQUIPMENT**  
*Jordan Park, 600 Hall Ave., Des Moines, IA 50315*



**SITE MAP AND PHOTOS OF EXISTING SAYERS PARK PLAY STRUCTURE AND EQUIPMENT**  
*Sayers Park, 1300 Linden Ln., Des Moines, IA 50315*



**PREVIOUS COUNCIL ACTION(S):**

Date: February 19, 2024

Roll Call Number: [24-0236](#)

Action: [Approving](#) exception to Request for Proposal process for good cause and approving Professional Services Agreement with Bolton & Menk, Inc. for design services for the Sayers Park Sprayground Design, not to exceed \$114,500. ([Council Communication No. 24-079](#)) Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

None related to this agreement, but both Jordan and Sayers Parks have the following related actions coming: Ordering construction of park improvements, public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also, partial payments to the contractor and final acceptance of work.

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