


COUNCIL COMMUNICATION

	Number:	25-465	Meeting:	December 22, 2025
	Agenda Item:	6	Roll Call:	<input type="text"/>
	Submitted by:	Benjamin R. Page, Parks and Recreation Director Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Supplemental Agreement No. 3 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for additional work on the Sayers Park Sprayground Design, not to exceed \$9,000.

SYNOPSIS:

Recommend approval of Supplemental Agreement No. 3 to the PSA with Bolton & Menk, Inc. (Bradley C. DeWolf, P.E., President/CEO; 1960 Premier Drive, Mankato, Minnesota 56001-5900) for an amount not to exceed \$9,000, based on hourly labor rates and reimbursable costs, to extend construction phase services for the Sayers Park Sprayground Design Project due to prolonged construction schedule.

FISCAL IMPACT:

Amount: \$9,000

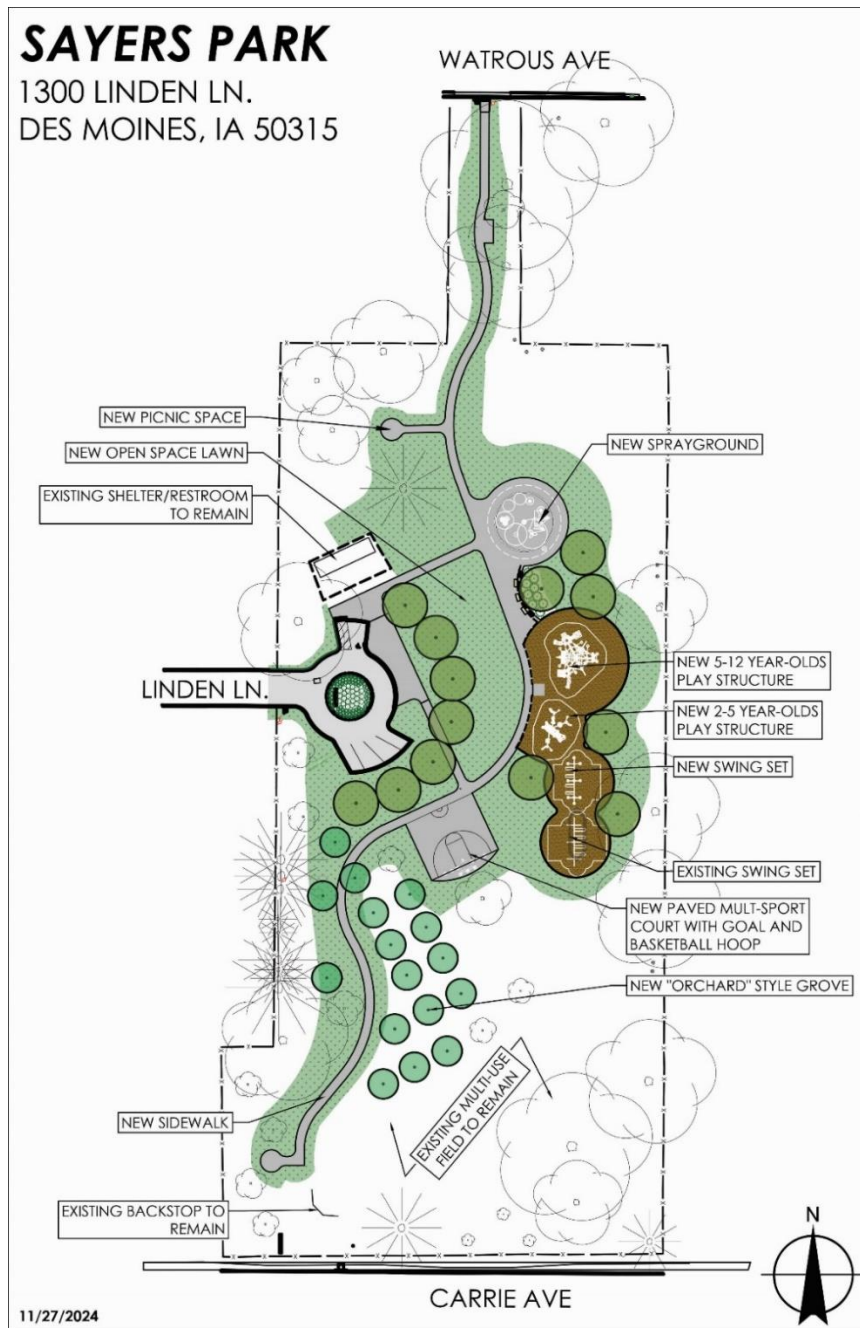
Funding Source: Fiscal Year (FY) 2025-2026 Capital Improvement Program (CIP), Page 74, Sprayground Improvements, PK034, Being: G.O. Bonds and Local Option Sales and Service Tax (LOSST)

ADDITIONAL INFORMATION:

- The Sayers Park Sprayground project removes the existing, outdated wading pool and provides for the construction of a new sprayground, sidewalks, multi-purpose sport court, playground equipment, parking area, picnic areas, utilities, site furnishings and associated improvements in Sayers Park to provide replacement play opportunities and to better serve the neighborhood.
- Sayers Park is a four (4)-acre park located in the Watrous South neighborhood where 2,390 residents live within a 10-minute walk of the park. The park contributes to the LiveDSM goal of supporting all people having access to high-quality parks and trails near their home.
- Replacing the outdated wading pool with a new modern sprayground will extend the hours and number of days of operation and alleviate the need for on-site wading pool staff thus providing a higher level of service, including increased accessibility.

- Public input was received through numerous stand-alone public meetings and online questionnaires, as well as meetings with the Watrous South Neighborhood Association. These efforts helped to communicate conceptual planning options and resulted in consensus regarding the final configuration for park improvements.
 - Sayers Park Online Survey: August 1 – August 31, 2023. Online survey offering the opportunity for input, feedback, and prioritization of proposed improvements.
 - Watrous South Neighborhood Association Meeting: Tuesday, October 10, 2023, 6:30 p.m. at Christ King Pastoral Center, 820 Porter Avenue, Des Moines, IA 50315.
 - Sayers Park Improvements Open House: Wednesday, November 1, 2023, 6:00 p.m. – 7:30 p.m. at Walker Shelter in MacRae Park.
 - Sayers Park Improvements Project Website: Website providing information, progress, and Parks and Recreation contact information for park improvements.
- On February 19, 2024, by Roll Call No. 24-0236, the City Council approved exception to Request for Proposal (RFP) process for good cause and approved a Professional Services Agreement (PSA) with Bolton & Menk, Inc. for a total cost not to exceed \$114,500, based on hourly rates, to provide design services for Sayers Park Sprayground Design.
- On October 7, 2024, under Roll Call No. 24-1330, the City Council ordered construction of Sayers Park Improvements.
- Bids for construction of the project were received on November 5, 2024.
- Workload capacity issues prevented the City inspection staff from providing inspection services and it was determined that this would be a good project to contract out for inspection services.
- On December 9, 2024, by Roll Call No. 24-1676, the City and Bolton & Menk, Inc. entered into Supplemental Agreement No. 1 for construction administration and construction observation services, for an additional amount not to exceed \$66,500, based on hourly labor rates and reimbursable costs.
- On December 9, 2024, by Roll Call No. 24-1677, the City Council held hearing on Sayers Park Sprayground and approved the plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as The Henley Group, LLC (Tyler Henley, President), \$1,146,375.60, and by Roll Call No. 24-1678, City Council approved the contract and bond.
- On September 26, 2025, the City and Bolton & Menk, Inc. entered into Supplemental Agreement No. 2 for a total amount not to exceed \$22,500, based on hourly rates and reimbursable costs, to extend construction administration and construction observation services set forth in Supplemental Agreement No. 1, due to a prolonged construction schedule.
- Staff have negotiated Supplemental Agreement No. 3 to the Agreement for Professional Services with Bolton & Menk, Inc., for an additional amount not to exceed \$9,000, based on hourly rates and reimbursable costs, to extend services construction administration and

construction observation services set forth in Supplemental Agreement No. 1, due to a continued prolonged construction schedule. Liquidated damages to be assessed to the contractor for project delays are expected to cover the cost of additional construction phase services.



PREVIOUS COUNCIL ACTION(S):

Date: December 9, 2024

Roll Call Number: [24-1677](#) and [24-1678](#)

Action: [Hearing](#), approving plans, specifications, form of contract documents, and engineer's estimate on Sayers Park Sprayground; receive and file bids; and designation of lowest responsive, responsible bidder as The Henley Group, LLC (Tyler Henley, President) \$1,146,375.60. ([Council Communication No. 24-483](#)) Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.

(1) [Approval](#) of contract and bond. Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.

Date: December 9, 2024

Roll Call Number: [24-1676](#)

Action: [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Bolton & Menk, Inc. for additional work on the Sayers Park Sprayground Design, not to exceed \$66,500. ([Council Communication No. 24-482](#)) Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Access Advisory Board

Date: November 20, 2024

Action: Sayers Park Sprayground. Due to lack of quorum, a consensus of the members present recommended this project as presented.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Partial payments to the contractor and final acceptance of work.

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