



DATE April 20, 2020

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
DRAKE AND BATES PARKS WATER PLAYGROUNDS  
\$1,128,610.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,128,610.00, executed by Joiner Construction Company Inc., Rodney D. Joiner, President, 11996 490th Street, Plano, IA, 52581 dated April 20, 2020, for the construction of the following improvement:

Drake and Bates Parks Water Playgrounds, 11-2020-002

The improvements include the construction of water splash pads at Drake and Bates Parks, installation of water service line, drainage line, water spray features, Portland Cement Concrete (PCC) paving, PCC sidewalk, PCC beam curb, electrical work, earthwork, and restoration, all in accordance with contract documents, including Plan File Nos. 616-082/115, at Drake Park located at 2300 Drake Park Avenue and Bates Park located at 330 Clark Street, Des Moines, Iowa

the same to be performed in accordance with the plans and specifications which have been heretofore approved by this Council, be and the same are hereby approved, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department. The attached "Contractor's Anticipated DBE/TSB Utilization" shows the Contractor's efforts to solicit DBE/TSB Participation in accordance with the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program.

BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to execute said contract on behalf of the City of Des Moines, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department, and the City Clerk, be and is hereby authorized and directed to attest to same. No contract shall be deemed to exist between the City of Des Moines and said Bidder until said contract has been executed by the Bidder, and shall have been approved by this Council and executed by the Mayor and attested to by the City Clerk.

BE IT FURTHER RESOLVED: That after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security in accordance with the Instructions to Bidders.

BE IT FURTHER RESOLVED: That the attached Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; and each subcontractor is hereby granted permission to work on said improvement.



**Roll Call Number**

**Agenda Item Number**

54(A)

DATE April 20, 2020

BE IT FURTHER RESOLVED: That the Interim Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

(City Council Communication Number 20172 attached)

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED /s/ \_\_\_\_\_

Kathleen Vanderpool  
Deputy City Attorney

SLN

Funding Source: 2019-2020 CIP, Page Park – 23, Sprayground Improvements, PK034, Being: \$600,000 contribution from the Daniel and Mary Kelly Family Foundation, \$418,610 in G.O. Bonds to be issued transferred from PK137, \$90,000 in G.O. Bonds issued transferred from BL042, and the remaining \$20,000 in G.O. Bonds issued transferred from SW081.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

I, P. Kay Cmelik, 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.

\_\_\_\_\_  
City Clerk



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**

**Drake and Bates Parks Water Playgrounds**

**Activity ID 11-2020-002**

On March 24, 2020, Joiner Construction Company Inc., Rodney D. Joiner, President, 11996 490th Street, Plano, IA 52581 submitted a proposal for construction of the Drake and Bates Parks Water Playgrounds, Activity ID 11-2020-002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,128,610.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that Joiner Construction Company Inc., has submitted indicating that it anticipates utilizing the following DBE/TSB companies on this project:

<u>DBE/TSB Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Joiner Construction Company Inc. Amount	\$1,128,610.00
	Percentage of DBE/TSB Participation	0.00%