Roll Call Number ______________

Agenda Item Number 11 A

Date November 3, 2025

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR BURKE PARK SPRAYGROUND, BROTHERS CLEANING CORPORATION D/B/A BROTHERS CONCRETE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer, showing the cost of the construction of the Burke Park Sprayground, Activity ID 112023005, in accordance with the contract approved between Brothers Cleaning Corporation d/b/a Brothers Concrete, Josecito Valero, President, 4000 Colfax Avenue, Des Moines, IA, 50317, under Roll Call No. 23-1796, of December 18, 2023, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted.

BE IT FURTHER RESOLVED: That $601,511.40 is the total cost, of which $583,466.06 has been paid the Contractor, and $0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of $18,045.34 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

BE IT FURTHER RESOLVED: That the Director of Finance be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by ______________________________ to adopt. Second by ___________________________

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank
Deputy City Attorney

FUNDS AVAILABLE:

/s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2025-26 CIP, Page 74, Sprayground Improvements, PK034, Being: General Fund transfer made possible with American Rescue Plan Act Funds (ARPA)

SLN pw

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

______________________________ **Mayor**

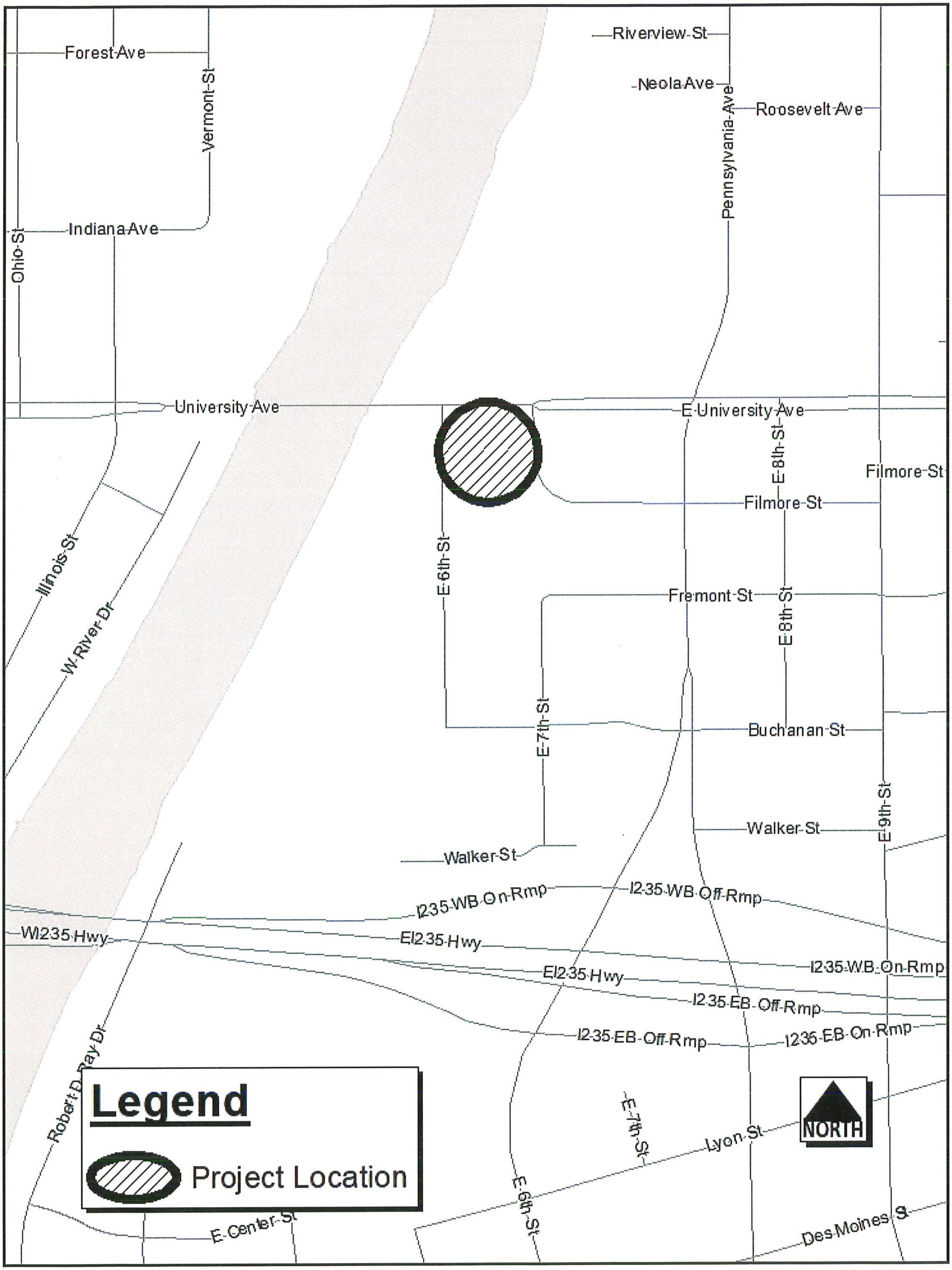
CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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

11A



Forest Ave
Vermont St
Riverview St
Neola Ave
Roosevelt Ave
Pennsylvania Ave
Indiana Ave
Ohio St
University Ave
E University Ave
E 8th St
Filmore St
Filmore St
Illinois St
W River Dr
E 6th St
Fremont St
E 8th St
E 7th St
Buchanan St
E 9th St
Walker St
Walker St
I235 WB On Rmp
I235 WB Off Rmp
W I235 Hwy
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E I235 Hwy
I235 WB On Rmp
I235 EB Off Rmp
I235 EB Off Rmp
I235 EB On Rmp
Robert D Ray Dr
Legend
Project Location
E 7th St
Lyon St
NORTH
E 6th St
E Center St
Des Moines St

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA

11A

CITY OF DES MOINES

PROJECT SUMMARY

Burke Park Sprayground

Activity ID 112023005

On December 18, 2023, under Roll Call No. 23-1796, the Council awarded the contract for the above improvements to Brothers Cleaning Corporation d/b/a Brothers Concrete, in the amount of $574,965.79. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	City	8/14/2024 Item 8001 is to substitute ductile iron pipe (DIP) instead of the planned PVC C900 water service pipe due to the presence of a leaking underground storage tank which is mapped in the vicinity of the installation.	$7,875.00
2	City	10/31/2024 Part B Items include installation of a water service valve and box, chain link fencing to secure the site, backflow preventer and pressure reducing valve for building plumbing, replacement of epoxy coated steel reinforcement with bare reinforcement, new PCC sport court, and liquidated damages accumulated through October 3, 2024.	$39,299.00
3	City	12/11/2024 All change order items are to adjust contract quantities to as-built quantities.	$(21,933.39)
4	City	8/21/2025 Part A Item 29, COURT RESURFACING WITH ACRYLIC COURT SURFACE, is to adjust the contract quantity to the as-built quantity.	$1,305.00

Original Contract Amount	$574,965.79
Total Change Orders	$26,545.61
Percent of Change Orders to Original Contract	4.62%
Total Contract Amount	$601,511.40

11A

Department of Engineering
City of Des Moines, Iowa

November 3, 2025

CITY OF DES MOINES

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Burke Park Sprayground, Brothers Cleaning Corporation d/b/a Brothers Concrete.

SYNOPSIS:

Approve the Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: $601,511.40 As-Built Contract Cost

Funding Source: 2025-26 CIP, Page 74, Sprayground Improvements, PK034, Being: General Fund transfer made possible with American Rescue Plan Act Funds (ARPA)

CERTIFICATION OF COMPLETION:

On December 18, 2023, under Roll Call No. 23-1796, the City Council awarded a contract to Brothers Cleaning Corporation d/b/a Brothers Concrete, Josecito Valero, President, 4000 Colfax Avenue, Des Moines, IA 50317 for the construction of the following improvement:

Burke Park Sprayground, 112023005

The improvement includes the construction of a new water sprayground, limestone block wall, sport court rehabilitation, Portland Cement Concrete (PCC) sidewalks, site furnishings and associated work including the installation of a water service line, water spray features, concrete paving, beam curb, drainage piping, earthwork, and restoration, all in accordance with contract documents, including Plan File No. 657-137/164, located in Burke Park, 601 E. University Avenue, Des Moines, Iowa

I hereby certify that the construction of said Burke Park Sprayground, Activity ID 112023005, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on July 1, 2024, and was completed on August 11, 2025.

I further certify that $601,511.40 is the total cost of said improvement, of which $583,466.06 has been paid the Contractor and $0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of $18,045.34 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.

PW

Steven L. Naber, P.E.
Des Moines City Engineer

11A

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA

CITY OF DES MOINES ENGINEERING DEPARTMENT

FINAL QUANTITIES OF CONSTRUCTION COMPLETED

FOR WORK DONE FROM 8/23/25 to 9/3/25

FINAL PAYMENT (PARTIAL PAYMENT NO. 7)

PROJECT: BURKE PARK SPRAYGROUND
CONTRACTOR: Brothers Cleaning Corporation dba Brothers Concrete

ACTIVITY ID: 11-2023-005
DATE: 9/3/2025

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD	UNIT PRICE	TOTAL AMOUNT
1	CLEARING AND GRUBBING	EA	4.00	6.00	6.00	0.00	$ 2,500.00	$15,000.00
2	TOPSOIL, OFF-SITE	CY	530.00	330.00	330.00	0.00	$ 20.00	$6,600.00
3	EXCAVATION, CLASS 13	CY	250.00	250.00	250.00	0.00	$ 18.25	$4,562.50
4	SUBBASE, MODIFIED, 4"	SY	450.00	431.00	431.00	0.00	$ 22.00	$9,482.00
5	SUBBASE, MODIFIED, 6"	SY	212.00	232.32	232.32	0.00	$ 25.00	$5,808.00
6	SUBDRAIN, PVC, 8", PERFORATED	LF	247.00	245.50	245.50	0.00	$ 32.00	$7,856.00
7	SUBDRAIN, PVC, 4", PERFORATED	LF	152.00	164.00	164.00	0.00	$ 25.50	$4,182.00
8	SUBDRAIN, PVC, 8", SOLID WALL, NON-PERFORATED	LF	96.00	114.00	114.00	0.00	$ 32.00	$3,648.00
9	SUBDRAIN, PVC, 2", SOLID WALL, NON-PERFORATED	LF	76.00	75.00	75.00	0.00	$ 23.00	$1,725.00
10	SUBDRAIN CLEANOUT, 8", TYPE A	EA	2.00	1.00	1.00	0.00	$ 950.00	$950.00
11	SUBDRAIN CLEANOUT, 4", TYPE A	EA	1.00	2.00	2.00	0.00	$ 850.00	$1,700.00
12	TRENCH DRAIN	LF	10.00	10.00	10.00	0.00	$ 850.00	$8,500.00
13	WATER SERVICE 4", C900	LF	75.00	0.00	0.00	0.00	$ 127.00	$0.00
14	WATER SERVICE 2", COPPER, TYPE K	LF	67.00	67.00	67.00	0.00	$ 65.50	$4,388.50
15	WATER SERVICE 1", COPPER, TYPE K	LF	173.00	173.00	173.00	0.00	$ 47.73	$8,257.29
16	WATER SERVICE TAP, 4", AND ABANDONMENT OF EXISTING TAP	LS	1.00	1.00	1.00	0.00	$ 5,280.00	$5,280.00
17	NYLOPLAST, DRAIN BASIN, 18-INCH	EA	1.00	1.00	1.00	0.00	$ 3,850.00	$3,850.00
18	CONNECTION TO EXISTING INTAKE	EA	1.00	1.00	1.00	0.00	$ 2,650.00	$2,650.00
19	PAVEMENT, PCC, 5" REINFORCED	SY	200.00	217.37	217.37	0.00	$ 125.00	$27,171.25
20	PLAYGROUND RAMP, PCC, 6" THICKNESS	SY	4.00	4.00	4.00	0.00	$ 125.00	$500.00
21	CURB AND GUTTER, 2.5' WIDTH, 7" THICKNESS	LF	21.00	20.00	20.00	0.00	$ 42.00	$840.00
22	SPORT COURT RIBBON CURB	LF	180.00	180.00	180.00	0.00	$ 48.00	$8,640.00
23	REMOVAL OF PAVEMENT	SY	650.00	566.62	566.62	0.00	$ 21.00	$11,899.02
24	REMOVAL OF CURB	LF	68.00	61.54	61.54	0.00	$ 18.50	$1,138.49
25	SIDEWALK, PCC, 5"	SY	360.00	418.82	418.82	0.00	$ 65.00	$27,223.30
26	SIDEWALK, PCC, 6"	SY	12.00	11.13	11.13	0.00	$ 85.00	$946.05
27	DETECTABLE WARNING	SF	10.00	10.00	10.00	0.00	$ 125.00	$1,250.00
28	FULL DEPTH PATCHES	SY	43.00	25.80	25.80	0.00	$ 150.00	$3,870.00
29	COURT RESURFACING WITH ACRYLIC COURT SURFACE	SY	361.00	390.00	390.00	0.00	$ 45.00	$17,550.00
30	MAINTENANCE BAND, DECORATIVE FENCING AND SHELTER, PCC, 5	LF	245.00	245.00	245.00	0.00	$ 35.00	$8,575.00
31	TEMPORARY TRAFFIC PEDESTRIAN CONTROL	LS	1.00	1.00	1.00	0.00	$ 4,500.00	$4,500.00
32	CONVENTIONAL SEEDING, TYPE I, FERTILIZING, AND HYDRO MULCH	AC	0.63	0.63	0.63	0.00	$ 7,500.00	$4,725.00
33	WATERING	MGAL	50.00	0.00	0.00	0.00	$ 150.00	$0.00
34	FILTER SOCKS, INSTALL, MAINTAIN, AND REMOVE	LF	500.00	10.00	10.00	0.00	$ 3.75	$37.50

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD	UNIT PRICE	TOTAL AMOUNT
35	SILT FENCE, INSTALL, MAINTAIN, AND REMOVE	LF	1,050.00	0.00	0.00	0.00	$ 4.25	$0.00
36	STABILIZED CONSTRUCTION ENTRANCE	SY	56.00	56.00	56.00	0.00	$ 65.00	$3,640.00
37	REMOVE DECORATIVE FENCE AND EXISTING PCC RIBBON	LF	310.00	300.00	300.00	0.00	$ 25.00	$7,500.00
38	REMOVAL OF SPORT COURT FENCE AND EXISTING PCC RIBBON	LF	360.00	360.00	360.00	0.00	$ 35.00	$12,600.00
39	DECORATIVE FENCE, 42" HEIGHT	LF	150.00	150.00	150.00	0.00	$ 120.00	$18,000.00
40	ORANGE CONSTRUCTION SAFETY FENCE	LF	1,550.00	840.00	840.00	0.00	$ 10.50	$8,820.00
41	LIMESTONE BLOCK AMPHITHEATER WALL	LF	120.00	116.90	116.90	0.00	$ 205.00	$23,964.50
42	CONSTRUCTION SURVEY	LS	1.00	1.00	1.00	0.00	$ 9,500.00	$9,500.00
43	MOBILIZATION	LS	1.00	1.00	1.00	0.00	$ 47,500.00	$47,500.00
44	CONCRETE WASHOUT	LS	1.00	1.00	1.00	0.00	$ 3,500.00	$3,500.00
45	BIKE RACK	EA	3.00	3.00	3.00	0.00	$ 1,200.00	$3,600.00
46	BBQ GRILL	EA	1.00	1.00	1.00	0.00	$ 1,200.00	$1,200.00
47	ELECTRICAL CONNECTIONS AND CIRCUITRY	LS	1.00	1.00	1.00	0.00	$ 8,500.00	$8,500.00
48	REMOVAL OF HANDRAIL	LS	1.00	1.00	1.00	0.00	$ 2,850.00	$2,850.00
49	WATER FOUNTAIN	EA	1.00	1.00	1.00	0.00	$ 9,265.00	$9,265.00
50	SPLASHPAD EQUIPMENT & INSTALL	LS	1.00	1.00	1.00	0.00	$ 125,000.00	$125,000.00
51	BUILDING PLUMBING	LS	1.00	1.00	1.00	0.00	$ 5,740.00	$5,740.00
52	REMOVAL OF METER PIT	EA	1.00	1.00	1.00	0.00	$ 2,500.00	$2,500.00
53	SALVAGE AND REINSTALL ENGINEERED WOOD FIBER PLAYSCAPE SU	LS	1.00	1.00	1.00	0.00	$ 8,500.00	$8,500.00
54	MULTI GOAL	EA	1.00	1.00	1.00	0.00	$ 24,950.00	$24,950.00
55	REMOVE, SALVAGE AND RELOCATE EXISTING INTERPRETIVE SIGN	LS	1.00	1.00	1.00	0.00	$ 1,850.00	$1,850.00
56	REMOVE, SALVAGE AND RELOCATE EXISTING ROADWAY SIGN	EA	3.00	4.00	4.00	0.00	$ 1,850.00	$7,400.00
							SUBTOTAL	**$549,684.40**
CHANGE ORDER ITEMS								
8001	DUCTILE IRON WITH NITRILE GASKETS	LF	0.00	54.00	54.00	0.00	$ 232.00	$12,528.00
8002	VALVE, GATE, DIP, 4 IN.	LS	0.00	1.00	1.00	0.00	$ 3,620.00	$3,620.00
8003	FENCE, TEMPORARY	LF	0.00	800.00	800.00	0.00	$ 12.50	$10,000.00
8004	BUILDING PLUMBING REVISIONS	LS	0.00	1.00	1.00	0.00	$ 6,567.00	$6,567.00
8005	REINFORCEMENT REPLACEMENT FOR SPRAYGROUND	LS	0.00	1.00	1.00	0.00	$ 4,112.00	$4,112.00
8006	PCC SPORT COURT	LS	0.00	1.00	1.00	0.00	$ 50,000.00	$50,000.00
8007	LIQUIDATED DAMAGES, INTERMEDIATE COMPLETION PROVISIONS	LS	0.00	1.00	1.00	0.00	$ (35,000.00)	($35,000.00)
							SUBTOTAL	**$51,827.00**

ORIGINAL CONTRACT AMOUNT	$	574,965.79
TOTAL CHANGE ORDERS	$	26,545.61
ORIGINAL CONTRACT AMOUNT PLUS CHANGE ORDERS	$	601,511.40
PARTIAL PAYMENT NO. 1	$	53,334.28
PARTIAL PAYMENT NO. 2	$	142,989.54
PARTIAL PAYMENT NO. 3	$	122,523.01

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ITEM NO.	DESCRIPTION	UNIT	QUANTITIES ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	CONSTRUCTED THIS PERIOD	UNIT PRICE	TOTAL AMOUNT
	PARTIAL PAYMENT NO. 4		$ 242,669.85					
	PARTIAL PAYMENT NO. 5		$ 20,683.53					
	PARTIAL PAYMENT NO. 6		$ 1,265.85					
	THIS PARTIAL PAYMENT		$0.00					
	TOTAL PARTIAL PAYMENTS		$ 583,466.06					
	BALANCE		$ 18,045.34					
	APPROXMIATE PERCENT COMPLETE		100.0%					

TOTAL	$601,511.40
RETAINAGE	$ 18,045.34
TOTAL LESS RETAINAGE	$583,466.06
LESS PREVIOUS PAYMENT	$ 583,466.06
AMOUNT DUE	**$0.00**

FINAL PAYMENT (PARTIAL PAYMENT NO. 7)

CHECKED BY: Brett Lewis Digitally signed by Brett Lewis DN: C=US, E=balewis@dmgov.org, O=City of Des Moines, OU=Engineering Department, CN=Brett Lewis Date: 2025.10.13 10:34:25-05'00'

Project Engineer

CONTRACTOR: [signature]

Brothers Cleaning Corporation d/b/a Brothers Concrete