

★ **Roll Call Number**
08-1399

Agenda Item Number
5E

DATE August 11, 2008

ORDERING CONSTRUCTION OF
JOHN & MARY PAPPAGJOHN SCULPTURE PARK
AND FIXING A DATE FOR RECEIVING OF BIDS ON SEPTEMBER 9, 2008
AND PUBLIC HEARING ON SEPTEMBER 22, 2008
ENGINEER'S ESTIMATE IS \$2,641,500.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication recommending construction of the following improvement and the method of financing; and also including the recommendation of the Des Moines City Engineer, as the Jurisdictional Engineer, submitting plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of cost for the construction of the following improvement:

John & Mary Pappajohn Sculpture Park, 11-2008-011

The John & Mary Pappajohn Sculpture Park project includes the reconstruction of two square blocks of the Western Gateway Park into an outdoor art gallery in which numerous pieces of art and sculptures will be permanently displayed. This project includes construction of four earth berms, three with reinforced PCC retaining walls with hand rails, various sculpture foundations, sculpture signs, park lighting and electrical, PCC paths, electrical transformer relocation, water meter, water fountain and backflow preventer relocation, subdrain system, irrigation system, bike racks and park benches installation, landscaping and sod installation; along with the necessary grading, earthwork, construction surveying, removals, salvage and relocations, NPDES permitting, mobilization, site security, and traffic control, and any of the add or deduct alternates selected by the City of Des Moines to be part of this contract. All work shall be in accordance with the contract documents, including Plan File Nos. 476-051/080, on the project site, which is bounded by Grand Avenue on the north, 13th Street on the east, Locust Street on the south, and 15th Street on the west, in Des Moines, Iowa.

be and the same are hereby approved and accepted. The estimated construction cost for said improvement is \$2,641,500.00. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

BE IT FURTHER RESOLVED: That this Council hereby determines that it is necessary and advisable to construct said improvement in the manner set forth in the plans, specifications, and form of contract documents submitted by the Jurisdictional Engineer; and that payment for the cost of said improvement shall be paid from from the funding source identified below.

BE IT FURTHER RESOLVED: That a public hearing on said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be held in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on September 22, 2008, at which time this Council will consider any objections offered thereto or to the making of said improvement.

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BE IT FURTHER RESOLVED: That proposals will be received by the City of Des Moines, at the office of the City Clerk until 11:00 a.m. on September 9, 2008, for the construction of said improvement, and the taking of bids in the manner required by law. Proposals received will be opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 11:00 a.m. on September 9, 2008, after which the bids together with a bid tabulation and recommendation of the Jurisdictional Engineer will be presented to the City Council at its next meeting for action thereon.

BE IT FURTHER RESOLVED: That the City Clerk is further directed to publish a Public Notice of Storm Water Discharge in the Des Moines Register and The Business Record as required by the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the "Notice of Intent for NPDES Coverage under General Permit No. 2 for Storm Water Discharges associated with Industrial Activity for Construction Activities" on behalf of the City of Des Moines and submit said document to the Iowa Department of Natural Resources with appropriate application and permit fees.

BE IT FURTHER RESOLVED: That an appropriate Notice to Bidders and Notice of Public Hearing for said improvement be published in the Des Moines Register as provided and directed by Chapter 26 and/or 314, Code of Iowa.

(City Council Communication Number 495 attached.)

Moved by Hensley to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Allen McKinley

Allen McKinley
Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Parks-17, Pappajohn Sculpture Garden, PKS169, Being:

- \$1,000,000 grant approved May 14, 2008 by the Vision Iowa Board (Vision Iowa No. 08-VI-002),
- \$100,000 contribution from Polk County,
- \$300,000 Prairie Meadows Legacy Grant, and
- the remainder being privately funded with collection and disbursement of the private funds by the Greater Des Moines Community Foundation.

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
Council

Mayor

I, Diane Rauh, 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.

Diane Rauh

City Clerk