



**Roll Call Number**

23-0681

**Agenda Item Number**

45A

**Date** May 08, 2023

**APPROVAL OF CONTRACT AND BOND ON  
MCHENRY PARK AND SHERIDAN PARK IMPROVEMENTS  
\$298,870.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$298,870.00, executed by Alpha Landscapes LLC, Riley Marvin, Owner, 31273 510TH AVE, Slater, IA, 50244 dated May 08, 2023, for the construction of the following improvement:

McHenry Park and Sheridan Park Improvements, 112022004

The improvement includes earthwork, storm sewer and drainage improvements, Portland Cement Concrete (PCC) sidewalk and curb, synthetic playground surface installation, landscaping, erosion control and surface restoration, and other incidental items; all in accordance with the contract documents, including Plan File No. 654-155/167, located at McHenry Park and Sheridan Park, 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 Departments. 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 City Engineer is hereby authorized to approve requests to sublet work from the Contractor, 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.

BE IT FURTHER RESOLVED: That the Director of Finance 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.



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(Council Communication No. 23-231 attached)

Moved by Westergaard to adopt. Second by Voss

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

s/Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance

SLN<sub>g.w</sub>

Funding Source: 2023-24 CIP, Page 88, Park Playground Improvements, PK185, G.O. Bonds Issued and Local Option Sales and Service Tax (LOSST)

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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.

MOTION CARRIED APPROVED  
J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk