



Roll Call Number

24-1678

Agenda Item Number

50 B1

Date December 09, 2024

**APPROVAL OF CONTRACT AND BOND ON
SAYERS PARK SPRAYGROUND
\$1,146,375.60**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,146,375.60, executed by The Henley Group, LLC, Tyler Henley, President, 1618 Meadow Lane, Muscatine, IA, 52761 dated December 09, 2024, for the construction of the following improvement:

Sayers Park Sprayground, Activity ID 112019011

The improvement includes the construction of new Portland Cement Concrete (PCC) sprayground, PCC sport court, PCC sidewalks, PCC paving, acrylic finishing, playground equipment, site furnishings, water service line, water spray features, electrical work, drainage piping, storm sewer, earthwork, and restoration, all in accordance with the contract documents including Plan File No. 665-085/118, located in Sayers Park, 1300 Linden Lane, 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 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.



Roll Call Number

24-1678

Agenda Item Number

50B1

Date December 09, 2024

(Council Communication No. 24-483 attached)

Moved by Mandelbaum to adopt. Second by Voss

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

SLN

Funding Source: 2024-25 CIP, Page 61, Sprayground Improvements, PK034, Being: \$1,085,075.60
General Fund transfer made possible with American Rescue Plan Act (ARPA) Funds, Local Option Sales
and Services Tax, and G.O. Bonds; and the remaining \$61,300 in Storm water Funds transferred from
SM057

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen 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.

Laura Baumgartner

City Clerk