



Date December 23, 2024

**APPROVAL OF CONTRACT AND BOND ON
JORDAN PARK SPRAYGROUND
\$560,752.50**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$560,752.50, executed by The Henley Group, LLC, Tyler C. Henley, President, 1618 Meadow Lane, Muscatine, IA, 52761 dated December 23, 2024, for the construction of the following improvement:

Jordan Park Sprayground, Activity ID 112023006
CDBG Grant Agreement No. B-24-MC-19-0003

The improvement includes the construction of new Portland Cement Concrete (PCC) sprayground, PCC sidewalks, playground equipment, site furnishings, water service line, water spray features, electrical work, storm sewer, earthwork, and restoration, all in accordance with the contract documents including Plan File No. 665-119/142, located in Jordan Park, 600 E. Wall Avenue, 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

24-1751

Agenda Item Number

50A

Date December 23, 2024

(Council Communication No. 24-513 attached)

Moved by Gatto to adopt. Second by SIMONSON

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2024-25 CIP, Page 61, Sprayground Improvements, PK034, Being: \$500,000
Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and
Urban Development (HUD) and the remaining \$60,752.50 by General Fund transfer made possible with
American Rescue Plan Act Funds (ARPA)

SLN

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, SIMONSON, VOSS, WESTERGAARD, and a TOTAL row with 7 yeas.

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
Connie Boeser Mayor

Laura Baumgartner City Clerk