



Roll Call Number

25-0790

Agenda Item Number

54A

Date May 19, 2025

**APPROVAL OF CONTRACT AND BOND ON
GRAY'S LAKE PARK SPRAYGROUND
\$2,375,720.80**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,375,720.80, executed by Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, PO Box 369, Brooklyn, IA, 52211 dated May 19, 2025, for the construction of the following improvement:

Gray's Lake Park Sprayground, Activity ID 112024019

The improvement includes the construction of new Portland Cement Concrete (PCC) sprayground with an applied rubber coating, PCC sidewalks, playground equipment, site furnishings, landscaping, soil improvements, water service line, water spray features, electrical work, drainage piping, storm sewer, subdrain, earthwork, and surface restoration, all in accordance with the contract documents including Plan File No. 671-001/031, located in Gray's Lake Park, 2101 Fleur Drive, 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.



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(Council Communication No. 25-208 attached)

Moved by Mandelbaum to adopt. Second by Voss

FORM APPROVED:

FUNDS AVAILABLE:

/s/ Jeffrey D. Lester

/s/ Nickolas J. Schaul

Jeffrey D. Lester
City Attorney

Nickolas J. Schaul
Director of Finance

SLN_{pw}

Funding Source: 2025-26 CIP, Page 79, Gray's Lake Park Improvements, PK140, Being: 100% funded with Private Donations and Grants

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

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 Boesen

Mayor

Laura Baumgartner

City Clerk