


# COUNCIL COMMUNICATION

	Number:	<b>23-349</b>	Meeting:	<b>July 17, 2023</b>
	Agenda Item:	<b>72</b>	Roll Call:	<b>23-1047</b>
	Submitted by:	<b>Scott E. Sanders, City Manager; Nikolas Schaul, Finance Director; and Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

An ordinance to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 2-201 and 2-726, relating to the City Manager’s authority for executing agreements necessary and required to facilitate the construction of public improvements and to identify certain professional services to be administered by the engineering department and increasing the dollar value of contracts for such services that are administratively approved.

## SYNOPSIS:

This ordinance amendment proposes to implement changes to the current Procurement Ordinance, Chapter 2, Article V, Division 3, Subdivision 5, which were inadvertently omitted as part of the previously approved amendment on January 23, 2023, by Ordinance 16,219. This amendment enacts increased formal competitive bid and Request for Proposals (RFP) thresholds under Sections 2-201 and 2-726 to \$100,000, relating to the city manager’s authority for executing agreements necessary and required to facilitate the construction of public improvements and to identify certain professional services to be administered by the engineering department.

## FISCAL IMPACT: NONE

## ADDITIONAL INFORMATION:

- Municipal Code Section 2-201. Powers and duties, will be revised by adding the following new subparagraph:

(h) The city manager or his or her designee may, in his or her discretion, make application and execute agreements with other public entities, utility companies and railroad companies necessary and required to facilitate the construction of public improvements provided that the compensation paid by the city for such rights does not exceed \$100,000 and provided that such documents shall be subject to review and approval by the legal department.
- Municipal Code Section 2-726. Exceptions to Procurement of goods and services under competitive bidding or request for proposals process, will be revised to increase the formal minimum bid threshold from \$50,000 to \$100,000 for the procurement of professional services for the engineering department including but not limited to inspection, surveying, commissioning, televising and engineering or architectural services which will result in the design of public improvements, including allowing for the city council, on a case-by-case basis, upon the

recommendation of the city engineer for good cause shown, exempt negotiated contracts for same said professional services.

**PREVIOUS COUNCIL ACTION(S):**

Date: January 23, 2023

Roll Call Number: [23-0132](#) and [23-0133](#)

Action: [Amending](#) Chapter 2 of the Municipal Code relating to procurement by increasing the dollar value of contracts for goods and services that are administratively approved, revising the bid and request for proposal processes to utilize online bidding and proposal platforms(s), and to delete requirement for public openings of sealed bids and proposals in response to request for proposal. ([Council Communication No. 23-047](#)) Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 7-0.

(A) [Final](#) consideration of ordinance above (waiver requested by Nick Schaul, Finance Director), requires six votes. Moved by Gatto that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #[16,219](#). Second by Boesen. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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