

ORDINANCE NO. 13,787

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing Section 2-87 thereof and enacting new a Section 2-87, relating to annual purchase agreements for contracts for demolition and repair services.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing Section 2-87 thereof and enacting a new Section 2-87 relating to annual purchase agreements and contracts for demolition and repair services, as follows:

**2-87. ANNUAL PURCHASE AGREEMENTS AND CONTRACTS FOR DEMOLITION AND REPAIR SERVICES.**

(a)The city manager is hereby expressly authorized to enter into annual purchase agreements for the purchase of materials, equipment, supplies, or services that are consistently needed by city departments, that because of the type of materials, equipment, supplies, or services or unknown required quantity of the materials, equipment, supplies, or services a purchase agreement for a fixed amount is not reasonable or cost efficient. Competitive bidding procedures shall be followed in entering into the annual purchase agreement. Such annual purchase agreements shall state that the city manager or his or her designee may purchase necessary materials, equipment, supplies, or services with the successful bidder for that particular material, equipment, supplies, or services at the determined price as needed by the city. Such annual purchase agreements shall be negotiated or rebid annually.

(b)The city manager or his or her designee is hereby expressly authorized to procure annual demolition contracts for the demolition of commercial and residential structures, where the cost to demolish any single structure does not exceed \$50,000. The city manager shall procure such contracts by mailing and publishing annually, on or before April 1st of each

year, a solicitation for annual demolition contracts, which solicitation shall be mailed to all demolition contractors providing such service to the city within the last year, and shall be published once in a newspaper of general circulation in Polk County, which mailing and publication shall occur not less than 5 business days prior to the required response date. The city manager may solicit separate contracts for "demolition - structure removal" and for "demolition - asbestos removal". In responding to such solicitation, demolition contractors shall be required to execute a blanket form of demolition contract in the form approved by the city manager and the legal department, shall be required to submit a certificate of insurance evidencing the coverages and endorsements required by the city, and shall be required to submit a performance, payment and maintenance bond on the form provided, and in the amount required, by the city. If two or more demolition contractors respond to such solicitation and submit executed contracts, insurance certificates, and performance, payment and maintenance bonds as above provided, the city manager may execute such contracts on behalf of the city. Upon execution of such contracts, the city manager may, upon the direction of the city council and as needed, obtain competitive proposals from said contractors for the demolition of residential or commercial structures within the city, and may enter into a contract addendum for the demolition of a particular structure or structures with a responsible contractor submitting the lowest responsive proposal therefor, provided that the proposed cost of any single structure demolition does not exceed \$50,000. If the cost of demolishing any single residential or commercial structure will exceed \$50,000, the engineering department shall procure competitive bids therefore for award by the city council pursuant to chapter 384, division VI, the contract letting procedure for public improvement projects.

(c)The city manager or his or her designee is hereby expressly authorized to procure annual rehabilitation and/or repair contracts for the repair and/or renovation of city-owned municipal housing agency units, where the cost to repair and/or renovate any single unit does not exceed \$25,000. The city manager shall procure such contracts by mailing and publishing

annually, on or before April 1st of each year, a solicitation for annual repair and/or renovation contracts, which solicitation shall be mailed to all contractors providing such service to the city within the last year, and shall be published once in a newspaper of general circulation in Polk County, which mailing and publication shall occur not less than 5 business days prior to the required response date. In responding to such solicitation, contractor's shall be required to execute a blanket form of agreement in form approved by the city manager and the legal department, shall be required to submit a certificate of insurance evidencing the coverages and endorsements required by the city, and shall be required to submit a performance and maintenance bond on the form provided, and in the amount required, by the city. If two or more contractors respond to such solicitation and submit executed contracts, insurance certificates and performance and maintenance bonds as provided above, the city manager may execute such contracts on behalf of the city. Upon execution of such contracts, the city manager may, as needed, obtain competitive proposals from said contractors for the repair and/or renovation of city-owned municipal housing agency units and may enter into a contract addendum for the repair and/or renovation of a particular unit or units with a responsible contractor submitting the lowest, responsive proposal therefor, provided that the proposed cost of repairing and/or renovating any single unit does not exceed \$25,000. If the cost of repairing and/or renovating any single unit will exceed \$25,000 the city manager or his or her designee shall procure competitive bids therefor for award by the city.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Terrence L. Timmins, Deputy City Attorney

s  
t  
o  
n  
  
A  
.  
  
D  
a  
n  
i  
e  
l  
s  
,  
  
M  
a  
y  
o  
r

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 00-367 ), passed by the City Council of said City at a meeting held February 7, 2000, signed by the Mayor on February 7, 2000, and published as provided by law in the Greater Metropolitan News on February 18, 2000. Authorized by Publication Order No. 6398.

Donna Boetel-Baker, CMC/AAE, City Clerk