

ORDINANCE NO. 14,127

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, and amended by Ordinance No. 13,848, passed August 7, 2000, and amended by Ordinance No. 13,896, passed December 18, 2000, by adding a new paragraph 10 to Section 2-725, subparagraph (a) thereof, relating to contracts that are exempt from the bidding process.

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

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,848, passed August 7, 2000, and amended by Ordinance No. 13,896, passed December 18, 2000, is hereby amended by adding a new paragraph 10 to Section 2-725, subparagraph (a) thereof, relating to contracts that are exempt from the bidding, as follows:

**Sec. 2-725. Contracts exempt from bidding.**

(a) The following shall not be subject to the competitive bidding requirements of this division:

(1) Contracts which by their nature are not adapted to award by competitive bidding, including but not limited to contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part, and contracts for the disposal of special or hazardous waste materials, where the charge for services cannot be calculated until an analysis of the waste is completed.

(2) Contracts for printing or engraving of bonds, official statements and other evidences of indebtedness.

(3) Contracts for printing or procurement of special materials, supplies, or postage to be used in connection with an election or referendum.

(4) Contracts for utility services; contracts for the purchase of magazines, books, periodicals, and similar articles of an educational or instructional nature.

(5) Contracts for the binding of such magazines, books, periodicals, pamphlets, and similar articles.

(6) Contracts for the repair of equipment and machinery or for repair parts, when required repair parts are available only from a single factory source and are sold through a single area-wide distributor, and competitive bids for such repairs are thus not prospectively obtainable, and the city manager or his or her designee so finds and declares in writing. The city manager's or his or her designee's written determination shall be filed with the purchase documents in each such instance.

(7) Contracts for the purchase of goods or services that are of such a nature that they are the only goods or services which will fit and comply with the required use, or are an integral part of a total system so as to be uniquely compatible with existing city needs, materials or equipment to be cost effective, and the city manager or his or her designee so finds and declares in writing. The

city manager's or his or her designee's written determination shall be filed with the purchase documents in each such instance.

(8) Contracts for the purchase of goods or services through which non profit associations, established to aid or assist governmental bodies or other governmental agencies have secured special rates or provisions for the purchase of goods or services for the benefit of governmental bodies or agencies.

(9) Contracts for goods or services procured through a cooperative chapter 28E agreement that were procured by a governmental entity participating in said 28E agreement, provided that the city manager or his or her designee determines that said entity procured the goods or services pursuant to competitive procurement procedures substantially equivalent to those set forth in this division.

(10) Contracts for the purchase of goods or services involving amounts less than \$500.00.

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

FORM APPROVED:

Bruce E. Bergman, City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna V. 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. 02-1861), passed by the City Council of said City at a meeting held July 22, 2002 signed by the Mayor on July 22, 2002 and published as provided by law in the Business Record on July 29, 2002 Authorized by Publication Order No. 3346.

Donna V. Boetel-Baker, City Clerk