★ **Roll Call Number**

Agenda Item Number
45

Date June 12, 2017

APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE REQUEST FOR PROPOSALS REQUIREMENT FOR GOOD CAUSE AND AUTHORIZING INFORMATION TECHNOLOGY DIRECTOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH NESTINGEN, INC. D/B/A RELYDB FOR DATABASE ADMINISTRATIVE AND ARCHITECTURAL SERVICES

WHEREAS, the City of Des Moines Information Technology Department has an immediate and continuing need for database administrative services to support the current and future City server projects; and

WHEREAS, the skills required to perform these services are highly technical, are unique to the individual possessing such skills, and are developed over a substantial period of time; and

WHEREAS, the required skills are not currently available in the Information Technology Department; and

WHEREAS, the required skills are scarce and in high demand in the marketplace and substantial efforts to find additional sources of the required skills on an employment or contract basis have been unsuccessful; and

WHEREAS, Nestingen, Inc. d/b/a RelyDB (Carl Nestingen, President, Clive, Iowa) possesses the required skills and abilities to furnish database administration services; and

WHEREAS, on December 9, 2013, by Roll Call No. 13-1906, the City Council approved an agreement with Nestingen, Inc. for such services which will expire on June 30, 2017; and

WHEREAS, Nestingen, Inc. and Information Technology Department staff desire to negotiate an agreement to provide such database administration services for the period from July 1, 2017 until June 30, 2020, at an annual cost of $129,000; and

WHEREAS, such proposed agreement would include a Non-Exclusive, Limited Copyright License in which Nestingen, Inc. gives the City a perpetual, non-exclusive and non-transferable license to use certain software created during the term of the proposed agreement and to prior works; and

WHEREAS, the City Manager and the Information Technology Director recommend that the above described procurement be exempted from the Request For Proposals requirements for good cause shown, pursuant to Section 2-710(b) of the Municipal Code of the City of Des Moines.

★ Roll Call Number

Agenda Item Number 45

Date June 12, 2107

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That good cause has been shown to exempt the procurement of database administration services from the Procurement Ordinance Request For Proposals requirements.

2. That the City Council hereby accepts and approves the procurement of services for database administration from Nestingen Inc., d/b/a RelyDB, as described above.

3. That the Chief Information Officer is hereby authorized and directed, on behalf of the City, to negotiate and execute an agreement for such services as described above, and future addendums to the Exhibit C Copyright License attached to the Agreement as new works are created for which the City will receive a perpetual, non-exclusive license that are at no further cost to the City, with such agreement and addendums approved as to form by the Legal Department.

(Council Communication No. 17-470)

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:
Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

_____ Mayor

CERTIFICATE

I, DIANE RAUH, 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.

_____ City Clerk