

Date May 9, 2022

APPROVING DIRECT PROCUREMENT AND ADDITIONAL FUNDING FOR CONCRETE CONSTRUCTION SERVICES FOR THE PARKS AND RECREATION DEPARTMENT BY AGREEMENT WITH J & J CONSTRUCTION CORP.

WHEREAS, in 2019, the City Manager, Facilities Division requested the Finance Department, Procurement Division to solicit bids for miscellaneous concrete construction services for various City departments; and

WHEREAS, the Finance Department, Procurement Division solicited bids by advertisement and by emailing Request for Bid D20-55 to ten potential bidders with one bid received from J & J Construction Corp., 2101 SE 8th Street, Des Moines, IA 50315, Jody Zuniga, President; and

WHEREAS, the Finance Department awarded a contract for miscellaneous concrete construction services to the low-dollar compliant bidder J&J Construction Corp. pursuant to a one-year agreement (“Agreement”), renewable for four additional 12-month periods and with price increases complying with the agreement terms, in an amount not to exceed \$50,000.00 annually in accordance with Des Moines Municipal Code Section 2-708(c), and thereafter the Procurement Administrator has renewed said Agreement twice; and

WHEREAS, on July 19, 2021, by Roll Call No. 21-1138, the City Council authorized the expenditure of the annual estimated amount of \$79,000.00 under the Agreement with funding sources provided by various capital improvement projects; and

WHEREAS, the Parks and Recreation Department is in immediate need of various concrete construction projects in an estimated amount not to exceed \$200,330.00; and

WHEREAS, Des Moines Municipal Code Section 2-710(a) allows the City Council to authorize direct procurement without a competitive process for the procurement of services to cost in excess of \$50,000.00 upon the recommendation of the City Manager for good cause shown, and the City Manager recommends direct procurement of the additional concrete construction projects to be undertaken on behalf of the Parks and Recreation Department through the Agreement with J & J Construction Corp. with good cause as approved by the City Manager due to the immediate need for said projects and the lack of responses to the original solicitation of bids completed by the Finance Department resulting in the Agreement; and

WHEREAS, the Finance Department and Parks and Recreation Department propose that the City Council approve an increase in the amount of the Agreement by \$200,330.00, for a total amount of up to \$279,330.00 to be paid to J & J Construction Corp., for the current renewal term of the Agreement (December 1, 2021 to November 30, 2022), with said additional amount to be used for the concrete construction projects needed by the Parks and Recreation Department and available from various Parks and Recreation Department capital improvements program project funds.

NOW, THEREFORE, BE IT RESOLVED that the Des Moines City Council hereby authorizes the direct procurement of additional concrete construction projects for the Parks and Recreation Department, for good cause shown as described above, pursuant to the Agreement with J & J Construction Corp. in an amount not to exceed \$200,330.00, for a total Agreement amount not to exceed \$279,330.00, during the renewal term of the Agreement ending on November 30, 2022.

(Council Communication No. 22-206)

Date May 9, 2022

Moved by _____ to adopt.

Second by _____.

Approved as to form:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. Kay Cmelik, 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

Mayor

City Clerk