



Roll Call Number

20-0929

Agenda Item Number

48

Date June 8, 2020

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE
REQUEST FOR PROPOSALS REQUIREMENT FOR GOOD CAUSE AND APPROVING
AN AMENDMENT FOR EXTENSION OF AGREEMENT WITH NESTINGEN, INC.
D/B/A RELYDB FOR DATABASE ADMINISTRATIVE 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 Information Technology 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, Nestingen, Inc. d/b/a RelyDB (Carl Nestingen, President, Clive, Iowa) possesses the required skills and abilities to furnish database administration services and has provided such services to the City for approximately 20 years under separate multi-year agreements; and

WHEREAS, on June 12, 2017, by Roll Call No. 17-1002, the City Council approved an agreement with Nestingen, Inc. for such services which will expire on June 30, 2020 (the Agreement); and

WHEREAS, Nestingen, Inc. has indicated a need to reduce consulting hours after expiration of the current Agreement and its intention to end consulting services to the City by June 30, 2023, and has additionally proposed a software licensing agreement for software developed by Nestingen, Inc.; and

WHEREAS, Nestingen, Inc. and the Information Technology Department desire to extend the Agreement until September 30, 2020 in order to maintain sufficient database support while the City Information Technology Director evaluates Nestingen, Inc.'s proposal, and have negotiated an extension amendment to the Agreement in which the hours of work during the three month extension will not exceed 250 hours at an hourly rate for such services at \$140; 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.



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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 Amendment for Extension of Agreement for Database Administrative Services Between City of Des Moines and Nestingen, Inc. d/b/a RelyDB, a copy of which is on file in the City Clerk's Office, is hereby approved and the Information Technology Director is hereby authorized and directed, on behalf of the City, to execute such Amendment, and 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. 20- 243)

MOVED BY Gatto TO ADOPT.

APPROVED AS TO FORM:

Ann DiDonato, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and a TOTAL row.

Signature of A. M. Franklin Cowrie, 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.

Signature of Diane Rauh, City Clerk

City Clerk