



Roll Call Number

22-0622

Agenda Item Number

45

Date April 18, 2022

APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE REQUEST FOR PROPOSALS PROCESS FOR GOOD CAUSE, APPROVING AMENDMENT TO EXTEND CONTRACT WITH PER MAR SECURITY SERVICES FOR ON-SITE SECURITY SERVICES, AND AUTHORIZING ADDITIONAL FUNDING

WHEREAS, on October 18, 2021, the City entered into an Agreement with Per Mar Security Services (“Agreement”) for temporary On-Site Security Service for City Hall, Armory, and Municipal Services Center with a termination date of November 30, 2021; and

WHEREAS, on November 15, 2021, by Roll Call No. 21-1733, the City Council approved an Amendment to Extend Contract with Per Mar Security Services for On-Site Security Services to allow additional time for the City to develop new job specifications, Civil Service review, and completion of the hiring process with the goal of filling the on-site security service positions with new City staff; found that good cause was shown to exempt the procurement of said temporary on-site security services from the Procurement Ordinance request for proposals process; and approved an increase of available funding for the Agreement to \$150,000.00; and

WHEREAS, the City Manager and Facilities Manager have concluded, after extensive research, that contracting with an independent service provider for long-term on-site security services would be in the City’s best interest rather than the creation of new City job descriptions and hiring of internal positions for said services; and

WHEREAS, the City needs additional time to complete a thorough request for proposal competitive process to negotiate a long-term contract with a third party for the City’s on-site security services, and it is the expectation of the City Manager and staff that extension of the Agreement until July 31, 2022, allowing for early termination by the City, will provide sufficient time to do so; and

WHEREAS, City staff have negotiated an Amendment No. 2 to extend the termination date of the Agreement with Per Mar Security Services for temporary On-Site Security Services from May 9, 2022 to July 31, 2022; and

WHEREAS, Municipal Code Section 2-710 (b) provides for the City Council on a case-by-case basis, upon the recommendation of the City Manager for good cause shown, to exempt contracts for the provision of goods and/or services from the request for proposals process of the Procurement Ordinance, and to authorize the negotiation of a contract for the procurement of goods and/or services to cost in excess of \$50,000; and

WHEREAS, the City Manager recommends that the procurement of the above-described services and contract extension included in Amendment No. 2 to the Agreement be exempted from



Roll Call Number

22-0622

Agenda Item Number

45

Date April 18, 2022

the request for proposals process for good cause shown, pursuant to Section 2-710(b) of the Municipal Code of the City of Des Moines.

NOW, THEREFORE, BE IT RESOLVED, that the Des Moines City Council hereby:

1. Finds that good cause has been shown to exempt the procurement of the above-described temporary On-Site Security Services, as described in Amendment No. 2 to the Agreement, from the Procurement Ordinance request for proposals process.
2. Approves and authorizes the increase of available funding for the Agreement, as amended, from a total not-to-exceed amount of \$150,000.00 to a total not-to-exceed amount of \$175,000.00.
3. Approves the above-described Amendment No. 2 to Extend the Contract with Per Mar Security Services for On-Site Security Service, in form on file with the City Clerk, and authorizes and directs the City Manager to execute and administer said Amendment No. 2 for and on behalf of the City.

(Council Communication No. 22-163)

Moved by Gatto to adopt

Second by Boesen

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	6	1		

MOTION CARRIED

APPROVED

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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk

SECOND AMENDMENT TO EXTEND AGREEMENT

With

Per Mar Security Services

For

Temporary On-Site Security Services



THIS AMENDMENT is made as of April 18, 2022, to the Agreement for Temporary On-Site Security Service for City Hall, Armory, and Municipal Services Center by and between Per Mar Security Services ("Contractor") and the City of Des Moines, Iowa ("City") ("Agreement").

WHEREAS, on October 18, 2021, the parties entered into the Agreement which had a termination date of November 30, 2021; and

WHEREAS, on November 15, 2021, by Roll Call No. 21-1733, the City Council approved an Amendment to Extend Agreement to May 9, 2022; and

WHEREAS the City desires to extend the Agreement until July 31, 2022, in order to provide sufficient time to complete a Request for Proposal process which will result in a long-term contract with a selected armed security service provider.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Agreement is amended as follows:

Paragraph B is hereby stricken and replaced with the following:

This Agreement will be in effect from October 18, 2021, until July 31, 2022, with the City having the right to terminate this Agreement at any time upon thirty (30) days written notice to Contractor as set forth in Paragraph M of this Agreement.

Paragraph J will identify the CONTRACTOR contact for receipt of notices as:

Brad Duffy, President/Managing Director; 1910 E Kimberly Rd; Davenport, IA 52807;
Brad.Duffy@permarsecurity.com

Except as hereby and heretofore amended, said Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the day and year first written above.

CITY OF DES MOINES, IOWA

BY: _____

Scott E. Sanders, City Manager

CONTRACTOR: PER MAR SECURITY SERVICES

BY: _____

Brad Duffy, President/Managing Director

Form Approved:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney