



**Roll Call Number**

23-1103

**Agenda Item Number**

44

**Date** August 7, 2023

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE REQUEST FOR PROCUREMENT REQUIREMENT FOR GOOD CAUSE AND AUTHORIZING AGREEMENT WITH EMS BRUEL & KJAER INC. D/B/A ENVIROSUITE INC. FOR PURCHASE OF AN ENVIRONMENTAL INTELLIGENCE SOLUTION FOR A TOTAL COST OF \$110,000.00**

**WHEREAS**, the Neighborhood Services Department has an immediate need for a consultant to provide an environmental intelligence solution to be used to monitor air quality and identify odor nuisances including hydrogen sulfide (H2S), Ammonia (NH3) and volatile organic compounds; and

**WHEREAS**, EMS Bruel & Kjaer, Inc. doing business as (dba) Envirosuite Inc., 2330 East Bidwell Street, Suite 210, Folsom, California 95630 (Jason Cooper, Chief Executive Officer)(“Contractor”) possesses the required monitoring equipment, software, and support services to assist the Neighborhood Services Department, and has provided an Environmental Intelligence Solutions Proposal dated May 17, 2023, addressing the equipment, software, and consulting services which Contractor is able to provide to City and specifying annual rates therefor; and

**WHEREAS**, the Neighborhood Services Department and Procurement Division are negotiating an agreement with Contractor, in substantially the form on file in the office of the City Clerk, for the provision of said equipment, software, and consulting services at an annual rate of \$110,000.00 for an initial term until August 2024, with the option of two 1-year renewals in the amount of \$124,273.00 per renewal term; and

**WHEREAS**, funding is available from FY 2024 Operating Budget, Neighborhood Services Administration, G001, NS001000; and

**WHEREAS**, the City Manager and Neighborhood Services 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 Des Moines Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that:

1. Good cause has been shown to exempt the procurement of equipment, software, and consulting services for an environmental intelligence solution from the Procurement Ordinance Request for Proposals requirements.
2. The procurement of environmental intelligence solution from EMS Bruel & Kjaer, Inc. doing business as (dba) Envirosuite Inc., at a total cost of \$110,000.00, is hereby approved.
3. The Neighborhood Services Department and Procurement Division are hereby authorized and directed to complete negotiation of an Agreement with EMS Bruel & Kjaer, Inc. doing business as (dba) Envirosuite Inc., in substantially the form on file in the office of the City Clerk and in an amount not to exceed \$110,000.00 for the initial term and \$124,273.00 per 1-year renewal option, and the City Manager is authorized and directed to execute said Agreement on behalf of the City, following approval as to form by the Legal Department.
4. The Neighborhood Services Department and Procurement Administrator are directed to administer, monitor, and make payment under said Agreement in accordance with the terms thereof.

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5. The City Manager is authorized to approve renewal option(s) and execute renewal documents, including payment in an amount not to exceed \$124,273.00 per renewal term.

(Council Communication No. 23-377)

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

J. M. Franklin Cownie  
Mayor

**CERTIFICATE**

I, Laura Baumgartner, 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.

Laura Baumgartner

City Clerk