

.....
Date May 6, 2024.....

APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE COMPETITIVE BIDDING REQUIREMENT FOR GOOD CAUSE, APPROVING THE PROCUREMENT OF ROLLING GREENHOUSE PRODUCTION BENCHES FROM BFG SUPPLY COMPANY, AND APPROVING NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH BFG SUPPLY COMPANY

WHEREAS, the Parks and Recreation Department is responsible for providing ornamental plants produced by the City greenhouse for neighborhood flower programs and for use in park displays; and

WHEREAS, on November 14, 2023, Request for Bid D24-281 was issued for the procurement of rolling greenhouse production benches to be installed in the newly constructed greenhouse facility with three bids received; however, said bid process was unsuccessful due to noncompliant bids and products; and

WHEREAS, due to time constraints, a quote was requested from BFG Supply Company to provide the rolling greenhouse production benches and the product has been determined to meet specifications and complies with budget limits; and

WHEREAS, funding in the amount of \$105,552.30 is available from 2024-25 CIP, Page 33, Greenhouse Relocation, BL134; and

WHEREAS, the City Manager and the Parks and Recreation Director recommend that the above-described procurement be exempted from the competitive bidding requirements for good cause shown, pursuant to Section 2-710(a) of the Des Moines Municipal Code; and

WHEREAS, said procurement may require an agreement between the City and BFG Supply Company with terms specific to the City's procurement, with said agreement to be negotiated by the City's Procurement Division if determined necessary.

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 rolling greenhouse production benches from the Procurement Ordinance competitive bidding requirements.
2. The purchase of rolling greenhouse production benches from BFG Supply Company for use by the Parks and Recreation Department, in the amount of \$105,552.30, is hereby approved.
3. To the extent determined necessary by the Legal Department and the Finance Director, the Parks and Recreation Department and Procurement Division are hereby authorized and directed to proceed with negotiation of a Short Form Agreement or similar agreement between the City and BFG Supply Company, and the Finance Director is authorized and

★ Roll Call Number

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directed to execute said Agreement on behalf of the City following approval as to form by the Legal Department.

(Council Communication No. 24- 174)

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 |
|----------------|------|------|------|--------|
| BOESEN | | | | |
| COLEMAN | | | | |
| GATTO | | | | |
| MANDELBAUM | | | | |
| SIMONSON | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |

MOTION CARRIED

APPROVED

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.

City Clerk