

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: September 27, 2010
	Agenda Item No. 36 Roll Call No. <u>10-1566</u> Communication No. <u>10-600</u> Submitted by: William G. Stowe, Assistant City Manager--Public Works Director

AGENDA HEADING:

Receive and file report from City Manager regarding payment to H & H Plumbing, Christopher N. Hansen, President, 32411 170th Street, Granger, IA 50109, for emergency sewer repairs at 5300 Douglas Avenue.

SYNOPSIS:

This Council Communication will serve as the report to Council required on this matter. An emergency purchase order was issued to H & H Plumbing for a City sewer repair at 5300 Douglas Avenue. H & H Plumbing had been hired by the homeowner to repair their private service line. During these repairs, it was determined that the City’s 20’ deep sewer main also required repairs. The cost for the repair was \$29,557. The City Manager authorized staff to proceed with the repair citing an Operating Emergency. Work began on the repair on September 22, 2010 at an authorized cost of \$29,557.

FISCAL IMPACT:

Amount: \$29,557

Funding Source: 2000-11 Operating Budget, Public Works, Sanitary Sewer Operations, EN101, PWK071000, page 261.

ADDITIONAL INFORMATION:

The resident at 5300 Douglas Avenue hired a plumber to make repairs to their sewer service line. The resident had to vacate their home because of the lack of available sewer until this repair could be made. Upon excavation, the plumber notified the Department of Public Works that the City’s sewer main also required repair, which was confirmed by Department of Public Works staff. The Department of Public Works requested a bid from H & H Plumbing to repair the City’s main.

The bid for the repair of the City’s sewer main was \$29,557. The contractor already had an open excavation and their equipment on-site. Since they were already on location and their bid appeared reasonable, staff recommended their use. The City of Des Moines’ Procurement Office reported that Purchasing Ordinance 2-709 (b) would permit acceptance of this bid, under “operating emergency” as follows:

Sec. 2-709. Public and operating emergencies

(b) In the event of an operating emergency, as determined by the city manager, the city manager may procure or may authorize in writing the procurement administrator or any department or any board or commission of the city to procure, in the open market without filing a requisition, purchase order, request for proposals or estimate therefore and without advertisement, any goods and/or services that could not have been reasonably foreseen or anticipated, for immediate delivery or furnishing to meet such operating emergency. A full written account of any such operating emergency, together with a requisition for the goods or services required therefore, shall be submitted immediately to the city manager and shall be open to public inspection for a period of at least one year subsequent to the date of the emergency purchases. If the amount so expended for such operating emergency exceeds \$25,000, the city manager, at the next immediate council meeting, shall formally communicate the emergency expenditure in a full written account to the city council. This exercise of the authority invested in the city manager in respect to purchases to meet such bona fide operating emergencies shall not be dependent upon the mayor governing the city by proclamation.

Based on the emergency nature of the needed repairs, and the fact that the resident had been displaced from their home because of lack of sewer service, the City Manager directed the Procurement Administrator to issue a purchase order for H & H Plumbing so that repairs could be made in a timely manner. The repair to the city sewer was begun on September 22, 2010.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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