

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	April 9, 2012
	Agenda Item No.	31
	Roll Call No.	<u>12-0535</u>
	Communication No.	<u>12-150</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approval of procurement procedures for title and abstracting services for the 2010 Hazard Mitigation Grant Program (HMGP) flood buyout.

SYNOPSIS:

Recommend approval of procurement procedures for title and abstracting services for the 2010 Hazard Mitigation Grant Program (HMGP) flood buyout. This action is required pursuant to Section 2-710(a) of the Municipal Code of the City of Des Moines before such services may be solicited and subsequently secured using the informal, competitive bid process.

FISCAL IMPACT:

Amount: Estimated at less than \$60,000, but not to exceed \$85,000

Funding Source: 75% Federal (FEMA), 25% State (CDBG funds from IEDA covering both the 10% State Match and 15% Local Match)

ADDITIONAL INFORMATION:

On December 19, 2011, by Roll Call No. 11-2117, the City Council approved and authorized execution of grant agreements with Iowa Homeland Security and Emergency Management Division (IHSEMD) and with Iowa Economic Development Authority (IEDA) for the 2010 HMGP Flood Buyout Project.

IHSEMD and IEDA require specific procurement procedures for all goods and services secured for the Project that must be approved by IHSEMD prior to City execution.

There are 61 residential properties to be acquired, with a Project completion deadline of December 7, 2014, for which title and abstracting services must be procured. The total cost of the title and abstract services may exceed the annual threshold of \$25,000, which would typically require a formal bidding process pursuant to Municipal Code Section 2-727. Using a formal procurement method is not in the best interest of the City as it is expected to cause an undue delay in the property acquisition process and increase the bid amounts received from the title and abstracting companies.

The Real Estate Division proposes to move forward through informal procurement of title and abstracting services by contacting three reputable title and abstract companies (Iowa Title Company, American Abstract Company, and Peoples Abstract Company) to secure bid proposals for each

individual property. The proposed method is preferred as it results in lower bids and a faster turn-around of service because all three companies may perform the work simultaneously. Additionally, the title companies have advised that a single bid for all 61 properties awarded to one sole company may be rejected in whole or the bid rates increased due to the fact that the volume of work would exceed the workload capacity of any one company.

The City Manager has recommended approval to proceed with a resolution to City Council that exempts the procurement of title and abstracting services from the formal, competitive bidding requirements for good cause, pursuant to Section 2-710(a) of the Municipal Code in order to keep this project on schedule.

PREVIOUS COUNCIL ACTION(S):

Date: December 19, 2011

Roll Call Number: 11-2117

Action: [Approving](#) and authorizing execution of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Agreements; approving and authorizing HMGP Administrative Plan; and authorizing voluntary acquisition of property for the FEMA 2010 Flood Mitigation Buyout Project. ([Council Communication No. 11-758](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 14, 2011

Roll Call Number: 11-0185

Action: [Authorization](#) to submit a Hazard Mitigation Grant Program (HMGP) Application and Public Assistance (PA) Grant Program Request to the Federal Emergency Management Agency (FEMA) for proposed voluntary Hazard Mitigation Acquisition Buyout and demolition projects in the Four Mile and other 100-year floodplain areas. ([Council Communication No. 11-087](#)) Moved by Coleman to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.