

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 23, 2013
	Agenda Item No.	32
	Roll Call No.	[_____]
	Communication No.	<u>13-620</u>
	Submitted by:	Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Approving renewal and amendment of maintenance agreement between the City of Des Moines and the Greater Des Moines Baseball Company (Iowa Cubs) to maintain various athletic fields.

SYNOPSIS:

Approving the renewal of the maintenance agreement between the City and the Iowa Cubs for the period January 1, 2014 through December 31, 2018, and a contract amendment that includes the following changes: 1) a 1% annual increase in the not-to-exceed amount for compensation of actual labor and supply costs; 2) an annual equipment allowance of \$40,000; 3) the right to charge non-City tournament operators for expenses related to extra services requested during tournaments; 4) and various language changes and clarifications.

FISCAL IMPACT:

Amount: \$5,100 or 1% increase in the current \$509,896 cost of maintenance in the first calendar year of the renewed contract, with additional 1% increases in the not-to-exceed amount annually throughout the term of the agreement;

\$40,000 annual expense for an equipment allowance, which will be offset by savings realized in the elimination of the ongoing annual cost to maintain and replace mechanical equipment, which the Finance Department estimates to be \$52,500.

Funding Source: FY2014 Operating Budget, Park and Recreation Department, GE001 PKS104000 (Soccer Complex Operations) page 186, GE001 PKS104100 (James W. Cownie Baseball Park) page 187, GE001 PKS070700 (Sports Turf Maintenance) page 174

ADDITIONAL INFORMATION:

On March 20, 2006, by Roll Call No. 06-0568, the City Council entered into a three (3) year maintenance agreement with the Iowa Cubs to provide custodial and horticultural care of the James W. Cownie Soccer Park, located at 2600 Hartford Avenue. On November 20, 2006, by Roll Call No. 06-2313, the City Council approved an amendment to the original maintenance agreement to add the James W. Cownie Baseball Park, located at 2050 SE 22nd Street.

Given the exceptional care and resulting condition of the athletic fields provided by the Iowa Cubs, on February 9, 2009, by Roll Call No. 09-0152, the Des Moines City Council approved a five (5) year

maintenance agreement with the Iowa Cubs, with an option for one (1) additional five (5) year renewal, to provide custodial and horticultural care to the Cownie soccer and baseball parks as well as various athletic fields, including the Greater Des Moines Softball Complex located at 4980 NE 46th Street. The term of this agreement expires on December 31, 2013; the renewal term is for the period January 1, 2014 through December 31, 2018.

The proposed amendment to the agreement includes:

- A 1% increase from the current not-to-exceed amount for compensation of actual labor and supply costs, with an additional 1% being added to the cap annually thereafter, which is a continuation of the present provision for annual increases; however new cap amounts have been added to accommodate the next five (5) year term;
- Addition of a \$40,000 annual equipment allowance to be paid by the City in lieu of the responsibility of maintaining and replacing mechanical equipment such as mowers, utility vehicles, a sod cutter, top dresser, drag, etc., which currently rests with the City.
 - It is difficult to forecast the financial impact resulting from this change; however, the Finance Department estimates that over the course of the past five (5) years, the expense to maintain or replace equipment, as is currently required by the agreement, has averaged \$52,500 annually. The City will therefore likely realize a net annual savings of \$12,500.
 - The amendment outlines details of the Iowa Cubs' purchase of some of the City-owned equipment now being provided to the contractor under the terms of the original agreement; the remainder of the equipment will be reassigned within the Park and Recreation Department or sold at public auction.
- Authorization for the Iowa Cubs to pass along to non-City tournament operators those extra expenses that are above and beyond what is included under the City's facility use agreements but is requested as extra services to be provided during tournaments.
 - This arrangement ensures that the City's contract payment to the Iowa Cubs underwrites only those expenses incurred for City-sponsored events.
- Minor changes in details of the contract regarding athletic fields named under the contract and clarification of maintenance duties.

Following is a breakdown of the first-year expense of the contract:

- Overall cost - \$559,996
- James W. Cownie Soccer Park - \$287,753
- Sports Fields - \$209,437
- James W. Cownie Baseball Park - \$62,806; \$60,000 of this amount will be offset annually by revenue from a lease agreement with the South Des Moines Little League for use of the park, as long as that lease is in effect. The remaining \$2,806 reflects the 1% annual increases outlined in the agreement.

PREVIOUS COUNCIL ACTION(S):

Date: November 18, 2013

Roll Call Number: [13-1816](#)

Action: [Donation](#) Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for donation of irrigation system at Greater Des Moines Softball Park. ([Council Communication No. 13-560](#)) Moved by Coleman to adopt. Motion Carried 6-0.

Date: February 9, 2009

Roll Call Number: [09-0152](#)

Action: [Maintenance](#) Agreement with Greater Des Moines Baseball Company (Iowa Cubs) to maintain various athletic fields. ([Council Communication No. 09-053](#)) Moved by Coleman to adopt. Motion Carried 7-0.

Date: November 20, 2006

Roll Call Number: [06-2313](#)

Action: [Addendum](#) to three-year Maintenance Agreement with Greater Des Moines Baseball Co. (GDMBC) to add the maintenance responsibilities of James W. Cownie Baseball Park. ([Council Communication No. 06-740](#)) Moved by Coleman to adopt. Motion Carried 6-0.

Date: March 20, 2006

Roll Call Number: [06-0568](#)

Action: [Maintenance](#) Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for custodial care and horticultural maintenance at James W. Cownie Soccer Park, not to exceed \$275,000 per year. ([Council Communication No. 06-147](#)) Moved by Hensley to adopt. Motion carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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