

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 26, 2017
	Agenda Item No. 10 Roll Call No. <u>17-1038</u> Communication No. <u>17-512</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Approving the 2017 revisions to the Contract Compliance Program.

SYNOPSIS:

Recommend approval of the revisions to the 2017 Contract Compliance Program, to conform with Senate File 438.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On April 13, 2017, the State of Iowa governor signed SF 438, effective immediately, relating to bidding and contracting for public improvement projects that specifically changed bidding statute, and limits what can be required from potential bidders, from the apparent lowest responsive bidder, and prohibits the prequalification of bidders. SF 438 impacts what the City can require from potential bidders, from the apparent lowest responsive bidder and prohibits the prequalification of bidders.
- On May 22, 2017, under Roll Call Number No. 17-0897, the Des Moines City Council approved the 2017 Revisions to the Des Moines Construction Bidding Requirements and suspension of City of Des Moines Taxpayer Quality Assurance Policy; and directed the Engineering and Legal Departments to review the changes necessary to the Contract Compliance Program to make it compliant with Senate File 438, and provide those changes to Council for action when review is complete. Upon review of the Contract Compliance Program by the Engineering and Legal Departments, for City contracts the City will no longer require the contractor to contact a Disadvantaged Business Enterprise (DBE) and/or Targeted Small Business (TSB) subcontractors or suppliers, or submit and certify such contact with submission of the bid documents.

PREVIOUS COUNCIL ACTION(S):

Date: May 22, 2017

Roll Call Number: [17-0897](#)

Action: [2017](#) revisions to the Des Moines Construction Bidding Requirements, revisions to the Contract Compliance Program and suspension of the City of Des Moines Taxpayer Quality Assurance Policy. ([Council Communication No. 17-438](#)) Moved by Gatto to adopt. Motion Carried 4-3. Nays: Cownie, Hensley and Moore.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Implement, administer and process revisions in the bidding requirements and documents to affect the necessary changes as required by and to comply with Senate File 438.

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