

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: August 20, 2018
	Agenda Item No. 42 Roll Call No. <u>18-1435</u> Communication No. <u>18-434</u> Submitted by: Steven L. Naber, P.E., City Engineer, and Bob Fagen, Finance Director

AGENDA HEADING:

Amending Sections 2-718, 2-726(h), and 2-738(b) of the Municipal Code relating to correction of a scrivener’s error, annual structure demolition agreements, and communication with City officials and staff during pendency of a Request for Proposal (RFP).

SYNOPSIS:

This action amends Section 2-718 by correcting a scrivener’s error in Section 2-718(b)(1)(a) and amending Section 2-726(h) by referencing new section 2-718(b), which authorizes the City Manager to enter into annual demolition contracts for demolition projects where the estimated cost to demolish each project does not exceed \$100,000 or each project has a total estimated cost equal to or less than the competitive bid threshold as established in Iowa Code Section 314.1B. Section 2-738(b) is amended to clarify how City officials and staff will be notified of pending RFP’s and that proposers are not prohibited from communication with Council members at City Council meetings after issuance of the Notice of Intent to Award.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On December 4, 2017, by Roll Call No. 17-2083, there was final consideration and City Council passage of the revised Procurement Ordinance. The revisions only allowed procurement of services up to an amount not exceeding \$50,000. Iowa Code Section 26.15 allows an exception from the Chapter 26 Public Construction building requirements by allowing annual structure demolition contracts for projects having a total estimated cost of up to \$100,000, or where each project has a total estimated cost equal to or less than the competitive bid threshold as established in Iowa Code Section 314.1B. The competitive bid threshold is currently \$135,000. The language in the ordinance is consistent with the language in State law. The reference to the threshold as established in Iowa Code Section 314.1B allows fluctuation as the amount is determined annually by the Vertical Infrastructure Bid Threshold Subcommittee. Given the increasing number of demolition projects the City is and will be processing, particularly with the flood buyout properties, staff recommends amending Municipal Code section 2-726 to allow use of this process for projects up to the \$100,000 or Section 314B.1 threshold amount estimated cost.

- An error was made in Section 2-718(b)(1)(a) which references a prior Procurement Code section rather than the section under the current Procurement Ordinance. This amendment corrects that reference.
- Section 2-726(h) is amended to clarify that use of the annual structure demolition process pursuant to new Section 2-718(b) is excepted from the Procurement ordinance competitive bid or RFP process.

PREVIOUS COUNCIL ACTION(S):

Date: December 4, 2017

Roll Call Number: [17-2082](#) and [17-2083](#)

Action: [Amending](#) Chapter 2 of the Municipal Code regarding procurement. Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,629](#). Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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