

.....
Date..... December 21, 2009

TERMINATING MOWING AND TRIMMING CONTRACT AND APPROVING NEW CONTRACT WITH A+ LAWN AND LANDSCAPING FOR 2 YEARS WITH 3 ONE YEAR RENEWALS AND AUTHORIZING THE CITY MANAGER TO SIGN FUTURE RENEWALS AND TO TERMINATE SAID NEW CONTRACT BASED ON FAILURE TO MEET PERFORMANCE STANDARDS

WHEREAS, the Park and Recreation Department is charged with providing mowing and trimming maintenance for park, open spaces and boulevards and has sought to reduce costs of the department by the outsourcing of the mowing and providing mowing and trimming maintenance for such public grounds, in response to the City Council request to reduce costs; and

WHEREAS, on December 8, 2008 by Roll Call No. 08-2158 the City Council approved the issuance of a Request for Proposals for such mowing and trimming services; and

WHEREAS, on December 9, 2008, a Request for Proposals ("RFP") for mowing and trimming services was issued by the Procurement Division of the Finance Department; and

WHEREAS, the Procurement Agent solicited proposals by advertising and mailing RFP V09-56 to nineteen (19) potential proposers with nine (9) proposals received; and

WHEREAS, on February 9, 2009, the City Council approved proposals from various service providers for the provision of mowing and trimming maintenance services for park, open spaces and boulevards and authorized the City Manager to negotiate and execute contracts for the same; and

WHEREAS, on March 2, 2009, the contract for professional turf mowing and trimming services for the City's parks, open spaces and right of ways was entered into by the City and Contractor ("the March 2, 2009 Contract");

WHEREAS, the Park and Recreation Department has negotiated a new contract with A+ Lawn and Landscaping whereby the Contractor will now provide all the equipment and fuel for said equipment; and

WHEREAS, the City will now pay \$25.00 per acre and \$25.00 per mowing site for areas less than one acre; and

WHEREAS, other changes involving improved communication and performance review have been added to the contract language; and

WHEREAS, the new Contract shall be for a period of two years with three one-year renewal options.

Date December 21, 2009

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that:

1. The March 2, 2009 Contract is hereby terminated and the above described Contract with A+ Lawn and Landscaping for mowing and trimming services is hereby accepted and approved and the Mayor is authorized to execute such agreement on behalf of the City and the City Clerk is directed to attest to his signature
2. The City Manager is hereby authorized to execute any renewal of such agreement if deemed to be in the best interests of the City and to terminate said contract for failure to meet the performance standards.

(Communication No. 09-875)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____ Mayor | | | | |

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk