

Date April 20, 2015

RESOLUTION APPROVING FORM AND AUTHORIZING EXECUTION OF A
LEASE AGREEMENT BETWEEN THE CITY OF DES MOINES AND
HAWKINS, INC. FOR THE RENTAL OF FIVE SWIMMING POOL LIQUID CHLORINE SYSTEMS
FOR A THREE YEAR PERIOD IN AN AMOUNT NOT TO EXCEED \$10,000 ANNUALLY AND
AUTHORIZING CITY MANAGER TO EXECUTE SAME.

WHEREAS, the Park and Recreation Department requested the Procurement Division to solicit bids for up to a three (3) year lease, with annual renewals after the first year, at the option of the City, for five pool liquid chlorine systems to be used by the Park and Recreation Department to be installed at the municipal swimming pools of: Ashworth Memorial Swimming Pool, Birdland Swimming Pool, Nahas Family Aquatic Center, Northwest Family Aquatic Center, and Teachout Family Aquatic Center; and

WHEREAS, the Procurement Division solicited bids by advertisement and mailing Invitation to Bid V15-096 to four (4) potential bidders with two (2) bids received; and

WHEREAS, the low dollar compliant bid was received from Hawkins Inc., d/b/a Hawkins Water Treatment Group, at a cost of \$1.48 per gallon of liquid chlorine, with annual payments not to exceed \$10,000.00 and said bid allows for an initial term of one year with up to two 1 year renewals at the option of the City; and

WHEREAS, funding is available from Aquatics G001 PK 201261; and

WHEREAS, the Procurement Administrator concurs with the recommendation from the Park and Recreation Department to award the low compliant bid; and

WHEREAS, the City of Des Moines, Iowa is in need of renting five pool liquid chlorine systems to be used by the Park and Recreation Department to be installed at the municipal swimming pools of: Ashworth Memorial Swimming Pool, Birdland Swimming Pool, Nahas Family Aquatic Center, Northwest Family Aquatic Center, and Teachout Family Aquatic Center, and it is deemed necessary and advisable that a lease agreement in the principal amount of not to exceed \$10,000 annually for a period of up to three years be entered into for such purpose; and

WHEREAS, pursuant to notice published as required by Sections 364.4 and 384. 25 of the Iowa Code, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of the lease for such purpose, and the City Council is therefore now authorized to proceed with the authorization of said lease; and

WHEREAS, the City will agree in the lease to pay \$1.48 per gallon of liquid chlorine, resulting in total rental payments of not to exceed \$10,000.00 per year for up to three (3) years as set forth in the lease; and

WHEREAS, this Council has determined that the term of the lease does not exceed the economic life of the property being acquired pursuant thereto; and

Date April 20, 2015

WHEREAS, all payments of rent due under the lease shall be paid solely and only out of the General Fund; and

WHEREAS, there has been presented to this meeting the form of lease which the City proposes to enter into; and

WHEREAS, it appears that such instrument is in appropriate form and is an appropriate instrument for the purposes intended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

Section 1. Bid Award. The Des Moines City Council hereby accepts and awards the low compliant bid to Hawkins Inc. to pay up to \$10,000.00 payments per year for up to three (3) years in the annual principal sum of not to exceed \$10,000.00, for an initial term of one year with up to two 1 year renewals at the option of the City, resulting in total annual rental payments of not to exceed \$30,000.00 for a three (3) year rental period as set forth in the lease.

Section 2. Authority and Purpose. The lease authorized by this resolution shall be issued pursuant to Sections 364.4 and 384.25 of the Code of Iowa, and in compliance with all applicable provisions of the Constitution and laws of the State of Iowa. The lease is hereby authorized to be issued in the amount of \$10,000.00 annually for up to three (3) years, for an initial term of one year with up to two 1 year renewals at the option of the City for the purpose of paying the costs of renting the five swimming pool chlorine systems thereunder.

Section 3. Source of Payment. Rental payments due under the lease shall be payable solely and only out of the General Fund resulting in total annual rental payments of \$10,000 or \$30,000.00 for a three (3) year term.

Section 4. Execution of Lease and Renewals. The Procurement Administrator is hereby authorized and directed to sign the lease agreement and to execute any renewals thereof, subject to approval as to form by the Legal Department, on behalf of the City, evidencing the City's obligations for rental payments as set forth herein, and to take all action necessary to permit the completion of the lease, and any renewal options thereof.

★ Roll Call Number

Agenda Item Number

38A

Date April 20, 2015

Moved by _____ to Adopt

(Council Communication No. 15-203)

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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