

Date March 21, 2016

**REVIEW OF CITY HALL IMPROVEMENTS PROJECT IN ACCORDANCE WITH
THE TAXPAYER QUALITY ASSURANCE POLICY**

WHEREAS, Iowa Code 26.9 requires that contracts for public improvements be awarded to the “lowest responsive, responsible bidder” and Iowa court decisions allow public entities to consider factors other than price in determining who is the lowest responsible bidder; and

WHEREAS, the Des Moines City Council in recognition of this and that Vertical Infrastructure Projects are designed for human occupancy and construction of these projects can be complex and difficult, adopted a policy entitled “City of Des Moines Taxpayer Quality Assurance Policy” on September 8, 2014 by Roll Call No. 14-1417, for evaluating the necessity for additional information from bidders to assist in determining the lowest responsible bidder on Vertical Infrastructure Projects; and

WHEREAS, the Des Moines City Council revised the “City of Des Moines Taxpayer Quality Assurance Policy” on March 7, 2016 by Roll Call No. 16-0416, to require the Policy to apply to Vertical Infrastructure Projects that have or will require a certificate of occupancy, at one Council meeting prior to consideration of the Ordering of Construction for a qualifying Vertical Infrastructure project Council will consider and determine the process and whether the Policy will apply, modify subcontractor requirement to allow notification if a subcontractor is under current investigation, and the questionnaire will be submitted with the bid rather than two weeks prior to the deadline for accepting bids; and

WHEREAS, the City Hall Improvement project is a Vertical Infrastructure Project as defined under the Taxpayer Quality Assurance Policy; and

WHEREAS, the City Engineering Department, in accordance with the Taxpayer Quality Assurance Policy, is submitting the City Hall Improvement Project to Council for Council review; and

WHEREAS, the City Council, in accordance with the Policy, shall determine whether the City Hall Improvement Project, as further described in the Council Communication attached to this Roll Call, is of such magnitude, scope or complexity that Council determines it necessary to request bidders to complete the General Contractor Quality Assurance Questionnaire and whether to include the Subcontractor Quality Assurance Bid Requirements on the Project.

NOW THEREFORE, BE IT RESOLVED BY THE DES MOINES CITY COUNCIL as follows:
After reviewing and analyzing the City Hall Improvement Project the City Council has determined:

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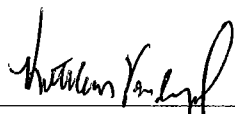
ALTERNATIVE RESOLUTIONS

- A. That the bidders **WILL NOT BE** required to complete the General Contractor Quality Assurance Questionnaire and the **Subcontractor Quality Assurance Bid Requirements WILL NOT BE** required on the City Hall Improvement Project.
- B. That the City Hall Improvement Project is of such a magnitude, scope or complexity that the bidders **WILL BE** required to complete the General Contractor Quality Assurance Questionnaire; however, the **Subcontractor Quality Assurance Bid Requirements WILL NOT BE** required.
- C. That the City Hall Improvement Project is of such a magnitude, scope or complexity that the bidders **WILL BE** required to complete the General Contractor Quality Assurance Questionnaire; **AND** the use of the **Subcontractor Quality Assurance Bid Requirements WILL BE** required on the City Hall Improvement Project.

(Council Communication No. 16-152)

Moved by _____ to adopt alternative _____, above.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

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.

Mayor

City Clerk