



Date April 3, 2017

**APPROVING ADDENDUM TO AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE INGERSOLL GRAND SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT AND AMENDING THE BUDGET FOR THE INGERSOLL-GRAND SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT**

WHEREAS, on December 21, 2015, the city of Des Moines Iowa entered into an agreement (the "Operating Agreement") with the Ingersoll Grand Self-Supported Municipal Improvement District, an Iowa not-for profit corporation (the "Operator"); and,

WHEREAS, the Operator desires to facilitate work on the Ingersoll Streetscapes project; and,

WHEREAS, the City is willing to provide financial support for the Operator to obtain certain engineering and architectural services; and,

WHEREAS, the Operator and the City have negotiated an addendum to the Operating Agreement to allow Operator to obtain planning and design services and provide for payments from the Ingersoll Grand Self-Supported Municipal Improvement District (the "SSMID"); and,

WHEREAS, the Agreement provides for procurement of engineering and architectural services that the City Engineer recommends be exempt from the provisions of Des Moines Municipal Code section 2-746 regarding procurement of goods and services because the engineering and design services will be provided by the firm that has already provided the same services for the Ingersoll Streetscapes project in the past.

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

1. The City Council finds that the use of funds to design the Ingersoll Streetscapes Project furthers the objectives of the Urban Renewal Plan to provide a safe, attractive environment for residents with complementary uses and services that enhance the residential development and provide employment opportunities for local residents in the Ingersoll Grand Commercial Area and create an environment which will protect the health, safety and general welfare of City residents.

2. The budget approved for the SSMID is hereby amended to conform to the Agreement.

3. The City Council, exempts this negotiated contract for professional engineering and architectural services from the engineering department's RFP process and the advertising requirement of Des Moines Code pursuant to Des Moines Municipal Code section 2-746 (b)(2)



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because it the company involved has completed the prior design work for the Ingersoll Streetscapes Project.

4. The Agreement negotiated with the Operator and attached to this resolution is approved. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines.

5. The City Manager or designee is authorized to make payments on behalf of the Ingersoll Grand Self-Supported Municipal Improvement District from the account identified in the attached Council Communication as required under the Agreement.

6. The City Manager or designee is authorized to make payments from Economic Development Enterprise Account identified in the attached Council Communication as required under the Agreement. The payments made pursuant to this paragraph will be reimbursed from the Ingersoll Grand TIF account identified in the attached Council Communication.

(Council Communication. No. 17-341)

MOVED BY \_\_\_\_\_ to adopt.

FORM APPROVED:

Thomas G. Fisher Jr.

Assistant City Attorney

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