

Date..... January 14, 2019

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE
COMPETITIVE BID PROCESS FOR GOOD CAUSE AND APPROVING AN
AGREEMENT WITH TREES FOREVER, INC.
FOR PLANTING AND WATERING OF TREES
AND AUTHORIZING CITY MANAGER TO EXECUTE SAME**

WHEREAS, in 2010 the City established a City Tree Replacement Fund (“CTRF”); and

WHEREAS, Trees Forever, Inc. is a nonprofit organization with a mission to plant and care for trees and the environment by empowering people, building community, and promoting stewardship; and

WHEREAS, Trees Forever, Inc. plans to invest in their new program, Growing Futures, to employ and develop young people through the planting and care of trees; and

WHEREAS, over the past 30 years Trees Forever, Inc. has assisted the City’s Public Works Department Forestry Division to plant trees within the City, which has resulted in the planting of 9,500 new trees on public property with the goal of aiding the mitigation of stormwater runoff and improved air quality, and Trees Forever, Inc. has contributed 36,000 volunteer hours by 6,366 volunteers, with a combined estimated value of \$2,300,000; and

WHEREAS, since 2012, Trees Forever, Inc. and City have worked together to train 200 citizens as Volunteer TreeKeepers; and

WHEREAS, the Public Works Department desires to engage Trees Forever, Inc. to provide the services of purchasing, planting, watering and maintaining a minimum goal of at least 533 trees per year on City owned property and have negotiated a 5 year agreement in which the City will provide CTRF funds annually to Trees Forever, Inc. for the purchase and planting of trees at \$275 per tree and to water those trees planted annually at \$5.00 per tree up to 20 times in the planting year, a copy of which is on file in the city Clerk’s Office; and

WHEREAS, under said Agreement Trees Forever, Inc. shall use its best efforts to raise funds to supplement the City’s funding for tree planting and will fund and purchase a minimum of ten per cent more trees than the amount of City CTRF funds provided to Tree Keepers, Inc. during years 2-5 of the Agreement; and

WHEREAS, the City Manager recommends that the procurement of such services be exempted from the competitive bid process for good cause shown, pursuant to Section 2-710(a) of the Municipal Code of the City of Des Moines.

Date January 14, 2019

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

1. That good cause has been shown to exempt the procurement of the above described tree services from the Procurement Ordinance competitive procurement requirements.
2. That the above described Agreement for Tree Planting Services Between the City of Des Moines, Iowa, and Trees, Forever, Inc., a copy of which is on file in the City Clerk's Office, is hereby approved and the City Manager is authorized and directed to execute the Agreement on behalf of Des Moines and the City Clerk is authorized to attest to his signature.
3. That the City Manager is authorized to negotiate and execute on behalf of the City a change in unit tree pricing in years 2-5, if there are fluctuations of unit tree pricing by a minimum of plus or minus 5% in a calendar year., if the City Manager deems such price adjustment to be in the best interests of the City.

(Council Communication No. 19- 023) Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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