



Date September 12, 2022

**RESOLUTION APPROVING PROCUREMENT OF FIRE EXTRICATION ENGINE APPARATUS FROM THE SUTPHEN CORPORATION AND APPROVING USE OF H-GAC COOPERATIVE AGREEMENT FS12-19, AND AUTHORIZING NEGOTIATION AND EXECUTION OF SUPPLEMENTAL AGREEMENT WITH SUTPHEN CORPORATION**

**WHEREAS**, the Fire Department has requested the Finance Department’s Procurement Division to issue a purchase order for three fire extrication engine apparatus for a total cost of \$2,709,321.96: and

**WHEREAS**, the Procurement Administrator has determined that the fire extrication engine apparatus have been competitively bid and are available from The Sutphen Corporation., 6450 Eiterman Rd, Dublin, OH 43016 (Drew Sutphen, President), pursuant to Houston-Galveston Area Council (H-GAC) cooperative purchase contract FS12-19 with The Sutphen Corporation; and

**WHEREAS**, Des Moines Municipal Code Section 2-726(m) authorizes the procurement of goods and/or services from contracts that have been competitively established through cooperative group contracting consortiums for state government departments, institutions, agencies and political subdivisions, such as the Houston-Galveston Area Council (H-GAC), without conforming to the competitive bidding requirements of the Procurement Ordinance; and

**WHEREAS**, the three fire extrication engine apparatus are proposed to be purchased for use by the Fire Department from The Sutphen Corporation, for the amount of \$2,709,321.96; and

**WHEREAS**, funding for the above-described purchase of goods is available from Fiscal Year 2023 Adopted CIP, Page Fire 7, Equipment Acquisition – Fire Department (FY24), FR013 C041FD– Equipment Acquisition – Fire Department, Being: G.O. Bonds to be issued; and

**WHEREAS**, said procurement may require a Short Form Agreement between the City and The Sutphen Corporation to supplement H-GAC contract FS12-19 with terms specific to the City’s procurement, with said agreement to be negotiated by the City’s Finance and Fire Departments.

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

1. The purchase of three fire extrication engine apparatus from The Sutphen Corporation., in the total amount of \$2,709,321.96 and per the general terms and pricing of the Houston Galveston Area Council (HGAC) purchasing contract number FS12-19 with The Sutphen Corporation is hereby approved.
2. To the extent determined necessary by the Legal Department and the Finance Department, the Finance and Fire Departments are hereby authorized and directed to proceed with negotiation of a Short Form Agreement or similar agreement between the City and The Sutphen Corporation, supplementing H-GAC contract FS12-19, and the City Manager is authorized and directed to execute said Agreement on behalf of the City following approval as to form by the Legal Department.



**Roll Call Number**

**Agenda Item Number**

64J

**Date** September 12, 2022

(Council Communication No. 22-402)

Moved by \_\_\_\_\_ to adopt.

Second by \_\_\_\_\_.

APPROVED AS TO FORM:

/s/ Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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