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Date..... October 23, 2023.....

APPROVING FIRST AMENDMENT TO MAINTENANCE AGREEMENT WITH IOWA SPORTS TURF MANAGEMENT, INC. TO MAINTAIN VARIOUS ATHLETIC FIELDS

WHEREAS, the Des Moines Parks and Recreation Department is charged with providing recreational and athletic opportunities to the residents of Des Moines and owns and operates various athletic sport venues; and

WHEREAS, Iowa Sports Turf Management, Inc. is recognized as being an expert in horticultural field maintenance and has expressed a desire to provide custodial care and horticultural maintenance at City athletic fields; and

WHEREAS, on February 9, 2009, by Roll Call No. 09-152, the City Council approved a Maintenance Agreement with (Greater Des Moines Baseball Co.) GDMBC for a period of five years with one 5-year renewal for the James W. Cownie Soccer and Baseball Parks and various other athletic fields; and

WHEREAS, on April 9, 2018, by Roll Call No. 18-0585, the City Council approved a subsequent Maintenance Agreement which terminated the City’s above-described agreement with GDMBC and extended the agreement with Iowa Cubs Sports Turf Management, Inc. until December 31, 2022 with an option for one additional 5-year renewal; and

WHEREAS, on May 9, 2022, by Roll Call No. 22-0720, the City Council approved a Maintenance Agreement with Iowa Sports Turf Management, Inc. (“Contractor”) for maintenance duties at the James W. Cownie Soccer and Baseball Parks, various sports fields, and the George Davis Softball Park, for an initial term from May 10, 2022 until December 31, 2026, with an option for one additional 5-year renewal with mutual agreement of the parties, and further approved said Agreement and procurement of services to be exempted from the request for proposals and bidding processes for good cause shown as recommended and approved by the City Manager in accordance with Des Moines Municipal Code Section 2-710(b); and

WHEREAS, the Parks and Recreation Department now wishes to add installation of drainage tile system for Baseball Fields 7 and 8 in the Cownie Sports Park to said Maintenance Agreement and the Contractor is willing to provide said services at a total cost not-to-exceed \$68,922.00, and to further add the option of subsequent additions to the scope of work that are substantially similar to the existing scope of said Maintenance Agreement subject to approval by the City through its Parks and Recreation Department Director or City Council, as applicable pursuant to the City’s Procurement Ordinance; and

WHEREAS, the Department and Contractor have negotiated the terms of said procurement in a First Amendment to the Maintenance Agreement, in form on file in the office of the City Clerk.

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

1. The First Amendment to the Maintenance Agreement by and between the City and Iowa Sports Turf Management, Inc. in form on file in the City Clerk’s Office, is hereby approved; the Mayor is hereby authorized and directed to sign said agreement on behalf of the City; and the City Clerk is hereby directed to attest to said signature.

★ **Roll Call Number**

Agenda Item Number

45

Date October 23, 2023

- 2. The procurement of the additional above-described services, as further described in the Maintenance Agreement, in the amount of \$68,922.00 is hereby approved.
- 3. The Parks and Recreation Department Director or designee are hereby authorized and directed to administer and monitor compliance with the Maintenance Agreement on behalf of the City, including the approval of additions to the scope of work of the Maintenance Agreement that are substantially similar to the existing scope when allowed by the Procurement Ordinance.
- 4. The City Manager is authorized to consider approval of and execute the renewal option on behalf of the City, insofar as costs of said renewal option are consistent with and do not exceed the annual cost increases provided for by the Maintenance Agreement.

(Council Communication No. 23-476)

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				
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