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Date July 15, 2024.....

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE
COMPETITIVE BIDDING REQUIREMENT AND APPROVING RENEWAL
AMENDMENT BY AND BETWEEN THE CITY OF DES MOINES, IOWA, AND THE
DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT FOR SHARING
THE COST OF THE SCHOOL CROSSING GUARD PROGRAM**

WHEREAS, the City desires to reimburse the Des Moines Independent Community School District for half the cost of operating a school crossing guard program at high traffic locations near the school buildings to allow for the safe passage of students and staff to and from school; and

WHEREAS, on May 22, 2023, Roll Call #23-0756 approved the reimbursement of crossing guard services for a total not-to-exceed cost of \$230,000.00 per year with a yearly 5% cap to be paid to the Des Moines Independent Community School District and accepted and adopted the Cost Sharing Agreement; and

WHEREAS, Renewal #1 was done on September 19, 2023 for the period of July 1, 2023 through June 30, 2024; and

WHEREAS, the City of Des Moines wishes to utilize the same contract for the same purpose that City staff negotiated with the Des Moines Independent Community School District, and amend for a one-year additional term with an option to renew annually, and increasing the amount to be paid by the City to \$330,129.00; and

WHEREAS, Municipal Code section 2-726(b)(19) provides that the procurement administrator is hereby expressly authorized to procure from any federal, state, county or local government unit or agency thereof, without conforming to the competitive bidding requirements of this division, such goods and/or services as are authorized by the city manager, provided that the city manager determines and declares in writing that such goods and/or services were competitively procured by such unit or agency pursuant to competitive procurement procedures substantially equivalent to those set forth in this division, and can be procured without mark-up from such other federal, state, county, or local government unit or agency; and

WHEREAS, the City Manager supports this service being procured and finds that such services were competitively procured by the District pursuant to competitive procurement procedures substantially equivalent to those set forth in Des Moines Municipal Code; and

WHEREAS, funding is available from City of Des Moines Adopted Operating Budget FY2025, page 200; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DES MOINES, IOWA CITY COUNCIL that:



Date July 15, 2024

1. The City Council approves the reimbursement of crossing guard services for a total not-to-exceed cost of \$330,129.00 per year with a yearly 5% increase cap to be paid to Des Moines Independent Community School District; and
2. The Amendment #2 to Renew Cost Sharing Agreement between the City and the Des Moines Independent Community School District is hereby accepted and adopted with the City Manager authorized to execute and directed to execute such Amendment to the Agreement with the School District, and the City Manager is authorized and directed at his discretion to execute yearly extensions on behalf of the City following approval as to form by the Legal Department with yearly increases not to exceed 5%.

(Council Communication No. 24- 296)

Moved by _____ to adopt.

Second by _____.

APPROVED AS TO FORM:

/s/Megan Norberg

Megan Norberg

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk