

★ Roll Call Number  
..... 09-2067 .....

Agenda Item Number  
..... 56B .....

Date ..... November 9, 2009 .....

OVERRULING FINANCE DIRECTOR'S DECISION ON APPEAL OF BID AWARD  
RECOMMENDATION FOR IMPOUND TOWING AND STORAGE CONTRACT AND  
APPROVING AWARD OF CONTRACT TO CROW'S AUTO SERVICE, INC.

WHEREAS, the Police Department requested the Finance Department Procurement Division to solicit bids for an agreement to furnish impounded vehicle towing and storage services for District 1 (West side) and District 2 (East side); and

WHEREAS, Municipal Code section 2-737 limits contracts for the provision of goods and/or services to an initial term of one year with two (2) one year renewal options, with a longer initial term and renewal term if deemed to be in the best interests of the city by the city council ; and

WHEREAS, the Police Department requested the impounded vehicle towing and storage contract to be an initial term of thirty-six months with two (2) one year renewal options and advises that the longer contract term is in the best interests of the city; and

WHEREAS, the Procurement Division solicited bids by advertisement and mailing Invitation to Bid V10-027 to ten (10) potential bidders with four (4) bids received; and

WHEREAS, the Procurement Administrator determined that the low dollar compliant bid for District 1 and District 2 was received from Crow's Auto Services, Inc., based on a first tow bid charge of \$39.90; and

WHEREAS, an appeal was received from G & S Service, Inc., 4100 E 16<sup>th</sup> Street, Des Moines, IA 50313 (Glen Mikel/Owner), from the Procurement Administrator's determination of the low dollar compliant bid ("the G & S Appeal"); and

WHEREAS, such G & S Appeal was considered by the Finance Director and his decision determined that the bid from G & S Service, Inc., based on a first tow charge, including wrecker, of \$20.00, was the low dollar compliant bid for District 1 and District 2, as described in the attached written decision; and

WHEREAS, such decision to recommend award of the contract to G & S Service, Inc. is the recommendation of the Procurement Division; and

WHEREAS, an appeal was received from Crow's Auto Service, Inc , 826 SE 21st Street, Des Moines, IA 50317 (Randy Crow/Owner), from the Finance Director's decision to recommend award of such contract to G & S Service, Inc. ("the Crow Tow Appeal"); and

WHEREAS, pursuant to the terms of the bid, an appeal of the Finance Director's decision is to the City Council on the date of Council action to consider award of the contract; and

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WHEREAS, funding is available from POL040400/Property Management at an annual estimated cost of \$41,000.00; and

WHEREAS, the Council has considered the comments and written materials presented regarding the Crow Tow Appeal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the City Council hereby overrules the decision of the Finance Director that the compliant low bid for District 1 and District 2 was received from G & S Service, Inc.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby accepts and approves the low compliant bid for impounded vehicle towing and storage services for District 1 and District 2 by Crow's Auto Service, Inc., and further authorizes the Procurement Administrator to enter into a thirty-six month agreement, plus renewals for two (2) additional twelve (12) month periods, at annual estimated cost of \$650,474.70.

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

Approved as to form:

*Ann DiDonato*

Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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