



Roll Call Number

14-1894

Agenda Item Number

62A

Date December 8, 2014

RESOLUTION APPROVING FORM AND AUTHORIZING EXECUTION OF THE  
MASTER RENTAL AGREEMENT AND RELATED DOCUMENTS BETWEEN THE  
CITY OF DES MOINES AND NEW WAY FLEETFORCE, LLC  
A SUBSIDIARY OF SCRANTON MANUFACTURING CO., INC.  
FOR THE RENTAL OF ONE REFUSE TRUCK,  
SAID AGREEMENT CALLS FOR LEASE PAYMENTS OF \$7,800 EACH AND APPROVING  
EXCEPTION TO PROCUREMENT ORDINANCE COMPETITIVE BIDDING REQUIREMENTS

WHEREAS, the City of Des Moines, Iowa is in immediate need of renting one refuse truck to be used by the Solid Waste Division of the Department of Public Works; and

WHEREAS, the Fleet Manager, through an informal bid process and under the direction of the Procurement Administrator, solicited bids from four (4) potential providers, and received two (2) responses; and

WHEREAS, the low dollar compliant bid was received from Scranton Manufacturing Company Co., Inc., 101 State Street, Scranton, IA 51462, Michael McLaughlin, President; and

WHEREAS, it is deemed necessary and advisable that a lease agreement in the form of a Master Rental Agreement and related documents be entered into for such purpose; and

WHEREAS, the Department of Public Works and Procurement Administrator have determined that New Way Fleetforce, LLC a wholly owned subsidiary of Scranton Manufacturing Co., Inc. is the appropriate entity to lease the refuse truck to the City pursuant to the terms of the Master Rental Agreement and related documents; and

WHEREAS, pursuant to notice published as required by Section 364.4 and 384.83 of the Iowa Code, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of the Lease for such purpose, and the Council is therefore now authorized to proceed with the authorization of said Lease; and

WHEREAS, the City will agree in the Lease in the form of the Master Rental Agreement to pay up to eight monthly rental payments of \$7,800 as set forth in the agreement documents; and

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WHEREAS, this Council has determined that the term of the Lease does not exceed the economic life of the leased refuse truck; and

WHEREAS, all payments of rent due under the Lease shall be paid solely and only out of the Solid Waste Operations Enterprise Fund; and

WHEREAS, there has been presented to this meeting the Lease in the form of the Master Rental Agreement and related documents which the City proposes to enter into; and

WHEREAS, it appears that such instrument is in appropriate form and is an appropriate instrument for the purposes intended; and

WHEREAS, the City Manager recommends that the rental of one refuse truck for the Public Works Department Solid Waste Division be exempted from the competitive bidding requirements for good cause shown, pursuant to Section 2-710(a) of the Municipal Code of the City of Des Moines; and

WHEREAS, funding is available from PW250430/Solid Waste Collection.

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

Section 1. Procurement Ordinance Exemption. That good cause has been shown to exempt the above described procurement of the refuse truck from the competitive bidding requirements of the Procurement Ordinance and the Des Moines City Council hereby approves such procurement.

Section 2. Authority and Purpose. The Lease authorized by this resolution in the form of the Master Rental Agreement and related documents with up to eight monthly rental payments in the amount of \$7,800 shall be issued pursuant to Sections 364.4 and 384.83 of the Code of Iowa, and in compliance with all applicable provisions of the Constitution and laws of the State of Iowa. The Lease is hereby authorized to be issued in the form of the Master Rental Agreement and related documents with rental payments in the amount of \$7,800 for the purpose of paying the costs of renting the one refuse truck thereunder.

Section 3. Source of Payment. Rental payments due under the Lease shall be payable solely and only out of the Solid Waste Operations Enterprise fund.

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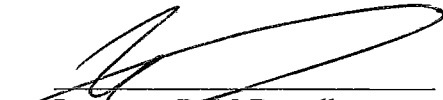
Date December 8, 2014

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Section 4. Additional Documents. The Mayor and the City Clerk are hereby authorized and directed to sign the Master Rental Agreement and related documents with such modifications approved by the Legal Department on behalf of the City, evidencing the City's obligation for rental payments as set forth herein, and to take all action necessary to permit the completion of the agreement on a basis favorable to the City and acceptable to the City Council.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

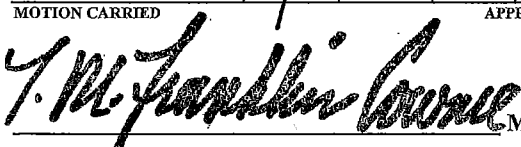
  
Lawrence R. McDowell  
Deputy City Attorney

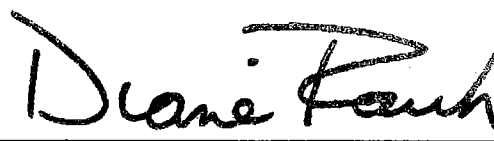
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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