



Roll Call Number

15-1979

Agenda Item Number

35

Date November 23, 2015

**APPROVING EXCEPTION TO COMPETITIVE PROCUREMENT PROCESS
AND APPROVING AMENDMENT FOR EXTENSION OF AGREEMENT WITH
MIDWEST ACCESSIBILITY INITIATIVE, LLC**

WHEREAS, the City of Des Moines has ongoing obligations pursuant to the Americans with Disabilities Act (“ADA”) to implement its Transition Plan to ensure accessibility to its facilities and programs; and

WHEREAS, the City also has been working to conclude its obligations under the Project Civic Access Settlement Agreement whereby the U.S. Department of Justice set numerous accessibility goals for the City; and

WHEREAS, in 2010, the City advertised for and interviewed candidates for a person or company with experience and knowledge of the ADA to assist the City in making the required changes in a design conscious and economic manner; and

WHEREAS, after that process, Midwest Accessibility Initiative, LLC (“MAI”), Kelly Dinges, President, 4705 S.W. 15th St., Des Moines, Iowa, was selected to guide the project; and

WHEREAS, the agreement with MAI expired on November 28, 2014 and the services were still needed to complete the obligations under the Project Civic Access Settlement Agreement; and

WHEREAS, in 2014, the City and MAI agreed to extend such services until November 28, 2015; and

WHEREAS, MAI’s services are still needed to complete compliance work on Project Civic Access; and

WHEREAS, MAI is best able to continue the work as it is most familiar with the remaining obligations and deadlines; and

WHEREAS, it is recommended that the agreement with MAI be extended for the period November 29, 2015 through November 28, 2016; and

WHEREAS, Des Moines Municipal Code Subsection 2-710(b) authorizes the City Council, subject to the recommendation of the City Manager, to waive the RFP process upon good cause shown; and

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WHEREAS, the City Manager recommends that the above-described procurement be exempted from the RFP requirements for good cause shown, pursuant to Des Moines Municipal Code Subsection 2-710(b).

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

1) That good cause has been established to exempt the procurement of professional services regarding accessibility from the competitive procurement requirements of Des Moines Municipal Code Subsection 2-710(b); and

2.) That an Amendment for Extension of the Agreement between the City of Des Moines, Iowa, and Midwest Accessibility Initiative, LLC, Kelly Dinges, President, 4705 S.W. 15th St., Des Moines, Iowa is hereby approved through November 28, 2016 for \$45,000.00, and the Mayor is authorized and directed to execute the Agreement on behalf of the City of Des Moines.

(Council Communication 15- 614)

Moved by Hensley to adopt.

Approved as to form:

Carol J. Moser, Deputy City Attorney

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

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk