



Roll Call Number

15-2019

Agenda Item Number

56A

Date November 23, 2015

RESOLUTION APPROVING FORM AND AUTHORIZING EXECUTION OF A LEASE AND RELATED DOCUMENTS BETWEEN THE CITY OF DES MOINES AND MURPHY TRACTOR AND EQUIPMENT COMPANY FOR THE RENTAL OF UP TO FOUR MOTOR GRADERS, SAID AGREEMENT CALLS FOR LEASE PAYMENTS OF \$4,950 FOR EACH MOTOR GRADER

WHEREAS, the City of Des Moines, Iowa is in immediate need of renting motor graders to be used by the Department of Public Works for snow removal; and

WHEREAS, the Fleet Manager, through a bid process and under the direction of the Procurement Administrator, solicited bids for the rental of motor graders; and

WHEREAS, the low dollar compliant bid was received from Murphy Tractor and Equipment Company, 5087 NE Broadway Avenue, Des Moines, IA 50317; and

WHEREAS, it is deemed necessary and advisable that a lease and related documents be entered into with Murphy Tractor and Equipment Company for such purpose; and

WHEREAS, pursuant to notice published as required by Section 364.4 and 384.25 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 or rental agreement to pay up to \$4,950 per month for each motor grader (with a total rental amount of up to \$79,200 plus fees and other charges including excess hourly charges); and

WHEREAS, this Council has determined that the term of the lease does not exceed the economic life of the leased motor graders; and

WHEREAS, all payments of rent due under the lease shall be paid only out of the Street Maintenance Fund (PW240402); and

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

Section 1. Authority and Purpose. The lease authorized by this resolution and related documents for up to four motor graders with a monthly rental of \$4,950 per month plus fees and other charges for a four month period be issued pursuant to Sections 364.4 and 384.25 of the Code of Iowa, and in compliance with all applicable provisions of the Constitution and laws of the State of Iowa. The lease and related documents are hereby authorized to be issued in a form in accordance with the terms of this resolution.

Section 2. Source of Payment. Rental payments due under the Lease shall be payable solely and only out of the Street Maintenance Fund.

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Section 3. Execution, Additional Documents. The City Manager is hereby authorized and directed to sign the lease or rental agreement and related documents as 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.

Moved by Moore to adopt.

(Council Communication No. 15- 608 )

APPROVED AS TO FORM:

Signature of Lawrence R. McDowell, Deputy City Attorney

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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.

Signature of Y. M. Franklin, Mayor

Signature of Diane Rauh, City Clerk