**Date** March 21, 2016

WHEREAS, the IT Department requested the Finance Department Procurement Division to order software to be used for fiber optic network management; and

WHEREAS, the Procurement Administrator has determined that such software is available from Enghouse Networks Limited, 80 Tiverton Court, Suite 800, Markham, Ontario, L3R 0G4, Canada, (Stephen Sadler, CEO), the manufacturer and sole area wide distributor; and

WHEREAS, Municipal Code section 2-726 (a)(7) provides for a non-competitive procurement of goods and/or services that are of such a nature that they are the only goods and/or services which will fit and comply with the required use, or are an integral part of a total system so as to be uniquely compatible with existing city need, materials or equipment to be cost effective; and

WHEREAS, funding is available from C051IT99/MS015, CIP/ Miscellaneous Improvements City Fiber Network.

NOW THEREFORE BE IT RESOLVED, that the Des Moines City Council hereby accepts and approves the non-competitive purchase of NetDesigner software from Enghouse Networks Limited at a total cost of $31,200.00.

BE IT FURTHER RESOLVED that the Information Technology Director is hereby authorized and directed to execute any necessary implementing agreements for same, subject to approval as to form by the Legal Department.

**(Council Communication No. *16-137*)** Moved by _____*Gatto*_____ to adopt.

Approved as to form:

*Ann DiDonato*

Ann DiDonato
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|---|---|---|---|---|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MOORE | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED _____ APPROVED

*T. M. Franklin Cownie*, 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.

*Diane Rauh*

_____ City Clerk