

★ Roll Call Number

22-1338

Agenda Item Number

34A

Date August 22, 2022

APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE COMPETITIVE BIDDING REQUIREMENT FOR GOOD CAUSE AND APPROVING THE PROCUREMENT OF A PORTABLE, SINGLE-SIDED 17' X 10' LED MOVIE SCREEN AND TRAILER FROM INSANE IMPACT, LLC, AND AUTHORIZING NEGOTIATION AND EXECUTION OF SUPPLEMENTAL AGREEMENT WITH INSANE IMPACT, LLC

WHEREAS, the City of Des Moines Parks and Recreation Department has an immediate need for replacing the current inflatable video screen for the Free Flix Program with a portable LED Movie Screen and trailer; and

WHEREAS, Parks and Recreation Department staff has found inefficiencies with the current inflatable movie screen used for the Free Flix Program that include:

- The implementation of the Free Flicks program with the current inflatable video screen requires four or five staff members to set up and manage.
- The current movie equipment is aging and expensive to repair/replace.
- The lack of timing and flexibility with the current equipment leads to late start times for movies; and

WHEREAS, the requested LED portable video screen and trailer can also be used in a multitude of ways to enhance existing Parks and Recreation Department events and programming and to offer opportunities to expand into additional neighborhoods thus adding value to the parks system; and

WHEREAS, the Friends of Des Moines Parks received a 2022 Prairie Meadows Community Betterment Grant in the amount of \$52,500.00, and has raised an additional \$17,000.00, for a total of \$67,500.00 that the Friends are prepared to donate to the City for use by the Parks and Recreation Department for replacement of the current inflatable video screen with a portable LED Movie Screen and trailer; and

WHEREAS, Insane Impact, LLC., 704 Interstate Pkwy., Waukee, IA 50263 is able to provide the requested Max 1710 LED portable video screen and trailer that will enhance the current system used for the Free Flix Program while reducing shipping costs of equipment and efficient, ongoing service; and

WHEREAS, Des Moines Municipal Code Section 2-710(a) provides that the City Council may on a case by case basis for good cause shown, exempt contracts for the provision of goods and/or services from the competitive procurement requirements of the Procurement Ordinance, and authorize use of an informal competitive bidding procedure or authorize direct procurement without a competitive process for the procurement of goods and/or services to cost in excess of \$50,000.00; and

WHEREAS, funding is available from FY2023 Operating Budget, Parks and Recreation Department, Special Events, PK201265, \$82,000.00; page 161, Prairie Meadows Community Betterment Grant in the amount of \$52,500.00, secured by Friends of Des Moines Parks, and Friends of Des Moines Parks private donations in the amount of \$17,000.00; and

WHEREAS, the City Manager and the Parks and Recreation Department Director recommend that the above-described procurement be exempted from the competitive bidding requirements for good cause shown, pursuant to Section 2-710(a) of the Des Moines Municipal Code; and

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WHEREAS, said purchase may require a Short Form Agreement between the City and Insane Impact, LLC with terms specific to the City's procurement, with said agreement to be negotiated by the City's Parks and Recreation and Finance Departments.

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

1. That good cause has been shown to exempt the procurement of a Max 1710 mobile LED video screen and trailer exceeding \$50,000.00 from the Procurement Ordinance competitive bidding requirements.
2. The City Council approves the purchase of a Max 1710 mobile LED video screen and trailer from Insane Impact, LLC, in the total amount of \$151,500.00, with payment of \$82,000.00 to be made using City funds as described above and payment in the remaining amount of \$67,500.00 to be made using the funds donated to the City by Friends of Des Moines Parks through private donations and the 2022 Prairie Meadows Community Betterment Grant.
3. To the extent determined necessary by the Legal Department and the Finance Department, the Finance Department and Parks and Recreation Department are hereby authorized and directed to proceed with negotiation of a Short Form Agreement or similar agreement between the City and Insane Impact, LLC, and the Finance Director is authorized and directed to execute said Agreement on behalf of the City following approval as to form by the Legal Department.

(Council Communication No. 22-377)

MOVED BY Voss

SECOND BY Gatto TO ADOPT.

Approved as to form:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| SHEUMAKER | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

CERTIFICATE

I, Laura Baumgartner, 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.

MOTION CARRIED APPROVED
J. M. Frank Mayor

Laura Baumgartner City Clerk