



Roll Call Number

24-0805

Agenda Item Number

23

June 3, 2024

Date

APPROVING AN EXCEPTION FOR GOOD CAUSE TO THE CITY'S PROCUREMENT ORDINANCE REQUIRING A REQUEST FOR PROPOSALS PROCESS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A WORKERS' COMPENSATION ADMINISTRATIVE SERVICES AGREEMENT WITH EMC RISK SERVICES LLC dba EMC CLAIMS SOLUTIONS FOR THE TERM JULY 1, 2024 THROUGH JUNE 30, 2030

WHEREAS, EMC Risk Services, dba EMC Claims Solutions (EMC), Scott R. Jean, President and CEO, Des Moines, Iowa has provided administrative services for the City's workers' compensation obligations since 2003 and most recently in 2018, it was selected via a Request for Proposals (RFP) process to provide the same services; and

WHEREAS, such services include coordinating injury treatment, reporting injuries, as well as those outlined in the associated Council Communication; and

WHEREAS, EMC is a Des Moines based company with experience in administering both Iowa Code Chapter 85 injuries and public safety injuries pursuant to Iowa Code Chapter 411; and

WHEREAS, EMC's in-depth knowledge and experience with the law and the City's protocols has ensured consistent compliance for the City's statutory obligations and continuing the relationship will prevent a disruptive transition for injured employees; and

WHEREAS, EMC has offered nominal fee increases in years 3-6 which only will represent a \$15,000.00 per year increase to the City; and

WHEREAS, Subsection 2-710(b) of the Des Moines Municipal Code authorizes the City Manager to exempt contracts for goods and services from a competitive selection process for good cause shown; and

WHEREAS, the City Manager recommends and believes that good cause exists for an exception from the RFP process for the reasons stated above and in the Council Communication.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa: That good cause exists to exempt the procurement of administrative services for workers' compensation obligations from the requirements of the City's Request for Proposals process pursuant to Municipal Code Subsection 2-710(b); and

BE IT FURTHER RESOLVED that the City Council approves the procurement of services for an administrative services agreement and the City Manager is authorized to enter into and execute such an agreement with EMC Risk Services, dba EMC Claims Solutions, Scott R. Jean, President and CEO, Des Moines, Iowa for exclusive administration of the City's workers' compensation support services for the term July 1, 2024 through June 30, 2030.

(Council Communication No. 24-233)

MOVED BY Gatto TO ADOPT.

SECOND BY Voss.



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Approved as to Form:

Carol J. Moser

Carol J. Moser
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

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.

Laura Baumgartner

City Clerk