



**Roll Call Number**

24-09179

**Agenda Item Number**

51

**Date** July 15, 2024

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE  
COMPETITIVE BIDDING REQUIREMENT AND APPROVING RENEWAL  
AMENDMENT BY AND BETWEEN THE CITY OF DES MOINES, IOWA, AND THE  
DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT FOR SHARING  
THE COST OF THE SCHOOL CROSSING GUARD PROGRAM**

**WHEREAS**, the City desires to reimburse the Des Moines Independent Community School District for half the cost of operating a school crossing guard program at high traffic locations near the school buildings to allow for the safe passage of students and staff to and from school; and

**WHEREAS**, on May 22, 2023, Roll Call #23-0756 approved the reimbursement of crossing guard services for a total not-to-exceed cost of \$230,000.00 per year with a yearly 5% cap to be paid to the Des Moines Independent Community School District and accepted and adopted the Cost Sharing Agreement; and

**WHEREAS**, Renewal #1 was done on September 19, 2023 for the period of July 1, 2023 through June 30, 2024; and

**WHEREAS**, the City of Des Moines wishes to utilize the same contract for the same purpose that City staff negotiated with the Des Moines Independent Community School District, and amend for a one-year additional term with an option to renew annually, and increasing the amount to be paid by the City to \$330,129.00; and

**WHEREAS**, Municipal Code section 2-726(b)(19) provides that the procurement administrator is hereby expressly authorized to procure from any federal, state, county or local government unit or agency thereof, without conforming to the competitive bidding requirements of this division, such goods and/or services as are authorized by the city manager, provided that the city manager determines and declares in writing that such goods and/or services were competitively procured by such unit or agency pursuant to competitive procurement procedures substantially equivalent to those set forth in this division, and can be procured without mark-up from such other federal, state, county, or local government unit or agency; and

**WHEREAS**, the City Manager supports this service being procured and finds that such services were competitively procured by the District pursuant to competitive procurement procedures substantially equivalent to those set forth in Des Moines Municipal Code; and

**WHEREAS**, funding is available from City of Des Moines Adopted Operating Budget FY2025, page 200; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DES MOINES, IOWA CITY COUNCIL that:**



Roll Call Number

24-0979

Agenda Item Number

51

Date July 15, 2024

1. The City Council approves the reimbursement of crossing guard services for a total not-to-exceed cost of \$330,129.00 per year with a yearly 5% increase cap to be paid to Des Moines Independent Community School District; and
2. The Amendment #2 to Renew Cost Sharing Agreement between the City and the Des Moines Independent Community School District is hereby accepted and adopted with the City Manager authorized to execute and directed to execute such Amendment to the Agreement with the School District, and the City Manager is authorized and directed at his discretion to execute yearly extensions on behalf of the City following approval as to form by the Legal Department with yearly increases not to exceed 5%.

(Council Communication No. 24- 296 )

Moved by Gatto to adopt.

Second by Coleman

APPROVED AS TO FORM:

/s/Megan Norberg

Megan Norberg

Assistant City Attorney

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

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.

Carl B. Jan

Mayor Pro Tem

Laura Baumgartner

City Clerk