

Date December 7, 2020

**APPROVING AN EXCEPTION TO THE PROCUREMENT ORDINANCE  
COMPETITIVE PROCESS FOR GOOD CAUSE AND APPROVAL OF AMENDMENT  
TO EXTEND AGREEMENT FOR STATE LEGISLATIVE LOBBYING SERVICES  
WITH CARNEY & APPLEBY, PLC**

WHEREAS, on November 7, 2016, by Roll Call No. 16-1928, the City Council accepted the proposal from Carney & Appleby, PLC to provide State legislative lobbying services representing the City's interests with the Iowa legislature and authorized the City Manager to negotiate and execute an agreement for such services ("the Agreement"); and

WHEREAS, the initial term of the Agreement was until December 31, 2017, with 3 one-year renewal options, which were approved by the City Council, so that the Agreement expires on December 31, 2020, with no renewal options remaining; and

WHEREAS, the parties desire to extend the term of the Agreement for 3 years until December 31, 2023, with 3 one-year renewal options, and to increase the annual fees to \$69,000 during the initial 3-year term, with an annual increase of 3% during the 3 one-year renewal terms; and

WHEREAS, the City Manager recommends that the procurement of such state legislative lobbying services be exempted from the competitive procurement requirements for good cause shown, pursuant to Section 2-710 of the Municipal Code of the City of Des Moines, and that it is in the best interests of the City to extend the Agreement, pursuant to Section 2-717(a) of the Municipal Code of the City of Des Moines.

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 the above described state legislative lobbying services from the Procurement Ordinance competitive procurement requirements.
2. That it is deemed to be in the best interests of the City to extend the term of this Agreement for an additional 3-year term with up to 3 one-year renewal terms.
3. That the City Council hereby accepts and approves the procurement of state legislative lobbying services from Carney & Appleby, PLC and hereby approves the Amendment to Extend, a copy of which is on file in the City Clerk's Office, as described above, and authorizes and directs the City Manager to execute the Amendment, and up to 3 one-year renewals on behalf of the City, if the City Manager deems such renewal to be in the best interests of the City.

★ **Roll Call Number**

**Agenda Item Number**

28

Date December 7, 2020

(Council Communication No. 20-**538** )

Moved By \_\_\_\_\_ to Approve.

Approved As To Form:

*Ann DiDonato*  
 Ann DiDonato  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, P. Kay Cmelik, 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.

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk