



Roll Call Number

23-1175

Agenda Item Number

17

Date August 21, 2023

APPROVING AND AUTHORIZING AGREEMENT WITH AHLERS & COONEY, P.C. TO PROVIDE MUNICIPAL NUISANCE CODE LITIGATION/REAL ESTATE COUNSEL SERVICES FOR THE BLITZ ON BLIGHT PROGRAM

WHEREAS, the City’s Blitz on Blight program is an effort to improve City neighborhoods and remove abandoned structures which is fueled by the Local Option Sales and Service Taxes; and

WHEREAS, in 2020 the City Manager directed the Legal Department to work with the Finance Department Procurement Division to solicit proposals from qualified law firms to provide title review, litigation and legal counsel services to the City in connection with nuisance actions resulting from the City’s Blitz on Blight program; and

WHEREAS, the proposal received from Ahlers & Cooney, P.C., 100 Court Avenue, Des Moines, Iowa 50309, was the highest scoring proposal and the City Council authorized and approved an Agreement with Ahlers & Cooney, P.C. on October 5, 2020, by Resolution No. 20-1599 for a term of one year with two one-year renewals at the City’s discretion; and

WHEREAS, the two one-year renewals were exercised, and the current Agreement ends October 5, 2023; and

WHEREAS, the City Attorney consulted with the City Manager who advises that the services are still required; and

WHEREAS, the procurement of legal services is exempted from the competitive bidding and RFP competitive procedure pursuant to Section 2-726(b)(2) of the City Code and it is advisable to continue with Ahlers & Cooney, P.C. for their experience and continuity of service in providing services for the Blitz on Blight program; and

WHEREAS, it is proposed to continue the services under a new Agreement with Ahlers & Cooney, P.C. with a term beginning October 6, 2023 through December 31, 2025, that keeps the current rates through the end of the 2023 and provides for a two-year renewal at the City’s option; and

WHEREAS, Ahlers & Cooney will provide a 10 percent discount, beginning January 1, 2024 ending December 31, 2025, from their then current rates which are adjusted annually for the initial term and a five percent discount from their then current rates for the second term if exercised by the City; and

WHEREAS, based on 2022 and 2023 expenditures, the estimated cost to provide these services is approximately \$150,000 to \$200,000 per year for the initial term of the agreement.



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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the agreement with Ahlers & Cooney, P.C. for Municipal Nuisance Code Litigation/Real Estate Counsel Services for the City of Des Moines Blitz on Blight program is hereby approved and the Mayor is authorized and directed to execute the agreement for such services for a term of two years, a copy of which is on file in the City Clerk's office.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the one two-year renewal of such agreement subject to his determination of the ongoing need for such renewal and the best interests of the City after consultation with the City Attorney.

Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

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.

J. M. Frankin Cownie Mayor

Laura Baumgartner City Clerk