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Date October 23, 2023

APPROVING PROCUREMENT OF ANIMAL SHELTER AND FIELD SERVICES FOR THE POLICE DEPARTMENT AND APPROVING AGREEMENT WITH THE ANIMAL RESCUE LEAGUE OF IOWA, INC.

WHEREAS, the City desires to procure animal field and shelter services; and

WHEREAS, the City of Des Moines desires to enter into a long-term agreement with a vendor to provide operation of a new animal shelter and animal field services; and

WHEREAS, on October 11, 2017 the Procurement Division of the Finance Department issued a Request for Proposals (V18-024) for Animal Control and Shelter Services to two (2) potential vendors and received (2) proposals in response; and

WHEREAS, on April 23, 2018, by Roll Call No. 18-0726, the City Council approved and accepted the proposal of Animal Rescue League of Iowa, Inc. (ARL), Tom Colvin, President, 5452 NE 22nd St., Des Moines, IA 50313, and authorized the City Manager to negotiate and execute a contract with the ARL for the animal shelter and animal control services as described in RFP V18-024 and the ARL's proposal on behalf of the City; and

WHEREAS, the RFP and ARL's proposal required the ARL to build a new animal shelter and animal services facility at ARL's cost with the City establishing certain specifications for the facility and leasing the facility from ARL but an amendment to Iowa Code Chapter 26 on April 4, 2018, prohibited such arrangement and lease agreement; and

WHEREAS, the City determined that the City would instead construct a new animal shelter and animal services facility; and

WHEREAS, the City Manager recommended that an agreement including animal shelter services and animal 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.

WHEREAS, funding is available from Police Department Animal Control Section budget within the FY 2024 Adopted Operating Budget; and

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

1. The good cause exception is accepted and approved, and the City Manager shall enter into an agreement with the ARL for ten years and eight months with up to one additional three-year term.
2. The procurement of animal field and shelter services is approved in the monthly amount of \$123,084. On July 1, 2024, the monthly fee will increase in an amount equal to the CPI increase from January 2023 to January 2024 subject to a 2% cap. Beginning July 1,



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- 2025 and each July thereafter for the remainder of the agreement the monthly payment will increase based on the Jan-Jan CPI increase of the previous year subject to a 3% cap.
3. An additional initial payment to the ARL of \$120,000 is approved.
 4. The City Manager is hereby authorized to sign any renewal agreement subject to approval by the Legal Department.

(Council Communication No. 23- 474)

Moved by _____ to adopt.

APPROVED AS TO FORM:

/s/Megan Norberg
Megan Norberg
Assistant City Attorney

Second by _____.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

_____ City Clerk