



# Board Agenda Item 7

DATE: October 22, 2019

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health

SUBJECT: Agreement for Mandated Animal Control Services

## RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as Fresno Humane Animal Services is uniquely qualified vendor that possesses the community contacts and breadth of knowledge needed to effectively operate the shelter for animal control services; and,**
- 2. Approve and authorize the Chairman to execute an Agreement with Fresno Humane Animal Services to provide mandated animal control services, effective January 1, 2020 through December 31, 2029, total not to exceed \$18,931,782.**

Approval of the recommended actions will allow the County to contract with Fresno Humane Animal Services (FHAS) for mandated shelter and animal control services throughout the unincorporated areas of the County in accordance with California Food and Agricultural Code, sections 31105 and 31106; California Penal Code, section 597f; and, Fresno County Ordinance Code, Chapters 9.04 through 9.12. The recommended agreement would supersede Agreement No. 15-429 with FHAS that is due to expire September 30, 2020. The ten-year agreement includes vehicle replacement purchase requirements; 3% increase in years two and three; and, for years four through ten, an increase based on the Pacific Region Consumer Price Index rate or 3%, whichever is less. The recommended agreement is 100% Net County Cost. A new County animal control shelter is scheduled to be completed in 2021. The Department of Public Health will conduct a cost analysis at the end of the first year of occupancy to understand operational costs at which time the agreement may require renegotiation. The recommended ten-year term is due to the need for continued operational stability with an established vendor that will seamlessly transition to the new facility. This item is countywide.

## ALTERNATIVE ACTION(S):

You Board may choose to continue the existing agreement; however, the Department would have to issue a competitive bid at the same time the new facility site is completed. An experienced, established vendor is needed to continue to provide qualified services during the transition.

## SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department's request to suspend the competitive bidding process consistent with Administrative Policy No. 34 results from the fact that after a Request for Quote (RFQ) process in 2015, there were only two qualified respondents, and this has remained unchanged. In addition, the City of Fresno recently issued an RFQ for an animal control services, but has not yet reached an agreement with a qualified vendor that

meets the needs of the City. Therefore, it is unlikely that the Department would find a uniquely qualified vendor such as FHAS that possesses the community contacts and breadth of knowledge needed to effectively operate the shelter. FHAS has extensive experience with animal rescue, sheltering, adoption, and community services and a reliable and supportive contractor for the County. If another vendor were available, the Department would have to expend startup funds. Internal Services Department - Purchasing Division concurs with the Department's recommendation.

#### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended agreement would be fully funded with Net County Cost dollars. The maximum cost of the recommended agreement is \$18,931,782 for the ten-year term. Compensation for years one, three, four, seven, and eight include compensation for the replacement purchase of operations and enforcement vehicles, some equipped with animal containment units or camper shells (\$730,000). The contract compensation maximum includes a 3% maximum yearly increase; however, it is understood that increases for year four through ten will be based on the lower of 3% or the Pacific Consumer Price Index rate. Sufficient appropriations and estimated revenues are included in the Departments Org 5620 FY 2019-20 Adopted Budget and will be included in future budget requests for the duration of the term.

#### DISCUSSION:

The County shelter receives approximately 5,000 dogs annually that are either captured by animal control officers or brought in as strays by the public. From the unincorporated areas of the County there is an average monthly intake of 415 canines and 62 felines. Each of the 15 incorporated cities within the County is mandated to operate its own animal control program.

In addition to fulfilling the duties and responsibilities of the operation of the County Animal Shelter; enforcement of licensing and control requirements; investigation and quarantine of vicious or dangerous dogs; and, investigation of dog bites, the proposed agreement, in alignment with the County's goals, has expanded to include the implementation of the following:

- A community cat program to address the feral cat population.
- A spay and neuter outreach program to reduce the unwanted pet population and the number of healthy adoptable animals required to be euthanized.
- A disaster plan to respond to the care of animals in emergencies, disasters, and evacuations.

Similar to the prior agreement, the recommended agreement requires the County to provide shelter facilities, utilities, and kennels. The County purchased property at the corner of S. West Avenue and West Dan Ronquillo Drive for the construction of a new animal shelter, expected to be operational in FY 2020-21. FHAS will continue to provide services at the current location, 760 W. Nielsen Ave in Fresno, and will move into the new shelter upon its completion. Using County funds, FHAS will purchase animal control vehicles and associated containment units to perform the contracted services. These vehicles shall be registered and maintained by FHAS; however, in the event of termination of the agreement, FHAS shall transfer ownership and title of all vehicles and animal containment units, purchased with County funds, to the County.

The recommended agreement deviates from the standard five-year term due to the need for operational stability during the upcoming transition to the new shelter.

REFERENCE MATERIAL:

BAI #7, July 9, 2019

BAI #31, December 12, 2017

BAI #5, September 1, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request

On file with Clerk - Agreement with FHAS

CAO ANALYST:

Sonia M. De La Rosa