

0150-08081-0001

TRANSMITTAL

TO
The Council

DATE
2/19/19

COUNCIL FILE NO.
15-1412

FROM
The Mayor

COUNCIL DISTRICT
--

Second Amendment to Contract No. C-126900 with the Lucy Pet Foundation for the operation of a mobile spay and neuter clinic for the Department of Animal Services.

Transmitted for further processing. See the City Administrative Officer report attached.



MAYOR (Ana Guerrero) for

RHL:BYO:04190079

Report From
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Analysis of Proposed Contract
(\$25,000 or Greater and Longer than Three Months)

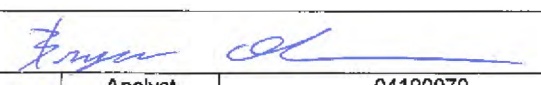
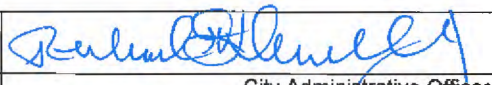
To: The Mayor	Date: 02-15-19	C.D. No. --	CAO File No.: 0150-08081-0001
Contracting Department/Bureau: Animal Services		Contact: Catherine Garcia (213) 847-0550	
Reference: Transmittal from the Board of Animal Commissioners dated December 14, 2018; supplemental information received on February 13, 2019			
Purpose of Contract: To provide free and low-cost spay and neuter services to pets for City of Los Angeles residents.			
Type of Contract: () New contract (X) Amendment, Contract No. C-126900		Contract Term Dates: One-year term from December 21, 2018 through December 20, 2019	
Contract/Amendment Amount: \$500,000			
Proposed amount \$ 500,000 + Prior award(s) \$ 539,375 = Total \$ 1,039,375			
Source of funds: Animal Sterilization Trust Fund			
Name of Contractor: The Lucy Pet Foundation, Inc.			
Address: 919 Lawrence Drive, Thousand Oaks, California 91320			
	Yes	No	N/A
1. Council has approved the purpose	X		
2. Appropriated funds are available	X		
3. Charter Section 1022 findings completed	X		
4. Proposals have been requested	X		
5. Risk Management review completed	X		
6. Standard Provisions for City Contracts included	X		
7. Workforce that resides in the City: 0%			
Contractor has complied with:	Yes	No	N/A
8. Business Inclusion Program		X	
9. Equal Benefits & First Source Hiring Ordinances	X		
10. Contractor Responsibility Ordinance	X		
11. Slavery & Border Wall Disclosure Ordinances	X		
12. Bidder Certification CEC Form 50	X		
13. Prohibited Contributors (Bidders) CEC Form 55	X		
14. California Iran Contracting Act of 2010	X		

RECOMMENDATION

That the Council, subject to the approval of the Mayor, authorize the General Manager of the Department of Animal Services, or designee, to execute the proposed Second Amendment to Contract No. C-126900 between the Animal Services Department and the Lucy Pet Foundation, Inc., for the operation of a mobile spay and neuter clinic from December 21, 2018 through December 20, 2019 for an amount not to exceed \$500,000, subject to the review and approval by the City Attorney as to form.

SUMMARY

The Department of Animal Services (ASD) requests authority to execute the proposed Second Amendment to Contract No. C-126901 between the ASD and the Lucy Pet Foundation, Inc. (Contractor), for the operation of a mobile spay and neuter clinic within the City of Los Angeles. The Second Amendment will extend the term of the Agreement from December 21, 2018 through December 20, 2019, update reimbursement rates for spay and neuter surgeries, add the spay and neuter of rabbits into the scope of services, clarify language denoting that the services are only

 BYO Analyst 04190079	 City Administrative Officer
---	---

applicable for low-income residents of the City of Los Angeles, and allow animal owners to complete an affidavit claiming low-income status and residency within the City of Los Angeles.

The Department issued a Request for Proposals (RFP) on March 11, 2015 to procure the services of a contractor to operate a mobile spay and neuter clinic. The Department received two proposals, one from the Contractor and the other from the Amanda Foundation. The Department reviewed both proposals and determined that both agencies would provide adequate services. The Board of Animal Services Commissioners authorized the ASD to enter into an agreement with both agencies on September 14, 2015. Council approved the Contractor on December 16, 2015 (C.F. 15-1412), authorizing ASD to enter into a two-year agreement, with the three one-year renewal options. The First Amendment extended the term of the contract one additional year from December 21, 2017 through December 20, 2018.

The Second Amendment extends the term of the contract one additional year from December 21, 2018 through December 20, 2019 and updates the reimbursement rates for the spay and neuter surgeries as well as adding rabbits to the scope of services as indicated below:

Surgery Type	Rates	
	Through January 31, 2018	Effective February 1, 2018*
Dog Spay	\$90	\$125
Dog Neuter	\$80	\$125
Cat Spay	\$65	\$70
Cat Neuter	\$60	\$70
Rabbit Spay	--	\$125
Rabbit Neuter	--	\$125

* Revised reimbursement rates approved by City Council on November 9, 2016 (C.F. 16-0114)

The criteria utilized to evaluate an individual's low-income status is also amended in the Second Amendment. During the terms of the initial contract and the First Amendment, all individuals who resided in the City of Los Angeles and earned less than \$31,700 per year were qualified. The Second Amendment modifies these requirements, enabling all individuals who are residents of the City of Los Angeles with a household income less than the United States Department of Housing and Urban Development (HUD) annual home income limits to qualify. The HUD 2018-19 annual home income limits are as follows:

Number of Persons in Household							
1	2	3	4	5	6	7	8
Combined Annual Home Income Limit**							
\$33,950	\$38,800	\$43,650	\$48,450	\$52,350	\$56,250	\$60,100	\$64,000

** Limits are established annually by the U.S. Department of Housing and Urban Development for the income category limit of "very low (50%) income."

The Second Amendment also allows an individual to sign and submit an affidavit declaring low-income status and residency within the City of Los Angeles in cases where adequate documentation is not verifiable either through utility bills or paycheck stubs. The self-certification program and affidavit was approved by Council on April 19, 2016 (C.F. 16-0114-S1)

Funding for this contract is provided off-budget through the Animal Sterilization Trust Fund (Fund) for this purpose, which is funded by a \$425,000 appropriation in the 2018-19 Adopted Budget, and an additional \$425,000 provided in the Unappropriated Balance. The Fund is administered by the General Manager of the Department of Animal Services in accordance with Los Angeles Administrative Code Section 5.199. Eligible expenditures from the Fund include providing pet sterilization services to residents of the City of Los Angeles who meet applicable program eligibility requirements. The Department reports that the Contractor performed 5,856 spay and neuter surgeries in Fiscal Year 2018 at a total cost of \$534,315.

Prior to the execution of the initial agreement, a Charter Section 1022 Determination was completed by the Personnel Department and found that the City employees do not have the expertise to perform the requested work. In accordance with the Los Angeles Administrative Code Section 10.5(b)2, Council approval of the proposed agreement is required because the term of the agreement exceeds three years and it is anticipated that the annual expenditures will exceed \$154,925.

FISCAL IMPACT STATEMENT

Approval of the recommendation in this report will have no impact on the General Fund. Funding for this contract is provided off-budget through the Animal Sterilization Trust Fund (Fund), which includes a \$425,000 appropriation in the 2018-19 Adopted Budget and an additional \$425,000 provided in the Unappropriated Balance. The Fund is administered by the General Manager of the Department of Animal Services in accordance with Los Angeles Administrative Code Section 5.199. Execution of the proposed agreement complies with the City's Financial Policies in that budgeted funds are used for intended purposes.

RHL:BYO:04190079

Attachment

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
ANIMAL SERVICES**
221 N. Figueroa Street
6TH Floor, Suite #600
Los Angeles, CA 90012

(888) 452-7381
FAX (213) 482-9511

BRENDA F. BARNETTE
GENERAL MANAGER

TAMMY WATSON
ASSISTANT GENERAL MANAGER
Administration

MELISSA WEBBER
ASSISTANT GENERAL MANAGER
Lifesaving

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

December 14, 2018

The Honorable Eric Garcetti
Mayor, City of Los Angeles
200 N. Spring Street, Room 303
Los Angeles, CA 90012

Attention: Ms. Mandy Morales, Office of the Mayor

**RE: AUTHORIZE CONTRACT NO. C-126900 – AMENDMENT NO. 2 – BETWEEN THE CITY
OF LOS ANGELES AND THE LUCY PET FOUNDATION, INC. FOR THE OPERATION OF
A MOBILE SPAY AND NEUTER CLINIC**

Dear Mayor Garcetti:

In accordance with Executive Directive 3, attached herewith is a copy of a proposed Amendment No. 2 to Contract C-126900 with The Lucy Pet Foundation, inc. for the operation of a mobile spay and neuter clinic.

Also attached for the assistance of your Office in reviewing this proposed agreement is a report adopted by the Board of Animal Services Commissioners at its meeting of December 11, 2018.

If you have any questions with regards to the proposed agreement, please contact Catherine Chico, Senior Management Analyst II at (213) 482-9554 or via e-mail at catherine.chico@lacity.org.

Respectfully submitted,

Brenda F. Barnette

Brenda F. Barnette
General Manager

Attachment: December 11, 2018 Board Report – The Lucy Pet Foundation, Inc.

cc: Megan Cottier, City Administrative Officer

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

**City of Los Angeles
CALIFORNIA**



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
ANIMAL SERVICES**
221 N. Figueroa Street
6th Floor, Suite #600
Los Angeles, CA 90012

(888) 452-7381
FAX (213) 482-8511

BRENDA F. BARNETTE
GENERAL MANAGER

TAMMY WATSON
ASSISTANT GENERAL MANAGER
Administration

MELISSA WEBBER
ASSISTANT GENERAL MANAGER
Licensing

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

Report to the Board of Animal Services Commissioners

MEETING DATE: December 11, 2018

PREPARED BY: Catherine Garcia

REPORT DATE: November 30, 2018

TITLE: Sr. Management Analyst II

SUBJECT: AUTHORIZE CONTRACT NO. C-126900 – AMENDMENT NO. 2 – BETWEEN THE CITY OF LOS ANGELES AND THE LUCY PET FOUNDATION, INC. FOR THE OPERATION OF A MOBILE SPAY AND NEUTER CLINIC

BOARD ACTION RECOMMENDED:

1. **APPROVE** extension of the contract term to December 20, 2019; and
2. **APPROVE** changes as reflected herein:

SUMMARY

The services provided by the Lucy Pet Foundation, Inc. (Lucy Pet Foundation) have proven to be a necessary option to low-income City of Los Angeles residents. Since February 2015, the Lucy Pet Foundation's mobile spay/neuter clinic has performed a total of 12,798 surgeries (4,744 cats and 8,054 dogs). Authorization of this contract will allow for the continuation of accessible spay/neuter services to low-income areas of the City of Los Angeles, where the number of intact animals tend to be higher and where there tend to be fewer stationary spay/neuter clinics.

Changes to the contract include:

- Contract extension to December 20, 2019
- Inclusion of language clarifying services are provided to "City" of Los Angeles residents.
- To allow participation in the client's Self Verification of Income and Residency via a Department approved affidavit
- Update to Fee Rates
- Update to LA Animal Services' mailing address
- Inclusion of rabbits in the Pre-Release Voucher Program

Report to the Board of Animal Services Commissioners
 SUBJECT: Authorize Contract No. C-126900 – Amendment No. 2

BACKGROUND

A portion of dog licensing fees is transferred to The Animal Sterilization Fund (ASF) to support targeted low-income spay/neuter surgeries. An appropriation of funds was established to the ASF and authorization for the creation of mobile spay/neuter clinics to make free or low-cost sterilization surgeries available in low-income communities throughout the City.

The Department released a Request for Proposals ("RFP") on March 11, 2015, for operation of mobile spay/neuter clinics. Lucy Pet Foundation's proposal met the requirements, and was awarded an agreement with a term of two years with three one-year renewal options for a total period of up to five years, and began operations in February 2015.

FISCAL IMPACT:

There is no fiscal impact to the General Fund because all spay neuter costs are paid through the Animal Sterilization Fund.

Approved:


 Brenda Barnette, General Manager

Attachment: Draft Contract Amendment -- C-126900

BOARD ACTION:

	Passed	Disapproved	_____
_____	Passed with noted modifications	Continued	_____
_____	Tabled	New Date	_____

**AMENDMENT NO. 2 TO
CONTRACT NUMBER C-126900
BETWEEN THE CITY OF LOS ANGELES
AND
LUCY PET FOUNDATION
FOR THE OPERATION OF A MOBILE SPAY AND NEUTER CLINIC**

THIS SECOND AMENDMENT to Agreement Number C-1256900 is made and entered into by and between the City of Los Angeles ("City"), a municipal corporation, acting through the Department of Animal Services ("Department"); and Lucy Pet Foundation Inc., ("Contractor"), and authorized to do business in the State of California with regard to the following:

WHEREAS, Contract Number C-126900 was approved by the City Council on December 16, 2015, and became effective on December 21, 2015 as a two-year contract, renewable at the City's sole discretion for up to three additional years (C.F. 15-1412); and

WHEREAS, Contractor provides spay/neuter surgeries for dogs and cats owned by low-income residents of Los Angeles; and

WHEREAS, the 1st Amendment, effective December 11, 2017, extended the Agreement one year from December 20, 2017 to December 20, 2018; and

WHEREAS, this 2nd Amendment, extends the term of the Agreement to December 20, 2019, adds a new revised rate schedule, includes rabbits in the scope of services, clarifies that the program is for City of Los Angeles residents, provides owners the ability to submit an affidavit in lieu of other proof of low income status and makes such other changes as reflected herein; and

WHEREAS, the self-certification program and affidavit has been approved by City Council on April 19, 2016 (CF #16-0114 S-1) and the revised rate schedule was previously approved by City Council on November 9, 2016 (CF 16-0114), and the contract extension was approved by the Board of Animal Services Commissioners on _____, 2018.

NOW THEREFORE, both parties intend the Agreement to be amended as follows:

1. Section II. Term; shall be amended to extend the term of the Agreement to December 20, 2019.

The City exercises its option of renewing the agreement for one additional year. The Term of the Contract shall be extended from its present expiration date of December 20, 2018 to a new expiration date of December 20, 2019.

2. Section V. Scope of Services; shall be amended as follows:

The Contractor shall obtain, operate, and maintain a Mobile Spay/Neuter Clinic from which the Contractor will provide free spay/neuter services for animals owned by low-income City of Los Angeles residents; will provide all staffing, equipment, and supplies; and will obtain all permits, licenses, and registrations required to operate the Mobile Clinic. In particular, the veterinary services to be provided are as follows:

3. Section V. Scope of Services; (B) Operations; (11) Verification of Clients' Income and Residency; shall be amended to be as follows:

To verify that the services provided under this agreement are provided to low-income residents of the City of Los Angeles including low-income seniors and low-income disabled residents, Contractor shall establish a protocol to verify clients' income and residency. Specifically, Contractor shall request each client to provide a utility bill, paycheck stub, or similar document, at the time the surgery is provided, which shows that the client is a City of Los Angeles resident with a household income that does not exceed the applicable United States Department of Housing and Urban Development (HUD) Yearly HOME Income Limits. The HUD 2018-2019 Yearly HOME Income Limits are as follows:

NUMBER OF PERSONS IN HOUSEHOLD							
1	2	3	4	5	6	7	8
COMBINED HOME INCOME LIMIT**							
\$33,950	\$38,800	\$43,650	\$48,450	\$52,350	\$56,250	\$60,100	\$64,000

**Limits are established annually by the U.S. Department of Housing and Urban Development for the Income Category Limit of "Very low (50%) Income." Combined HOME Income Limits will be modified annually to conform to published HUD figures.

The low-income animal owner who lacks proof of qualification for low-income assistance may, in the alternative, fill out, sign and submit an affidavit provided by the Contractor, in the form approved by the Department, swearing low-income status and residency within the City of Los Angeles.

4. Section V. Scope of Services; (C) Fees, Billing, and Record Keeping; (1) Fees for Spay/Neuter Surgeries; shall be amended to rates approved by the Board of Animal Services Commissioners on September 27, 2016, and include the rates for rabbits. Effective October 1, 2017, these fee rates shall be as follows:

	Rates	
	Through September 30, 2017	Effective October 1, 2017
Dog Spay	\$90	\$125
Dog Neuter	\$80	\$125
Cat Spay	\$65	\$70
Cat Neuter	\$60	\$70
Rabbit Spay	\$0	\$125
Rabbit Neuter	\$0	\$125

5. Section V. Scope of Services; (C) Fees, Billing, and Record Keeping; (2) Invoices; shall be amended as follows:

Upon completion of sterilization, Contractor shall bill the Department for services by sending an invoice to:

Department of Animal Services
Attention: Accounting Section
221 N. Figueroa Street, Suite 600

Los Angeles, CA 90012

and must include the following:

6. Section V. Scope of Services; (C) Fees, Billing, and Record Keeping; (5) Proof of Client's Residency and Income Eligibility; shall be amended as follows:

To verify that funding for this Agreement is used to subsidize spay/neuter surgeries for animals owned by low-income residents of the City of Los Angeles, as intended, Contractor shall retain on file at its facility photocopies of verification that demonstrate the client 1) is a resident of Los Angeles and 2) earns a low-income (based on HUD's annually published HOME income limits for Very Low (50%) income). Such verification may include, but not be limited to, photocopies of client's DWP bills, statements for low-income benefits such as the Women, Infants and Children (WIC) Program, Aid to Families with Dependent Children (AFDC), or other documents which verify the client's residency and income eligibility. Additionally, the Contractor shall retain a copy in its records of all completed and signed affidavits received as proof of low-income status and residency.

7. Section V. Scope of Services; (D) Operations; Pre-Release Programs Participation; shall be amended to be "Pre-Release Voucher Program Participation and as follows:

Contractor may participate in Department Pre-Release and Voucher Spay and Neuter Programs (spaying and neutering dogs, cats and rabbits eight weeks of age or older).

8. Except as herein amended, all other terms and conditions shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized representatives.

**The City of Los Angeles,
Department of Animal Services**

By _____
Brenda Barnette, General Manager

Date: _____

**APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney**

By _____
Dov S. Lesel, Assistant City Attorney

Date: _____

**ATTEST:
HOLLY WOLCOTT, City Clerk**

By _____
Deputy City Clerk

Date: _____

**CONTRACTOR -- The Lucy Pet Foundation,
Inc.**

By _____
Joey Herrick, President

Date: _____

(second signature required of corporations)

By _____
Dr. Karen Halligan, Chief Veterinary Officer

Date: _____

Los Angeles City Business Tax License Number: 0002716474-0001-2

Taxpayer Identification Number: 26-4448238

City Agreement Number: C-126900

Council File Number: 15-1412