

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

### RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]

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**RESOLUTION APPROVING AN INCREASE TO THE EXISTING OAKLAND ANIMAL SERVICES COOPERATIVE PURCHASE AGREEMENT WITH COVETRUS NORTH AMERICA/BUTLER ANIMAL HEALTH SUPPLY LLC BY AN AMOUNT NOT TO EXCEED SIXTY THOUSAND SIX HUNDRED THIRTY-EIGHT DOLLARS AND FIFTY CENTS (\$60,638.50) , FOR A TOTAL CONTRACT AMOUNT OF SEVEN HUNDRED NINETY-NINE THOUSAND TWO HUNDRED NINETY-THREE DOLLARS AND EIGHT CENTS (\$799,293.08).**

**WHEREAS**, the City of Oakland (City) Animal Services (OAS) houses over 7,000 animals annually; and

**WHEREAS**, OAS is responsible for the procurement of supplies for OAS; and

**WHEREAS**, Oakland Municipal Code (OMC) § 2.04.080 provides that “[w]here advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process [...] without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

**WHEREAS**, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

**WHEREAS**, OAS entered into a contract with Covetrus North America/Butler Animal Health Supply LLC (Covetrus) to provide veterinary supplies for shelter animals through a Cooperative Purchase Agreement based on County of Kern Contract Agreement #1377, Purchase Order #1984810, effective July 1, 2018;

**WHEREAS**, the contract was originally for an amount not to exceed \$538,654.58 and, on March 20, 2023, was increased by \$200,000 for a total amount of \$738,654.58; and

**WHEREAS,** OAS was mistaken in the understanding of the resources remaining on the contract and purchased supplies in the additional amount of \$60,638.50, for which invoices are outstanding; and

**WHEREAS,** the City Council adopted the Fiscal Year 2023-25 Budget on June 26, 2023, which included appropriations for the operations of OAS in excess of the necessary additional funds required for the contract for this vendor; and

**WHEREAS,** funding for this contract is contained in the FY 2023-24 adopted budget in the General Fund (1010); and be it

**WHEREAS,** the contract expires September 30, 2024 but OAS will no longer purchase supplies from this vendor; and

**WHEREAS,** increasing the Covetrus contract by an amount not to exceed \$60,638.50 will allow the City to pay the outstanding invoices; now, therefore, be it

**RESOLVED:** That the City Council approves and to the extent necessary awards the ongoing Covetrus contract for an amount not to exceed \$799,293.08 pursuant to OMC § 2.04.030(a); and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to increase the Covetrus contract amount in an amount not to exceed \$60,638.50, making the total contract amount \$799,293.08; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to complete all negotiations and complete all contracts, amendments, modifications and extensions consistent with this resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California