



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Ann Dunn  
Director, Animal Services

**SUBJECT:** Animal Services Contract with Pet  
Food Express

**DATE:** August 11, 2020

City Administrator Approval

Date: Sep 1, 2020

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Waiving The Advertising And Bidding Requirements And Authorizing The City Administrator To Increase And Extend The Contract With Pet Food Express (PFE) For Food For Shelter Animals By An Amount Not To Exceed Ninety Thousand Dollars (\$90,000.00) From November 1, 2017 Through June 30, 2021, For A Total Contract Amount Of Three Hundred Five Thousand Dollars And Zero Cents (\$305,000.00).**

## **EXECUTIVE SUMMARY**

The proposed resolution will waive the advertising and bidding requirements and authorize the City Administrator to increase the contract amount and extend the term from August 31, 2020 through June 30, 2021, with Pet Food Express ("PFE") to provide food for shelter animals by an additional amount not to exceed \$90,000.00.

The six month extension and increase of the PFE contract will allow Oakland Animal Services ("OAS") to purchase necessary food for shelter animals at reasonable prices and provide sufficient time for the issuance of a Request For Quotation ("RFQ") and completion of advertising and a competitive bid selection process for a future contract.

## **BACKGROUND / LEGISLATIVE HISTORY**

PFE, an Oakland-based vendor, is under contract for the provision of food to shelter animals for the period November 1, 2017 to August 31, 2020. The City's Purchasing Department issued a RFQ for a pet food vendor for OAS, which closed on March 18, 2020. The RFQ sent to PFE was sent to an outdated email address, resulting in the failure of PFE to respond. The sole respondent/bidder, Paws & Claws ("P&C"), an Oakland-based vendor, was awarded the contract on April 20, 2020. On August 4, 2020, Paws & Claws notified the City it is going out of business effective September 29, 2020.

Staff wishes to preserve the City's limited resources and prevent the likelihood that OAS will fully expend funds budgeted for pet food before the end of the fiscal year. Staff would like to take advantage of the economical prices offered by PFE. Therefore, staff wishes to increase and extend its contract with PFE for this purpose.

This request is for resources that already exist within the OAS budget and is not a request for additional resources.

### **REQUEST TO WAIVE ADVERTISING AND BIDDING REQUIREMENT**

Oakland Municipal Code ("OMC") section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of services, supplies or combination required by the City in any one transaction which exceeds \$50,000, and the award to the lowest responsible, responsive bidder if award is made. However, OMC Section 2.04.050.I.5 provides an exception to the advertising and competitive bidding requirements of the OMC upon a finding and determination by the City Council that it is in the best interests of the City to do so. Staff requests that the Council find and determine that it is in the best interest of the City to waive the advertising and competitive bidding requirements because of the reasons stated above.

### **ANALYSIS AND POLICY ALTERNATIVES**

Increasing and extending the PFE contract amount will ensure that OAS can continue to purchase food for shelter animals at reasonable prices, making it possible to stay within budget for this fiscal year.

In a timely manner, in advance of contract expiration, the City can issue a new RFQ and complete a competitive selection process to enter into a new contract for these purchases.

If the PFE contract is not extended, OAS will be unable to purchase food for the animals in its care.

Staff recommends waiving advertising and the RFQ requirement and authorization of the contract increase due to the need to continue providing pet food to shelter animals within the OAS budgeted amount.

### **FISCAL IMPACT**

The increase to the funding available for the PFE contract would be for an amount not to exceed \$90,000.00 to provide sufficient funding through the contract period, requested to be extended through June 30, 2021, and will make the contract amount for the term November 1, 2017 – June 30, 2021 a total not to exceed \$305,00.00.

Funding for this contract is in the FY 2020-2021 budget within Fund 1010, Organization 02491 – Animal Services, Account 52118 – Feed and Forage. No additional budgetary adjustment is necessary.

### **PUBLIC OUTREACH / INTEREST**

There are no public outreach opportunities associated with this report.

### **COORDINATION**

Development of this report was coordinated with internal OAS staff, Controller's Bureau, City Attorney's Office and City Administrator's Office.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic, environmental or social equity opportunities associated with this report.

***Environmental:*** There are no economic, environmental or social equity opportunities associated with this report.

***Race & Equity:*** OAS largely serves people from Oakland who lack the financial resources to provide veterinary care for their animals and live in communities where there are no veterinary clinics or other support for companion animals.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Waiving The Advertising And Bidding Requirements And Authorizing The City Administrator To Increase And Extend The Contract With Pet Food Express (PFE) For Food For Shelter Animals By An Amount Not To Exceed Ninety Thousand Dollars (\$90,000.00) From November 1, 2017 Through June 30, 2021, For A Total Contract Amount Of Three Hundred Five Thousand Dollars And Zero Cents (\$305.000.00).

For questions regarding this report, please contact Ann Dunn, Director, OAS, at (510) 535-5604.

Respectfully submitted,

*Ann Dunn*

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ANN DUNN  
Director, Oakland Animal Services

Reviewed by: Betsy Lake  
Deputy City Administrator