

## AGENDA ITEM SUMMARY

December 1, 2020

City Council

### STAFF

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Gerry Paul, Director of Purchasing & Risk Management  
Marcy Yoder, Neighborhood Services Senior Manager  
Ryan Malarky, Legal

### SUBJECT

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Resolution 2020-108 Approving an Exception to the Use of a Competitive Process for the Purchase of Animal Control Services from the Larimer Humane Society for 2021.

### EXECUTIVE SUMMARY

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The purpose of this item is to request an exception to the competitive bid process for the purchase of services for a one-year term beginning January 1, 2021, from the Larimer Humane Society for the operation and management of the animal shelter. Approval of this exception may be used as authorized in City Code Section 8-161(d)(4) as the basis for the City Manager and the Purchasing Agent to negotiate and agree to the additional purchase of animal control services from the Larimer Humane Society through December 2025 without further Council approval.

Exception to Competitive Bidding Rationale: Code Section 8-161(d)(1)(a). There exists only one (1) responsible source.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Resolution.

### BACKGROUND / DISCUSSION

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The City has contracted with the Larimer Humane Society for animal control services since 1986. The contract requires the Larimer Humane Society to provide a variety of specialized equipment and personnel necessary to provide animal control services to the City; to operate a shelter facility; to provide emergency veterinary care; to dispose of dead animals; to respond to animal-related calls for service; to enforce City ordinances pertaining to animals; to administer a pet licensing program; and to provide accurate quarterly reports to City staff. There is no other known organization, entity or individual currently capable of performing these services. The City relies on the Larimer Humane Society to address animal-related issues within the City limits and it remains dedicated to providing professional animal control services to the City.

The contract between the City and the Larimer Humane Society expires December 31, 2020. This year is the fifth and final year of the current contract. A new contract is required pursuant to Code Sec. 8-186 which limits multi-year contracts to five (5) years. Adoption of this Resolution will allow this contractual relationship to continue.

### CITY FINANCIAL IMPACTS

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The proposed 2021 contract contains a negotiated cost to the City for animal control services in the amount of \$748,000 paid in monthly installments of \$62,333.33. Funds for the contract are authorized in the 2021 budget.

RESOLUTION 2020-108  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROVING AN EXCEPTION TO THE COMPETITIVE PURCHASING  
PROCESS FOR THE PURCHASE OF ANIMAL CONTROL SERVICES  
FROM THE LARIMER COUNTY HUMANE SOCIETY FOR 2021

WHEREAS, Section 8-161(d)(1)(a) of the Code of the City of Fort Collins authorizes the Purchasing Agent to negotiate the purchase of supplies and services without utilizing a competitive bidding process where the Purchasing Agent determines that only one responsible source exists; and

WHEREAS, the Purchasing Agent has determined that the Larimer Humane Society is the only responsible source for the animal control services needed within the City, which shall include, without limitation, professional animal control enforcement, public education, operation and maintenance of an animal shelter, transportation of animals, and pick-up and disposal of dead animals (“Animal Control Services”); and

WHEREAS, the Purchasing Agent has submitted the requisite justification for such determination to the City Manager for approval; and

WHEREAS, the City Manager has reviewed and approved the justification for these Animal Control Services; and

WHEREAS, the cost to purchase these Animal Control Services is \$748,000 for the one-year term beginning January 1, 2021; and

WHEREAS, City Code Section 8-161(d)(3) requires approval of this purchasing method by the City Council for items costing more \$200,000 prior to acquisition; and

WHEREAS, City Code Section 8-161(d)(4) permits the Council to authorize the Purchasing Agent to negotiate the additional purchase of Animal Control Services from the Larimer Humane Society for up to four additional one-year terms after the initial one-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Council hereby approves, as an exception to the City’s competitive purchasing process, the purchase of Animal Control Services for a one-year term beginning January 1, 2021, from the Larimer Humane Society to include, without limitation, the provision of all necessary personnel trained in the area of animal control; the provision of uniforms to all animal control enforcement officers; and the provision of humane and modern vehicles for the safe transportation of animals, for a total payment of Seven Hundred Forty Eight

Dollars and Zero Cents (\$748,000) in twelve (12) monthly payments of \$62,333.33 for the one-year term beginning January 1, 2021, together with retained impoundment and license fees.

Section 3. That the Purchasing Director may use this approval, as authorized in City Code Section 8-161(d)(4), as the basis for negotiating the additional purchase of Animal Control Services from the Larimer Humane Society for up to four additional one-year terms extending through January 2025.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of December, A.D. 2020.

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Mayor

ATTEST:

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City Clerk