

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 19675

Sponsor(s): Dennis Waits

Date: December 11, 2017

<p><b>SUBJECT</b></p>	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p style="text-align: center;"><i>S. City</i></p> <p>Project/Title: <u>Awarding a <del>Thirty Six</del> Month Contract, with Three Twelve Month Options to Extend, for the Management and Operation of the County's Regional Animal Shelter to Great Plains SPCA of Merriam, Kansas under the terms and conditions of Request for Proposal No. 54-17</u></p>										
<p><b>BUDGET INFORMATION</b>  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" style="width: 100%;"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: _____ Estimated Use: _____</p> <p>Subject to the appropriation of the 2018 Budget</p> <p>Prior Year Budget (if applicable):          Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:		Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:		Amount budgeted for this item * (including transfers):		Source of funding (name of fund) and account code number:	
Amount authorized by this legislation this fiscal year:											
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:											
Amount budgeted for this item * (including transfers):											
Source of funding (name of fund) and account code number:											
<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): 4312 5/23/2011          Prior resolutions and (date): 18044 12/3/2012    19672 12/11/2017</p>										
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): Barbara Casamento, Purchasing Administrator, 881-3253</p>										
<p><b>REQUEST SUMMARY</b></p>	<p>Jackson County, Missouri requires a Contract for the Management and Operation of the County's Regional Animal Shelter. The Purchasing Department issued Request for Proposal No. 54-17 to meet those requirements.</p> <p>Four notifications were distributed and one response was received and evaluated as follows:</p> <p>Great Plains SPCA of Merriam, Kansas</p> <p>Pursuant to Section 1054.6 of the Jackson County Code, the County Executive's Office and The Purchasing Department recommend the Award of a Contract for the Management and Operation of the County's Regional Animal Shelter to Great Plains SPCA of Merriam, Kansas under the terms and conditions of Request for Proposal No. 54-17 as the best proposal received.</p> <p>The cost of Management and Operations will be at no cost to Jackson County, Missouri. A companion Resolution No. 19672, now under consideration by the Legislature for an intergovernmental agreement with the City of Independence, Missouri under which the County will provide animal shelter services for the City, for funds payable to the County, to be passed through to Great Plains SPCA.</p>										
<p><b>CLEARANCE</b></p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department) N/A  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department) N/A  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) N/A</p>										

COMPLIANCE	<input type="checkbox"/> MBE Goals – No Goals Assigned <input type="checkbox"/> WBE Goals – No Goals Assigned <input type="checkbox"/> VBE Goals – No Goals Assigned	
ATTACHMENTS	The Abstract of Bids, a Recommendation Memorandum from Mr. Mark Trosen, Deputy Chief Operating Officer and the pertinent pages of Great Plains SPCA proposal.	
REVIEW	Department Director: <i>[Signature]</i>	Date: 12/6/17
	Finance (Budget Approval): <i>If applicable</i> <i>N/A</i>	Date:
	Division Manager: <i>[Signature]</i>	Date: 12/7/17
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

NO	DESCRIPTION	UNIT	QTY	Great Plains SPCA	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
				AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
1	Bid Received			see bid					

CERTIFICATION OF BID OPENING  
 BIDS WERE PUBLICLY  
 OPENED AND RECORDED  
 ON: September 12, 2017 BY  
Mary Spino  
 CLERK OF THE LEGISLATURE  
[Signature]  
 PURCHASING

## Memorandum

To: Barbara Casamento, Purchasing Supervisor  
From: Mark Trosen, Deputy Chief Operating Officer  
Date: December 4, 2017  
Re: RFP 54-17 Evaluation

The Request for Proposals 54-17 for the Management and Operation of the Regional Animal Shelter was issued on August 14, 2017. Proposals were due on September 12, 2017.

There was only one response received; Great Plains Society for the Prevention of Cruelty to Animals (d.b.a. Great Plains SPCA).

The Great Plains SPCA proposal was reviewed by an Evaluation Committee comprised of representatives from the County's Administration and Public Works Department and City of Independence Manager's Office and Health Department.

The Committee met with Great Plains SPCA representatives on several occasions to negotiate Exhibit F-1 (Great Plains SPCA Exceptions to Scope of Services) and Exhibit G (Fee Schedule).

Great Plains SPCA has submitted revisions to both exhibits that are attached to this memo. The Committee accepts the revised exhibits and ask that the revised exhibits be included in Great Plains SPCA proposal and the original exhibits F-1 and G be removed.

Great Plains SPCA has managed and operated the facility since it has been built.

Based on the qualifications, staff experience, management approach and the reasonableness of the fee proposal, we recommend that Great Plains SPCA continue to manage and operate the Regional Animal Shelter for the next five years, 2018 through 2022.

REVISED 12.05.17

## EXHIBIT F – 1

**RESPONDENT'S EXCEPTIONS TO SCOPE OF SERVICES OF  
JACKSON COUNTY, MISSOURI REQUEST FOR PROPOSAL NO. 54-17  
AS OF 12.05.17**

**Great Plains SPCA urges the City of Independence to change the BSL law or to have a proposal agreed to by the City Council to relax this law to help bridge the increased expense we incur by forcing us to adhere to the Pit Bull ban.**

Average length of stay for any breed of dog except Pitbulls is 21 days  
Average # Pitbulls 2015/2016 = 198 Average Length of Stay 2 2015/16 = 42days  
At a cost of \$33 per day, **this ban is costing GPSPCA \$137,214** (21 extra days x  
198 pitbull average x \$33 per day) This is direct cost for care only. This does not  
include loss of adoption revenue, because we cannot adopt this breed out.

**Great Plains SPCA has a capacity limit of 130 dogs and 100 cats held in the facility at any one time. If the shelter is at or over capacity of dogs or cats, Great Plains SPCA will be permitted under the contract to turn away or wait list owner surrenders or strays of the particular type of animal received from the general public until space is available. If the source of the animal is ACO, Great Plains SPCA will accept up to 140 dogs and 150 cats without exercising its right to wait list or turn away animals.**

**Great Plains SPCA relies upon an annual \$230,000 grant from Jackson County to meet the costs of operating the shelter in accordance with the terms of the agreement. If the grant is not approved by Jackson County or if a quarterly grant payment is not made, Great Plains SPCA will have the option to terminate the agreement on one hundred eighty days' notice to Jackson County and the City of Independence.**

**Great Plains SPCA would like to re-define the Jackson County Outside Agency grant of \$150,000 from a Transport grant to a Spay/Neuter grant to support our initiative in reducing the already over-populated City of Independence.**

**If in any contract year, Great Plains SPCA is unable to raise \$150,000 of funds dedicated to a Spay/Neuter initiative in Jackson County/Independence, Great Plains SPCA will have the option to terminate the agreement on ninety days' notice to Jackson County and the City of Independence. The sources of funds for this initiative can be a grant from any or a combination of sources including Jackson County (over and above the funding grant referenced above), a third-party funding organization, or a private donor, but must be specifically designated for the Spay/Neuter initiative in Jackson County/Independence. The termination right will arise at each anniversary of the execution date if the fund-raising goal for the contract year has not been met as of such date in spite of good faith efforts of Great Plains SPCA. Upon receipt of notice of termination due to a fund-raising shortfall, the City of Independence will be given an opportunity to cure the fund-raising shortfall by making a grant in the amount of the shortfall prior to the end of the ninety-day notice period. If the shortfall is cured, the termination notice will be null and void and the contract will continue in accordance with its terms**

<b>Reference Para # &amp; Page #</b>	<b>Exception Requested</b>
<b>4.16.5 18/31</b>	Name of Shelter – The investment made by Jackson County residents into the new shelter is understood. Great Plains SPCA is amicable to reserving that recognition, but our organization must also be allowed to have visual presence on the exterior of the facility. Given our investment in TV, radio and print advertising to promote all of our facilities and draw in adopters, volunteers and donors, the public will need to make the connection that the Jackson County facility is in fact “Great Plains SPCA.” We are making a sizeable investment in marketing.
<b>4.2.4 Page 12/31</b>	GPSPCA would like a “suggested donation” amount be displayed on County and City websites and communicated effectively to citizens to create a unified message of support.
<b>4.2.5 Page 12/31</b>	Unaccompanied access will not state “at all times”, but will be limited to “normal business hours. The City understands that after hours drop-offs will be limited to the designated area.
<b>4.2.6 Page 12/31</b>	Respondent will contract with boarding facilities for hooved animals but the total expense will be that of the City. (With a contracted increase of 2% cost of living, GPSPCA does not have funding to offer \$300 per impounded animal).
<b>4.3.7 Page 12/31</b>	Respondent will notify the county of any major staffing changes such as CEO, COO, CFO and Shelter Director
<b>4.4.3 Page 13/31</b>	The shelter is currently over-populated due to lack of education and resources for area residents. Respondent will work with the City and County toward educating residents.
<b>4.4.6.2 Page 13/31</b>	Veterinarians will not test for Heartworm in cats
<b>4.4.6.7.1 Page 13/31</b>	On RTO, if owner has current proof of rabies vaccination, no shots will be given. If a vet is not on premises, we will adhere to the guidelines of five days and owner will need to show proof to the Department of Animal Services, City of Independence. For any cases involving animals that have been impounded for dangerous dog charges and/or rabies exposure quarantines, the owner must show proof of rabies vaccination or the vaccination must be administered prior to the animal’s release.
<b>4.17.3 Page 18/31</b>	Respondent would like this paragraph to read as: “The successful Respondent may charge a surrender fee for owner-surrenders”
<b>4.17.8 Page 18/31</b>	GPSPCA and Jackson County both agree to the fee schedule listed in Exhibit G-1.

**Revised 10.19.17  
EXHIBIT - G  
FEE SCHEDULE**

**PROPOSED JACKSON COUNTY COMPROMISE OFFER 10.09.17**

Year	Contract	Inflation %	Contract Plus Inflation	Inflation	
2016	\$ 515,000	2.0	\$ 525,300.00	\$ 10,300	2015 TO 2016 NO
2017	\$ 525,300	2.0	\$ 535,806.00	\$ 10,506	INFLATION ADJUSTMENT
2018	535806	2.0	\$ 546,522	\$ 10,716	
2019	546522	2.0	\$ 557,452	\$ 10,930	
2020	557452	2.0	\$ 568,601	\$ 11,149	
2021	568601	2.0	\$ 579,973	\$ 11,372	
2022	579973	2.0	\$ 591,572	\$ 11,599	

**Billing/Payment Schedule for 2018**

1st Q	\$128,750
2nd Q	\$128,750
3rd Q	\$144,511
4th Q	\$144,511
<b>Total</b>	<b>\$546,522</b>

For years 2019 through 2022, the annual billing/payment amount will be divided equally between the 4 quarters.