



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday, February 12, 2013
10:00 A.M.

**Los Angeles City Hall
200 North Spring Street
Room 1060
Los Angeles, California 90012**

LISA McCURDY
President

KATHLEEN RIORDAN
Vice-President

JIM JENSVOLD
TARIQ A. KHERO
ALANA YAÑEZ

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For information please call (213) 482-9501.

Si requiere servicios de traduccion, favor de notificar la oficina con 24 horas por anticipado.

COMMISSION MEETING

1. PUBLIC COMMENT PERIOD - (Comments from the public on items of public interest within the Board's subject matter jurisdiction and on items not on the Agenda.)

Public Comments: The Brown Act prohibits the Board and staff from responding to the speakers' comments. Some of the matters raised in public comment may appear on a future agenda.

2. COMMISSION BUSINESS

- A. Approval of the Minutes for the Meetings of November 27, 2012, and January 8, 2013

3. DISCUSSION ITEMS

- A. Discussion Item: Current Department Staffing Numbers.

4. BOARD REPORTS

- A. Approval to Release Wild and Exotic Animal Veterinarian Request for Qualifications (RFQ)

That the Board approve the release of a Request For Qualifications (RFQ), subject to City Attorney approval as to form and legality, to solicit firms or individuals to inspect circus elephants, tigers, and other wild and exotic animals performing in the City and report back with the list of qualified service providers.

B. ORAL REPORT OF THE GENERAL MANAGER

C. BOARD AVAILABILITY FOR THE MEETING OF February 26, 2013

D. ADJOURNMENT

Next Commission Meeting is scheduled for 10:00 A.M., February 26, 2013, at West Valley Animal Shelter, 20655 Plummer Street, Chatsworth, California 91311

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Tuesday of each month at 10:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. The agendas for Board meetings contain a brief general description of those items to be considered at the meetings. Board Agendas are available at the Department of Animal Services (Department), Administrative Division, 221 North Figueroa Street, 5th Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2nd floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, MP-3 audio files of meetings as well as electronic copies of approved minutes on the Department's World Wide Web Home Page site at <http://www.laanimalservices.com/CommissionAgendas.htm>

Three (3) members of the Board constitute a quorum for the transaction of business. Some items on the Agenda may be approved without any discussion.

The Board Secretary will announce the items to be considered by the Board. The

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Board will hear the presentation on the topic and gather additional information from Department Staff. Once presentations have finished, the Board President will ask if any Board Member or member of the public wishes to speak on one or more of these items. Each speaker called before the Commission will have one (1) minute to express their comments and concerns on matters placed on the agenda.

PUBLIC INPUT AT BOARD MEETINGS – Public Participation on Agenda Items.

Members of the public will have an opportunity to address the Board on agenda items after the item is called and before the Board takes action on the item, unless the opportunity for public participation on the item was previously provided to all interested members of the public at a public meeting of a Committee of the Board and the item has not substantially changed since the Committee heard the item. When speaking to an agenda item other than during Public Comment (see Public Comment below), the speaker shall limit his or her comments to the specific item under consideration (California Government Code, Section 54954.3).

Public Comment. The Board will provide an opportunity for public comment at every regular meeting of the Board. Members of the public may address the Board on any items within the subject matter jurisdiction of the Board as part of Public Comment.

Speaker Cards. Members of the public wishing to speak are to fill out one speaker card for each agenda item on which they wish to speak and present it to the Board secretary before the item is called.

Time Limit for Speakers. Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item except in public comment which is limited to three (3) minutes. The Chairperson, with the approval of a majority of the Board, may for good cause extend any speaker's time by increments of up to one (1) minute. Total speaker time on any agenda item will be limited to ten (10) minutes per item and fifteen (15) minutes for Public Comment, unless extended as above.

Brown Act. These rules shall be interpreted in a manner that is consistent with the Ralph M. Brown Act, California Government Code Section § 54950 et seq.

STANDARDS OF CONDUCT. Speakers are expected to behave in an orderly manner and to refrain from personal attacks or use of profanity or language that may incite violence.

All persons present at Board meetings are expected to behave in an orderly manner and to refrain from disrupting the meeting, interfering with the rights of others to address the Board and/or interfering with the conduct of business by the Board.

In the event that any speaker does not comply with the foregoing requirements, or if a speaker does not address the specific item under consideration, the speaker may be ruled out of order, their speaking time forfeited and the Chairperson may call upon the next speaker.

The Board, by majority vote, may order the removal from the meeting of any speaker or audience member continuing to behave in a disruptive manner after being warned by the Chairperson regarding their behavior. Section 403 of the California Penal Code states as follows: "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor".

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VOTING AND DISPOSITION OF ITEMS – Most items require a majority vote of the entire membership of the Board (3 members). When debate on an item is completed, the Board President will instruct the Secretary to "call the roll". Every member present must vote for or against each item; abstentions are not permitted unless there is a Conflict of Interest for which the Board member is obliged to abstain from voting. The Secretary will announce the votes on each item. Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

When the Board has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Board to again vote on the matter.



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday February 12, 2012
10:00 A.M.
LOS ANGELES CITY HALL
200 N. Spring St.
Room 1060
Los Angeles, CA 90012

Lisa McCurdy
President
Kathleen Riordan
Vice-President
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1. ADMINISTRATIVE APPEAL HEARING

- A. Dangerous Animal License Revocation Case Number: DA 12580WL
Appellant: Lindsey Erin Scully
Complaining Witness: Alex Gansa
Field Operations Supervisor, West Los Angeles Animal Care Center, Lt. Troy Boswell
Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

- B. Barking Dog License Revocation Case Number: BD 12348 WV
Appellant: Lindsey Brandon and Patricia Hill
Complaining Witness: Robert Schoenburg
Field Operations Supervisor, West Valley Animal Care Center, Lt. Jesse Castillo
Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LISA McCURDY
PRESIDENT

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VICE PRESIDENT

JIM JENSVOLD

TARIQ A. KHERO

ALANA YANEZ

City of Los Angeles
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
ANIMAL SERVICES
221 North Figueroa Street
5th Floor
Los Angeles, CA 90012
(888) 452-7381
FAX (213) 482-9511

BRENDA F. BARNETTE
General Manager

JOHN CHAVEZ
Assistant General Manager

Report to the Board of Animal Services Commissioners
Brenda Barnette, General Manager

COMMISSION MEETING DATE: February 12, 2013 **PREPARED BY:** John Chavez

REPORT DATE: February 8, 2013

TITLE: Assistant General Manager

**SUBJECT: APPROVAL TO RELEASE WILD AND EXOTIC ANIMAL
VETERINARIAN REQUEST FOR QUALIFICATIONS (RFQ)**

BOARD ACTIONS RECOMMENDED:

1. APPROVE the release of a Request For Qualifications (RFQ), subject to City Attorney approval as to form and legality, to solicit firms or individuals to inspect circus elephants, tigers, and other wild and exotic animals performing in the City.
2. REPORT BACK with the list of qualified service providers.

SUMMARY

In the past two years, the City has had to obtain the services of a wild and exotic animal veterinarian to inspect the health and well-being of circus elephants in conjunction with the issuance of performance permits to Ringling Bros. and Barnum & Bailey Circus. The Department's veterinarians are not trained in the veterinary care of wild and exotic animals and those at the Los Angeles Zoo have not been available for this purpose.

In 2011, the cost of hiring an independent veterinarian was paid for by the People for the Ethical Treatment of Animals (PETA); in 2012, the Department of Animal Services paid for this service. In both cases, veterinarians were identified on short notice to perform the needed services.

Because it is expected that the City will be responsible for these veterinarian costs in the foreseeable future, it must follow a competitive bid process. The issuance of a

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Report to the Board of Animal Services Commissioners
Subject: Approval to Release Wild/Exotic Animal Vet RFQ

Request for Qualifications (RFQ) is part of this process and also will provide the Department with the ability to choose a service provider in a more timely and orderly manner.

The Department will report back to the Board with the results of this RFQ. Timely approval of this report – and the release of the RFQ - is essential given that Ringling Bros. and Barnum & Bailey circus will be in Los Angeles from July 10 through July 16, 2013.

BACKGROUND

The issue of elephants and other exotic animals performing in circuses generates much controversy. Animal welfare advocates argue that wild animals and their performances no longer belong in circuses, and that this form of entertainment is outdated. Moreover, there is serious concern about how these exotic animals are treated and disciplined so that they can behave and perform properly.

Entertainment companies assert that these animals are well treated and that circuses are an important economic development activity.

The Board has recently weighed in on the elephant issue. On April 24, 2012, the Board recommended banning the use of bull hooks, which are used in the training and performance of elephants (Council File 12-0186). And, on October 23, 2012, Commissioners recommended various options relative to regulating the use of wild and exotic animals in traveling shows and exhibitions. This Board's report subsequently was discussed by the City Council's Personnel and Animal Welfare Committee which recommended a ban on both bull hooks and the use of elephants for most types of performances within the city limits. The matter now is pending before the full City Council, though it is uncertain when it will be heard.

Given the uncertainty as to whether circus elephant performances may or may not be forbidden in the City, circuses using elephants and other exotic animals will continue performing in Los Angeles in the near future. In fact, the largest of these, Ringling Bros., will return in July 2013.

The Mayor has asked that, as long as these performances are offered in Los Angeles, the Department ensure that Ringling Bros. animals (with an emphasis on elephants) are independently inspected as part of the Department's permit issuance procedure. To make sure this happens, veterinarians with experience with wild and exotic animals are needed to inspect travel containers, animals' temporary quarters, and circus conditions for elephants, tigers and other wild and exotic animals performing in the City.

It is also possible that, upon occasion, permit applicants apart from Ringling Bros. will require independent inspections. Establishing a list of qualified veterinarians will facilitate the accomplishment of those tasks.

USE OF WILD AND EXOTIC ANIMAL VETERINARIANS

These inspections include checking the travel compartments to make sure that they meet standards for approved accommodations (space, cleanliness, etc.), reviewing medical records on each animal, accompanying the elephants as they walk to their temporary shelter, and conducting spot inspections of elephants and other animals before, during and after their performances. The veterinarian is also required to provide the Department with a comprehensive report of his/her findings.

In 2011, PETA paid for the services of a locally-based wild and exotic animal veterinarian, Dr. Howard Martin. Last year, after the veterinarians at the Los Angeles Zoo declined to participate, Animal Services retained the services of Dr. Phillip K. Ensley. Dr. Ensley was the long-time elephant veterinarian at the San Diego Zoo and, in retirement, provides his services as a Colorado-based consultant. Because the original cost estimate was under \$5000, the General Manager was authorized to unilaterally approve payment using Animal Welfare Trust Funds. The final bill totaled \$5,692, thereby requiring final approval from the Board.

REQUEST FOR QUALIFICATIONS

Dr. Ensley's services were not obtained via a competitive bid process. Given the need to quickly select a veterinarian and the lack of a qualified list of veterinarians to choose from, the Department managed to obtain his services by using an *Authority For Expenditure (AFE)*. AFEs are meant to be used on a one-time basis and are approved by the City Attorney. However, given that the need to hire a veterinarian for these inspections will be on-going, the Department is compelled to follow a formal procurement process to be used to contract with the next veterinarian. A *Request For Qualifications (RFQ)* is the appropriate vehicle to do this.

The RFQ (attached) requires proposers to submit a Statement Of Qualification to provide veterinary services on a pre-qualified, on-call basis. It is anticipated that a list of several veterinarians will be established. The Department is hoping that the proposed cost will be below \$5000 and is requesting proposers to use that as their target.

RFQs will be evaluated and scored. Applicants receiving a score of 75% or more will be considered qualified. The Department will report back on the list of qualified applicants. Service providers will be contracted on an as-needed basis.

Cost, best value and/or availability will be considered in the choice of service providers for each assignment. Contracts will be subject to City Attorney review and approval as to form and legality. The Department will seek Board approval to negotiate and execute a contract if the amount exceeds \$5,000.

Report to the Board of Animal Services Commissioners
Subject: Approval to Release Wild/Exotic Animal Vet RFQ

FISCAL IMPACT

There is no impact on the General Fund. The veterinarian will be paid using Animal Welfare Trust Funds. The Department expects that this will amount to between \$5,000-10,000 per year.

APPROVED

BRENDA BARNETTE, General Manager

Attachment:

Draft RFQ For Pre-Qualified On-Call Wild and Exotic Animal Veterinarians

BOARD ACTION:

_____ Passed

Disapproved _____

_____ Passed with noted modifications

Continued _____

_____ Tabled

New Date _____

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**CITY OF LOS ANGELES
DEPARTMENT OF ANIMAL SERVICES**

INTRA-DEPARTMENTAL MEMORANDUM

To: Lisa McCurdy, President
Board of Animal Services Commissioners

From: Brenda Barnette, General Manager
Department of Animal Services

Date: February 8, 2013

Re: **CURRENT DEPARTMENT POSITION STAFFING**

The Department has performed an extensive review of our authorized staffing level. The review compared the number of authorized, resolution and substitute authorities in the Fiscal Year 2007-08, the high water mark for the number of employees against the number of employees. Attached is a chart showing the positions deleted and current vacancies.

In 2007-08, the Department was authorized a total of 438 positions. This year, the Department has been reduced to 325 regular and resolution authorities. This equates to a reduction of 25.7% in the Department staffing levels over the past five years. Subsequently, this reduction has severely impacted our ability to meet the increased workload and the commitment to achieve "No Kill" status this year.

An important dilemma facing the Department now is an increased holding period for animals. As the number of shelter staff decreases, the number of kennels increases, along with the animals within. This, coupled with the Department's "no kill" philosophy will result in animals being held for a longer period of time, resulting in increased animal populations that must be cared for by a reduced staff. These factors are creating a situation at our shelters that makes them unsafe for our Animal Care Technicians to operate, and creates unsafe and dirty conditions for the animals. In 2000, the City contracted with Meyer & Allen Associates to conduct a master facilities study

that was used to design and build the new animal shelters. The Meyer & Allen staffing requirements recommended a shelter staffing requirement of 266 positions in 2005 with the number increasing to 378 by 2010. By comparison, Animal Services' staffing in 2005 was 302; however, in 2013, the Department only had 325 employees, which was below the Meyer & Allen standard of 378

Shelter staffing has been heavily impacted due to the reduction in Animal Care Technicians (ACT) personnel. During the comparison period, the number of ACT's and ACT Supervisors fell from 183 to 154 or 15.8%. In addition there are six vacant ACT positions waiting to be filled, though it is uncertain whether the Managed Hiring Committee will allow this. ACT staff reductions coupled with vacancies severely impacts our ability to adequately staff the new South Los Angeles Shelter.

In Fiscal Year 2007/08 the Department had 1,930 kennels at its shelters. This year the number of kennels has increased to 2,029, a 5.1% increase. The increase in kennels coupled with the reduction in the number of ACT's will be magnified now that the new South Los Angeles Shelter opened. *The new facility has twice as many kennels as the old shelter.* The number of new kennels will substantially increase the workload of our ACT staff.

Our field operation has also been impacted by staff reductions. Animal Control Officer positions have been reduced by 25. This results in many calls for officer assistance being classified as "Unable to Make" (UTM). Officers assigned to field duty must only handle calls for service that are a threat to the health and welfare of an animal or human. Any patrol time remaining can be assigned to calls of lesser importance such as off-leash or barking dog complaints.

The Department's veterinary services continue to feel the effects of staff reductions and vacancies. In the last five years the veterinary staff has lost six medical veterinary positions along with 14 Veterinary Technicians. The loss of these position results in additional animals being sent to private contract veterinary clinics for care. This additional care by outside vets results in additional costs to the Department during a period when our budget has been reduced for all services.

The Department's administrative staff has also been severely impacted by the elimination of analyst positions. The analyst category is responsible for contracts, requests for records, supervising the Administrative Hearing Program, providing administrative support to the Board and preparing, implementing and monitoring budget related items. In the last five years the number of analyst positions has been reduced from five to one.

The administrative staff is currently evaluating three Requests for Proposals for microchips, a mobile spay and neuter van and vaccination clinics. The lack of administrative support has resulted in the delay of reviewing selecting and awarding a contract. In addition, the Administrative Hearing program for barking dogs and dangerous animals has been greatly impacted by the staff reductions. In 2011 there were 82 dangerous animal and barking dog cases waiting to be heard. The wait time for a hearing date increased to six or eight months. The Department assigned a second hearing officer to the program and reduced the backlog to where the hearings were held within 30 days of the shelter filing the case.

Due to field operations needs, budget constraints and a lack of clerical support, one of the hearing officers was reassigned to a shelter along with the clerk typist assigned to the Administrative Hearing Program. The reassignment of these two positions has increased to 45 days, the time required to schedule an administrative hearing. Currently, the Hearing program has 23 cases that have not been scheduled. To keep up with the administrative duties required of the program, other staff members have been assisting the hearing officer. However, it is very difficult to cover the loss of two staff and the 80 hours that were devoted to the Administrative Hearing Program.

It is understood that staff reductions have occurred throughout all City departments. The Department stands ready to do its part to ensure the solvency of the city's budget. However, it must also be understood that the reduction in the Department's staff results in many worthwhile projects being canceled and important programs being delayed.

To all Potential Respondents:

**CITY OF LOS ANGELES
DEPARTMENT OF ANIMAL SERVICES**

**REQUEST FOR QUALIFICATIONS (RFQ)
PRE-QUALIFIED ON-CALL WILD AND EXOTIC ANIMAL VETERINARY
CONSULTANTS LIST**

Statements of Qualifications (SOQs) are requested from experienced veterinarians/veterinary consultants to provide wild and exotic animal (with a primary focus on elephants) veterinary services in conjunction with animal performance permit-related inspections on a pre-qualified on-call basis. SOQs must be submitted in accordance with the requirements set forth in this document.

Only written responses will be considered. Any materials submitted will become part of the response, and may be incorporated into any subsequent contract(s) between the City and the selected consultant. An original and four copies (total of five sets) and one PDF copy on compact disc of the Cover Letter and the SOQ, plus an original and one copy (total of two sets), separately bound and clearly labeled, of the other materials listed in Section 8 must be received by 2:00 p.m. on **[TBD]** addressed to:

Attention: Ross Pool
Department of Animal Services
221 North Figueroa Street, Fifth Floor
Los Angeles, California 90012

If you have technical questions, please submit them to Mr. Pool with a copy to John Chavez, via fax at (213) 482-9511, by mail, or via email: ross.pool@lacity.org and john.chavez@lacity.org. The questions, along with the answers, will be posted on the web site at **[TBD]**. Any questions regarding mandated City policies and programs should be addressed to the City agency responsible for administering them, as stated in the corresponding attachment.

**CITY OF LOS ANGELES
DEPARTMENT OF ANIMAL SERVICES**

**REQUEST FOR QUALIFICATIONS (RFQ)
PRE-QUALIFIED ON-CALL WILD AND EXOTIC ANIMAL
VETERINARIAN LIST**

1. INTRODUCTION

The Department of Animal Services is requesting submittal of SOQs from veterinarians/veterinary consultants to provide performing animal permit-related inspection services on a pre-qualified on-call basis. It is anticipated that a list of several veterinarians/veterinary consultants will be established.

The issuing date for the RFQ is [\[TBD\]](#). The closing date for this RFQ is 2:00 p.m. on [\[TBD\]](#). Responses may be submitted at any time prior to the due date.

A panel from the Department of Animal Services and outside experts will evaluate the written responses to this RFQ to establish a list of pre-qualified on-call wild and exotic animal veterinarians/veterinary consultants.

2. COST OF CONSULTING CONTRACTS

It is anticipated that the services required under this contract will be under \$5000 per engagement; however, the Department may consider services over that amount.

3. FINANCIAL RESPONSIBILITY

The City shall not be responsible in any manner for the costs associated with the submission of your SOQ. The SOQ, including all drawings, plans, brochures, photographs and other materials submitted shall become the property of the City upon receipt by the City. The City shall have the right to copy, reproduce, publicize or dispose of each SOQ in any way the City elects.

4. RIGHTS OF NEGOTIATION, REVISION, WITHDRAWAL, AND REJECTION

The City will negotiate a contract with firm(s) selected for the Pre-Qualified On-Call List. The City reserves the right to revise the RFQ, withdraw the RFQ, reject any response for non-compliance with the RFQ provisions, or not to award a contract at any time because of unforeseen circumstances or if it is determined to be in the best interest of the City. If the RFQ is revised, written revisions to the RFQ will be made available to all potential respondents who received the RFQ.

5. ACCEPTANCE OF TERMS AND CONDITIONS

Submission of a SOQ shall constitute acknowledgement of acceptance of all terms and conditions hereinafter set forth in this RFQ unless otherwise expressly stated herein. All SOQs must be submitted in writing and must include all required documents including forms, appendices, and other specifications.

6. SCOPE OF WORK

The proposed scope of work required for pre-qualified on-call wild and exotic animal veterinary consulting services will include, but not be limited to the following:

- A veterinarian is required to be on-call to inspect the travel containers for circus elephants, tigers and other wild and exotic animals performing in the City.
- These inspections include checking the travel compartments to make sure that they meet USDA standards for approved accommodations (space, cleanliness, etc.), reviewing medical records on each animal, accompanying and observing the animals as they walk to their temporary shelters, and conducting spot inspections of elephants and other animals before, during and after performances. These inspections may occur before dawn and late into the evening.
- The veterinarian must have extensive knowledge of elephants, tigers and other wild and exotic animals, their behaviors, and their health and welfare.
- The veterinarian must be able to determine whether the animals are healthy enough to perform without risk of injury.
- The veterinarian must disclose if there is any potential conflict-of-interest in performing this work or if the veterinarian is party to any elephant-, circus- or City-related litigation.
- The veterinarian shall provide the Department of Animal Services with a complete report detailing his/her findings.
- It is likely that this services will be used only once a year, during the summer, and for a maximum one-week period, though other occasions may be contemplated depending upon need and circumstances.

7. ASSIGNMENT OF WORK

The assignment of work under this contract will be done by calling veterinarians on the list and determining who is available. If there is only one veterinarian available, the Department will contract with that veterinarian.

If more than one veterinarian is available to provide the services, the Department will request a proposal from those available. Assignments will be awarded to the pre-

qualified on-call list proposer whose proposal represents the best overall value to the City.

Once an agreement is reached, the City will issue a Notice to Proceed. No work is authorized until the City issues the Notice to Proceed to the selected veterinary consultant. No guarantee of work is given or implied to any of the consultants on the list. A consultant may reject any offer of work; however, three such rejections during the term of the contract, including failures to respond to solicitations may be cause for removal from the list.

8. CHECKLIST OF SOQ REQUIREMENTS

Respondents shall submit an original and four copies (total of five sets) and one PDF copy on compact disc of their Cover Letter and SOQ. An original and one copy (total of two sets) of all other required documents, bound separately and clearly labeled, are to be submitted at the same time as the SOQ submittal.

Cover Letter

Include the name and address of the firm; the firm's BTRC number (Refer to **Attachment X**); the names, titles and telephone numbers of the person(s) who will be authorized to represent the respondent.

SOQ

A proposer must provide a statement assuring the Department that it has experience as a wild and exotic animal veterinarian that qualifies him/her to inspect circus elephants, tigers and other wild and exotic animals. The SOQ shall include a proposer's demonstrated skills, knowledge and abilities relative to elephants, tigers and other wild and exotic animals used in performances; their behaviors, and their health and welfare. The proposer must describe their experience determining whether these circus animals are healthy and can perform without risk of injury.

The proposer's SOQ must disclose if there is any conflict-of-interest in performing this work or if anyone in the organization is party to any elephant-, circus- or City-related litigation.

The SOQ must include a statement that it is genuine, and not a sham or collusive, nor made in the interest or on behalf of any person not herein named, and that the respondent has not directly or indirectly induced or solicited any other respondent to put in a sham SOQ, or any other person, firm or corporation to refrain from responding, and that the respondent has not in any manner sought by collusion to secure for itself an advantage over any other respondent. If selected, the consultant is prepared to provide all of the services described in the Scope of Work for each project for which a proposal is submitted.

The Statement must also include a list of previous clients for past work of a similar nature, or with wild and exotic animals. Provide the names of the clients, the clients' contact persons and their telephone numbers, and a description of the circumstances

and the work performed. The City reserves the right to contact the clients listed at any time.

Key personnel must provide academic credentials, professional and/or requisite licensing, and/or certification documents as are required to perform the duties as detailed in the Scope of Work section.

CHECKLIST

√	DOCUMENT	DESCRIPTION
<input type="checkbox"/>	Cover Letter	Include the name and address of the firm; the firm's BTRC number (Refer to Attachment X); the names, titles and telephone numbers of the person(s) who will be authorized to represent the respondent; and the name of the project coordinator for the duration of the contract.
<input type="checkbox"/>	SOQ	See Checklist of SOQ Requirements
<input type="checkbox"/>	Equal Benefits Ordinance (See Attachment X)	Equal Benefits Ordinance Compliance Affidavit uploaded to BAVN
<input type="checkbox"/>	Child Support Obligations (See Attachment X)	Certificate of Compliance to Child Support
<input type="checkbox"/>	Americans with Disabilities Act (See Attachment X)	Certificate of Compliance to ADA
<input type="checkbox"/>	Slavery Disclosure Ordinance (See Attachment X)	Slavery Disclosure Ordinance Affidavit uploaded to BAVN
<input type="checkbox"/>	Los Angeles Residence Information Form (See Attachment X)	Percentage of Workforce residing in the City of Los Angeles
<input type="checkbox"/>	Bidder Certification CEC Form 50 and Bidder Contributions CEC Form 55 (See Attachment X)	Compliance with Disclosure Requirements and Prohibitions Established in the Los Angeles Municipal Lobbying Ordinance and Limitations on Campaign Contributions
<input type="checkbox"/>	Policy Compliance Certification Checklist	Checklist must be completed, signed, and submitted with the Cover Letter and SOQ

9. CONSULTANT SELECTION PROCEDURE

SOQs will be reviewed by a panel from the Department of Animal Services. The following criteria will be used in evaluating the respondent's SOQ to determine which respondents are deemed most qualified for the successful performance of wild and exotic animal veterinarian services. Respondents submitting SOQs may be called for an oral interview to further assess their qualifications. If the consultant has complied with other City requirements, the consultant will be placed on the pre-qualified on-call list. For specific work requests, proposals will be solicited from the consultants on the list pursuant to the terms of Section 7.

Consultants will not be allowed to make any changes to their SOQs between the time of submittal and the time a decision is made by the City on which firms are "short-listed" for interviews. If a consultant has been short-listed, the consultant may revise its SOQ

ONLY if the City is notified in writing. The notification must be received by the City at least 10 days prior to the interviews. The notification must clearly state the reasons for and the specifics of the changes.

Selection/Evaluation Criteria

- **Technical Qualifications and Past Experience** **40%**
This includes the individuals' background, experience, and familiarity with the inspection of performing/zoo elephants, tigers and other wild and exotic animals; and the qualifications of personnel.
- **Record of Past Performance** **30%**
This includes quality of work, completion of work on time and within budget, and the response of references.
- **Cost/Value to the City** **30%**
This includes proposed fees, if these fees are within budget (target: below \$5,000), and if these fees are appropriate and reasonable.

12. CITY CONTRACTUAL REQUIREMENTS

The City of Los Angeles has certain policies and requirements that may affect the contracts awarded from this RFQ. Refer to **Attachment X** for a sample of the City of Los Angeles' Personal Services Contract. Therefore, all prospective consulting firms are advised of the following:

- **Contractor Responsibility Ordinance (CRO)**

The contract will only be awarded to a responsive, responsible consultant. All businesses or individuals seeking to contract with the City of Los Angeles are required to demonstrate that they possess the quality, fitness, and capacity to perform the work set forth in the contract under the terms of the criteria listed in the Los Angeles "Contractor Responsibility Ordinance" (Article 14, Chapter 1, Section 10 of the Los Angeles Administrative Code). Respondents are required to complete all sections of the "Responsibility Questionnaire." Submit the Questionnaire with the SOQ. Failure to return the completed document may result in the respondent being deemed non-responsive. When the contract is awarded, the consultant and its subconsultants will be required to sign a "Pledge of Compliance with the Contractor Responsibility Ordinance". Submitting firms with questions on the Contractor Responsibility Ordinance should contact the Bureau of Contract Administration, Special Research & Investigation Section at (213) 847-2445. (**Attachment X**)

- **Business Tax Registration Certificate (BTRC)**

The City of Los Angeles requires that all firms doing business within the City of Los Angeles pay City business taxes. Each firm or individual paying the business tax receives a BTRC number.

The respondents must represent that they have, or will obtain upon award, a Business Tax Registration Certificate (BTRC) required per the Los Angeles City's Business Tax Ordinance (Article 1, Chapter 2, Section 21.00 and following, of the Los Angeles Municipal Code). The consultant shall maintain, or obtain as necessary, all such certificates required of it under said Ordinance and shall not allow any such certificate to be revoked or suspended. To find out more about the BTRC, please refer to **Attachment X**, or contact the Office of Finance, Tax and Permit Division, Main Office, (213) 473-5901.

- **Nondiscrimination, Equal Employment Practices and Affirmative Action Program**

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2, Non-discrimination Clause.

Non-construction services to or for the City for which the consideration is \$1,000 or more shall comply with the provisions of Los Angeles Administrative Code Section 10.8.3, Equal Employment Practices Provisions. All Proposers shall complete and upload, the Non-Discrimination/Equal Employment Practices Certification (two (2) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org at the time it registers on BAVN but no later than the time when an individual SOQ is submitted. However, Proposers with Certifications previously uploaded to BAVN and verified by the Office of Contract Compliance (OCC) do not need to re-submit.

- **Insurance Requirements**

The selected consultants will be required to obtain insurance coverage in the following types and amounts as specified by the City Administrative Officer's Risk Manager and the Board of Public Works prior to award of a task order under this contract:

•General Liability	\$ 1 Million per occurrence
•Professional Liability	\$ 1 Million per occurrence
•Workers' Compensation/ Employer's Liability Insurance	\$ 1 Million per occurrence

Insurance requirements, including actual levels of insurance coverage for each required type of insurance may be adjusted. At the time an assignment is given, and prior to the commencement of work, proof of insurance must be submitted to the Department for approval by the City Administrative Officer's Risk Manager.

Documents in **Attachment X** are included for the potential respondent's information. No insurance documents need to be submitted with the SOQ.

- **Equal Benefits Ordinance**

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits Ordinance (EBO).

All Proposers shall complete and upload, the Equal Benefits Ordinance Affidavit (two (2) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org prior to award of a City contract, the value of which exceeds \$5,000. The Equal Benefits Ordinance Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the City's BAVN. Proposers do not need to submit supporting documentation with their bids or SOQs. However, the City may request supporting documentation to verify that the benefits are provided equally as specified on the Equal Benefits Ordinance Affidavit.

Proposers seeking additional information regarding the requirements of the Equal Benefits Ordinance may visit the Bureau of Contract Administration's web site at <http://bca.lacity.org>.

- **Child Support Obligations Ordinance**

On February 13, 1991, the Child Support Obligations Ordinance became effective. The ordinance requires all current and future consultants and subconsultants performing work for the City to comply with all State and Federal reporting requirements relative to legally mandated child support obligations. All future contracts will contain language obligating the consultant and any subconsultants to fulfill those requirements. In addition, the consultant must complete the Certification of Compliance with Child Support Obligations form (**Attachment X**) and submit it with the SOQ.

- **Americans with Disabilities Act**

Consultants performing work for the City are required to be in compliance with the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.), and must submit a Certification Regarding Compliance with the Americans with Disabilities Act with their SOQ. (**Attachment X**)

- **Service Contractor Worker Retention Ordinance & Living Wage Ordinance**

Unless approved for an exemption, consultants under contracts primarily for the furnishing of services to or for the City and that involve an expenditure in excess of \$25,000 and a contract term of at least three (3) months, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Proposers shall refer to **Attachment X**, "Service Contractor Worker Retention Ordinance and Living Wage Ordinance" for further information regarding the requirements of the Ordinances.

Proposers who believe that they meet the qualifications for one of the exemptions described in the LWO List of Statutory Exemptions shall apply for exemption from the Ordinance by submitting with their SOQ the Application for Non-Coverage or Exemption

(Form OCC/LW-10), or the Departmental Exemption Application (Form OCC/LW-13). The List of Statutory Exemptions, the Application and the Certification are included in **Attachment X**.

- **Contractor Evaluation Ordinance**

At the end of the contract, the City will conduct an evaluation of the Consultant's performance. The City may also conduct evaluations of the Consultant's performance during the term of the contract. As required by Section 10.39.2 of the Los Angeles Administrative Code, evaluations will be based on a number of criteria, including the quality of the work product or service performed, the timeliness of performance, financial issues, and the expertise of personnel that the Consultant assigns to the contract. A Consultant who receives a "Marginal" or "Unsatisfactory" rating will be provided with a copy of the final City evaluation and allowed 14 calendar days to respond. The City will use the final City evaluation, and any response from the Consultant, to evaluate SOQs and to conduct reference checks when awarding other personal services contracts.

- **Discount Terms**

Consultants and contractors performing work for the City must agree to offer the City any discount terms that are offered to its best customers for the goods and services to be provided herein, and apply such discounts to payments made under this contract which meet the discount terms.

- **Slavery Disclosure Ordinance (SDO)**

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance; any contract awarded pursuant to this RFQ will be subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code.

All Proposers shall complete and upload, the Slavery Disclosure Ordinance Affidavit (one (1) page) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org prior to award of a City contract.

Proposers seeking additional information regarding the requirements of the Slavery Disclosure Ordinance may visit the Bureau of Contract Administration's web site at <http://bca.lacity.org>. **(Attachment X)**

- **Los Angeles Residence Information**

The City Council, in consideration of the importance of preserving and enhancing the economic base and well being of the City, encourages businesses to locate or remain within the City of Los Angeles. This is important because of the jobs businesses generate and for the business taxes they remit. The City Council, on January 7, 1992, adopted a motion that requires proposers to state their headquarter address as well as the percentage of their workforce residing in the City of Los Angeles. All potential respondents are required to complete the Los Angeles Residence Information form and submit the form with their SOQ. **(Attachment X)**

- **Non-Collusion**

After the List of Pre-Qualified On-Call Consultants is established, consultants will be asked to submit a proposal on the project. Respondents will be required to complete and return the Non-Collusion Affidavit with their proposal. **Attachment X** is the Non-Collusion Affidavit and is only required to be submitted when responding to a request by Animal Services.

- **Bidder Ethics**

Any bidder for a contract, as those terms are defined under the Contractor Responsibility Program provided for in Los Angeles Administrative Code Section 10.40.1, shall submit with its bid a certification, CEC Form 50, proscribed by the City Ethics Commission, that the bidder acknowledges and agrees to comply with the disclosure requirements and prohibitions established in the Los Angeles Municipal Lobbying Ordinance if the bidder qualifies as a lobbying entity under the Ordinance. The exemptions contained in Los Angeles Administrative Code Section 10.40.4 shall not apply to this subsection. Each City department shall include a copy of the Municipal Lobbying Ordinance in each invitation for bids, request for proposals, request for qualifications or other solicitation related to entering into a contract with the City. **(Attachment X)**

Persons who submit a response to this solicitation are subject to Charter Section 470(c)(12) and related ordinances. As a result, bidders may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the time they submit the response until either the contract is approved or, for successful bidders, 12 months after the contract is signed. The bidder's principals and subcontractors performing \$100,000 or more in work on the contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Bidders must submit CEC Form 55 (provided in **Attachment X**) to the awarding authority at the same time the response is submitted. The form requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or ethics.lacity.org.

- **First Source Hiring Ordinance**

Unless approved for an exemption, consultants under contracts primarily for the furnishing of services to or for the City, the value of which is in excess of \$25,000 and a contract term of at least three (3) months, and certain recipients of City Loans or Grants, shall comply with the provisions of Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance (FSHO). Proposers shall refer to **Attachment X**, "First Source Hiring Ordinance" for further information regarding the requirements of the Ordinance.

The Anticipated Job Opportunities Form (FSHO-1) and Subcontractor Information Form (FSHO-2) contained in **Attachment X** shall only be required of the Proposer that is selected for award of a contract.

- **Local Business Preference Program (LBPP)**

The City is committed to maximizing opportunities for local businesses, as well as encouraging local businesses to locate and operate in Los Angeles County (County). It is the policy of the City to prevent unemployment, encourage an increase in local jobs, and create high road economic development. Qualifying firms who participate in the LBPP by qualifying as a local business may receive 8% of the total possible evaluation points added to their evaluation score. Qualifying firms who do not qualify as a local business, may qualify for the LBPP by identifying a local subconsultant to perform work under the contract. Up to 5% of the total possible evaluation points may be added to the evaluation score.

Animal Services is entitled to determine at any time before the award of a contract that it is not in the City's best interest to grant a preference to a qualifying local business or subconsultant. Further information regarding the LBPP is provided as **Attachment X**.

10. **RFQ SCHEDULE**

This schedule indicates estimated dates for the RFQ process. The City reserves the right to adjust this schedule when appropriate.

DATE	EVENT
<i>Date the Board of Animal Services adopts Board Report</i>	Release RFQ to potential respondents
<i>6 weeks after RFQ is released</i>	SOQs due by 2:00 p.m.
	Begin SOQ evaluations
<i>2-3 weeks after SOQ submission</i>	Conduct interviews/oral presentations
<i>6 weeks after SOQ submission</i>	Begin negotiations with selected consultants
<i>8 weeks after SOQ submission</i>	Board of Animal Services approves contracts, if over \$5000
<i>15 weeks after SOQ submission</i>	Department of Animal Services executes contracts

11. **WHERE TO SUBMIT RESPONSES**

To respond to this RFQ, an original and four copies (total of five sets) and one PDF copy on compact disc of the Cover Letter and the SOQ, plus an original and one copy (total of two sets), separately bound and clearly labeled, of the other materials specified

on the Checklist in Section 8, must be received by 2:00 p.m. on [\[TBD\]](#). Faxes will not be accepted. Respondents should send or deliver their submittals to:

Attention: Ross Pool
Department of Animal Services
221 North Figueroa Street, Fifth Floor
Los Angeles, California 90012

12. PROPOSAL PROTEST PROCEDURES

These procedures provide a method for resolving, prior to award, protests regarding the award of personal service contracts by and through the City's Board of Animal Services Commissioners. These procedures are for the benefit of the City and are not intended to establish an administrative requirement that must be exhausted by the protesting consultant prior to pursuing any legal remedy that may be available. For this reason, no consultant shall have any right to due process, should the City fail to follow these procedures, for any reason within its discretion. However, failure by a consultant to follow the protest procedures as discussed below will create the presumption that any subsequent legal action in a court of competent jurisdiction is of no merit. These procedures will enable the Department of Animal Services to ascertain all of the facts necessary to make an informed decision regarding the award of the contract.

- a. A protest relative to a particular Request for Proposal/Request for Qualifications (RFP/RFQ) must be submitted in detail and in writing and be postmarked within five calendar days after the receipt of proposal or statement of qualification by the City. The day of the proposal or statement of qualification receipt shall be considered as day one.
- b. All protests must be addressed to:

Attention: Ross Pool
Department of Animal Services
221 North Figueroa Street, Fifth Floor
Los Angeles, California 90012

- c. Advance copies of protests will be accepted if sent via fax within the protest period to Mr. Pool at (213) 482-9511 or ross.pool@lacity.org and provided approval is received prior to sending the fax or email, by calling Mr. Pool at (213) 482-9501.
- d. The Board of Animal Services Commissioners will only consider protests against any consultant who appears to have a substantial and reasonable prospect of receiving a contract if the protest is sustained.
- e. The Board of Animal Services Commissioners may consider protests from consultants concerning contract compliance matters beyond the protest period. These protests will receive due consideration if the consultant

submits the protest in a timely period and such protest affects a consultant who appears to have a substantial and reasonable prospect of being selected if the protest is accepted.

- f. Protests meeting the above criteria will be analyzed and reported upon in a written report to the Board of Animal Services Commissioners. Protesting parties will be notified of the time and date that the written report will be discussed in a public session of the Board of Public Works. Protesting parties will be given the opportunity to present their arguments at the public session.

13. LIST OF ATTACHMENTS

Attachment X: Contractor Responsibility Ordinance Package
Attachment X: BTRC Notice and Application Form
Attachment X: Non-Discrimination, Equal Employment, Affirmative Action Package
Attachment X: Insurance Requirements Package
Attachment X: Equal Benefits Ordinance Package
Attachment X: Child Support Information and Certificate of Compliance
Attachment X: Certification of Compliance with the Americans with Disabilities Act
Attachment X: Service Contractor Worker Retention Ordinance/Living Wage Ordinance Package
Attachment X: Sample City of Los Angeles Personal Services Contract
Attachment X: Slavery Disclosure Ordinance Package
Attachment X: Los Angeles Residence Information
Attachment X: Non-Collusion Affidavit
Attachment X: Bidder Ethics
Attachment X: First Source Hiring Ordinance Package
Attachment X: Local Business Preference Program

The potential respondent should contact the following people for questions regarding this RFQ, required submittals, or the various City policies and procedures that are referenced in the RFQ and Attachments.

RFQ in General and Technical Questions

Ross Pool, Management Analyst II, (213) 482-9501, (213) 482-9511 fax,
ross.pool@lacity.org

John Chavez, Assistant General Manager, (213) 482-9558, john.chavez@lacity.org

Policies and Procedures

Contractor Responsibility Ordinance
Bureau of Contract Administration
Special Research & Investigation Section (213) 847-2445

Business Tax
Office of Finance, Tax and Permit Division..... (213) 473-5901

Child Support Obligations	
Commission on Children, Youth & Families	(213) 744-9047
Business Inclusion Program	
Bureau of Contract Administration	
Subcontractor Outreach and Enforcement Section	bca.biphelp@lacity.org
Equal Benefits Ordinance	
First Source Hiring Ordinance	
Non-Discrimination, Equal Employment and Affirmative Action Statements	
Service Contractor Worker Retention Ordinance and Living Wage Ordinance	
Slavery Disclosure Ordinance	
Bureau of Contract Administration	
Equal Employment Opportunities Enforcement Section	bca.eeoe@lacity.org
Bidder Ethics	
City Ethics Commission.....	(213) 978-1960

**RESPONDENT SHALL COMPLETE, SIGN, AND RETURN THIS CHECKLIST WITH
THE SOQ AND COVER LETTER**

	CITY OF LOS ANGELES POLICY COMPLIANCE CERTIFICATION	Included	Upload on BAVN
	Attachment X: Non-Discrimination / Equal Employment Practices Provisions and Affirmative Action Plan		
	Attachment X: Equal Benefits Ordinance Compliance Affidavit		
	Attachment X: Certificate of Compliance to Child Support Obligations		
	Attachment X: Certificate of Compliance with Americans with Disabilities Act		
	Attachment X: Schedule A		
	Attachment X: Slavery Disclosure Ordinance Affidavit		
	Attachment X: Los Angeles Residence Information		
	Attachment X: Bidder Certification CEC Form 50 and Bidder Contributions CEC Form 55		

Consultant Name

Date

Signed

Title

Printed Name

Telephone Number

NOTE: Failure to submit all the information requested may render your submittal non-responsive.