

REPORT OF GENERAL MANAGER

APPROVED
SEP 03 2014

NO. 14-227

DATE September 3, 2014

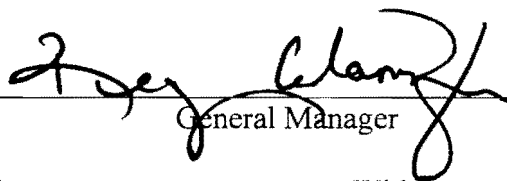
**BOARD OF RECREATION
& PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO MARINE AQUARIUM – AS-NEEDED MARINE FISH AND
INVERTEBRATES VETERINARY CONSULTING SERVICES–
PROFESSIONAL SERVICES CONTRACT WITH LANCE ADAMS, DVM

R. Adams _____	V. Israel _____
R. Barajas _____	K. Regan _____
H. Fujita _____	*N. Williams <u>NBW</u>



General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Personal Services Contract, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks (Department) and Lance Adams, DVM (Contractor), a sole proprietor, for one (1) year with two (2) one-year options to extend at the sole discretion of the General Manager, in an amount not to exceed Ten Thousand Dollars (\$10,000.00) per year, subject to the approval of the Mayor, and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ, with sufficient expertise to undertake these specialized professional tasks in a timely manner, and that these services can be performed more feasibly by a qualified independent contractor than by a City employee;
3. Find, in accordance with Charter Section 371(e)(2) that the services to be provided by Contractor are professional, expert and specialized services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and because it is necessary for the Department to be able to call on a contractor to perform this work as needed without engaging in a new competitive process for each individual project to be performed;
4. Find, in accordance with Charter Section 371(e)(10) that for the performance of professional, expert and technical services of a temporary and occasional character,

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competitive bidding is undesirable and impractical because the total compensation to be provided to Contractor does not exceed \$10,000.00 per year, and the cost of soliciting bids would be unwarranted and wasteful in comparison to the amount of services required by Department and would result in an expenditure of City funds in excess of any benefit that could be gained by soliciting bids;

5. Direct the Board Secretary to transmit the proposed Personal Services Contract, concurrently to the Mayor in accordance with Executive Directive No. 3 and to the City Attorney for approval as to form; and,
6. Authorize the Board President and Secretary to execute the Personal Services Contract upon receipt of the necessary approvals.

SUMMARY:

The Department of Recreation and Parks (Department) maintains the Cabrillo Marine Aquarium (Aquarium) as an educational, recreational and research facility devoted to encouraging active public participation to promote knowledge and conservation of the marine life of Southern California. The Aquarium is an accredited facility of the Association of Zoos and Aquariums (AZA). AZA requires that the sea life at the Aquarium be cared for by a licensed veterinarian (veterinarian) and that the operations are evaluated for AZA accreditation by a veterinarian. The Department does not have a veterinarian on staff and therefore proposes to enter into an agreement with a veterinarian.

The Department is seeking to contract with veterinarian Lance Adams DVM (Contractor), a sole proprietor, as a sole source contractor specializing in marine organisms. He is the sole source for the services he provides to the Cabrillo Aquarium as he is the only veterinarian in the area with the expertise to consult on health and welfare issues with marine fish and invertebrates, the only animals in the Aquarium's living collection. He lives in Long Beach, where he serves as the veterinarian to the Aquarium of the Pacific and so he is approximately 9 miles from the Aquarium on a daily basis. He is only minutes away in case of an animal health emergency.

Under the direction of the Aquarium Director, the contractor shall assess the health and welfare of the Aquarium's living collection; approve treatments for sick and ailing animals and prescribe medication when needed; be available on an as-needed basis, including emergency callout; consult with and answer questions from the Aquarium Aquarist staff; train Aquarist staff in necropsy procedures so that staff may determine the cause of death of deceased animals; and advise on measures to prevent the spread of disease.

Lance Adams, DVM has successfully served the Aquarium for the past few years on one (1) year term Letters of Agreement that did not exceed Ten Thousand Dollars (\$10,000) per year. Due to

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the history of a successful as-needed working arrangement including emergencies, and the time involved for compliance and contract review requirements, it is time to request a contract for three (3) years of as-needed services.

It would not be cost effective to search for another veterinarian to provide these services because it would utilize too much valuable and expensive staff time to research, interview and assess other potential contractors who could not compete with Contractor's unique and proven expertise, his daily work location at the Aquarium of the Pacific, with his availability to the Cabrillo Marine Aquarium on an as-needed basis from that physical proximity.

CHARTER SECTION 1022 DETERMINATION

On July 22, 2014, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City employees that can perform the work proposed for the contract, and the Department confirms that none of its current staff possess the necessary expertise to perform the veterinary duties required.

Staff recommends approval of the one (1) year contract, with two (2) one (1) year options to extend.

FISCAL IMPACT STATEMENT:

Funding for this contract is provided in Fund 301, Department 88, and Account 88035M.

This report was prepared by Nancy Jeffers, Management Analyst II, Service Contracts Group, Finance Division.

PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Recreation and Parks
2. Contacts:

Department: <u>Nancy Jeffers</u>	Phone No. <u>213-202-4352</u>
CAO: <u>Jay Shin</u>	Phone No. <u>213-473-7559</u>
3. Work to be performed:

Recreation and Parks is seeking a contract with Dr. Lance Adams, a sole proprietor, for veterinary services for the Cabrillo Marine Aquarium's living collection, which consists of marine fish and invertebrates. The Aquarium is an accredited facility of the Association of Zoos and Aquariums, which requires that the Aquarium's sea life be cared for by a licensed veterinarian. The contractor will: assess the health and welfare of the Aquarium's living collection; approve treatments for sick and ailing animals and prescribe medication when needed; be available on an as-needed basis, including for emergency calls; consult with and answer questions from the Aquarium's Aquarist staff; train Aquarist staff in necropsy procedures so that staff may determine the cause of death of deceased animals; and advise on measures to prevent the spread of disease.
4. Is this a contract renewal? Yes No
5. Proposed length of contract: One year, with option of two 1-year renewals
 Start Date: Jan. 1, 2015
6. Proposed cost of contract (if known): \$30,000 (\$10,000 per year)
7. Name of proposed contractors: Dr. Lance Adams, a sole proprietor
8. Unique or special qualifications required to perform the work:
Valid California veterinary license, with expertise in health and welfare issues of marine fish and invertebrates.
9. Are there City employees that can perform the work being proposed for contracting?
 Yes No

If yes,

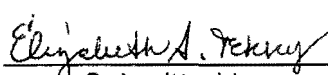
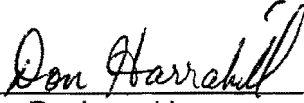
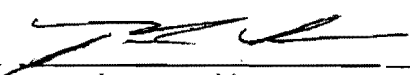
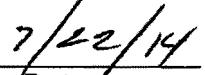
 - a. Which class(es) and Department(s):
 - b. Is there sufficient Department staff available to perform the work? Yes No
 - c. Is there a current eligible list for the class(es)? Yes No Expiration Date:
 - d. Estimated time to fill position(s) through CSC process?
 - e. Can the requesting department continue to employ staff hired for the project after project completion? Yes No
 - f. Are there City employees currently performing the work? Yes No
10. Findings
 - City employees DO NOT have the expertise to perform the work
 - City employees DO have the expertise to perform work. (Please see summary section.)

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

SUMMARY:

Recreation and Parks is seeking a contract with Dr. Lance Adams for veterinary services at the Cabrillo Marine Aquarium. The City classifications of Veterinarian and Zoo Veterinarian deal with the treatment of animals in custody or exotic exhibited animals, respectively. They are not required to have expertise in treating the types of living organisms found at the Aquarium.

			
Submitted by	Reviewed by	Approved by	Date
Elizabeth A. Terry	Don Harrahill	Raul Lemus	
Sr. Personnel Analyst I	Sr. Personnel Analyst II	Chief Personnel Analyst	