



INFORMATION & GENERAL SERVICES DEPARTMENT

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**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

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**MEETING DATE:** July 11, 2023

**TO:** Board of Supervisors

**FROM:** **Steve Monaghan, Information and General Services Director**

**SUBJECT:** Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with Sammie’s Friends amending the start date to July 16, 2023 and decreasing the maximum not to exceed contract amount from \$3,225,000 to \$3,161,850 for provision of animal shelter management services for FY 2023-24 and authorizing a budget amendment to move expenditures from the Sheriff’s Office to IGS. (4/5ths affirmative votes required) (Res 20-252, Res 22-259)

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**RECOMMENDATION:** Adopt the Resolution

**FUNDING:** The amended agreement total will be \$3,161,850 for four years, including \$2,145,000 from the prior three years, \$29,750 per Amendment 1A for the first 15 days of FY 23/24, and \$987,100 for the remainder of FY 23/24 per this agreement extension. A budget amendment is required to move the FY 23/24 Animal Control budget from the Sheriff’s Office to Information and General Services.

**BACKGROUND:** Sammie’s Friends has provided contracted services to operate the Nevada County Animal Shelter since 2010. After an RFP process was conducted to find the best value for animal shelter services in 2018, the Board of Supervisors selected Sammie’s Friends to continue to provide those service from July 1, 2020 through June 30, 2023, via Resolution 20-

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252. In FY 22-23, the agreement was amended (No. 1) to increase the contract price by \$36,000 to offset previous reductions in the contract amount due to cost savings measures during the onset of the COVID-19 pandemic.

An agreement amendment (No. 2) was approved by the Board of Supervisors on June 13, 2023, extending the current agreement to June 30, 2024. However, this amendment could not be executed as Sammie's Friends was unable to find liability insurance that included animal bite coverage following their existing coverage termination date of July 15. The County was notified of the Contractor's inability to obtain a renewal on June 15, and on June 30 the current agreement was extended for 15 days to allow for further time to obtain insurance and support continuity of operations. This extension was authorized by the Nevada County Purchasing Policy 7.3(E).

With this amendment, Sammie's Friends will obtain all insurance with the exclusion of animal bite coverage, and the County will retain coverage for third party animal bites. The assumption of animal bite coverage by the County results in a \$50,000 reduction in contract price to offset increased costs to County for contract management. This contract management will include oversight to support accountability requirements of the Contractor to promote shelter safety and reduce liability.

Thus, this proposed Amendment No. 3 would: 1) amend the agreement performance period to begin on July 16, 2023 with termination date remaining June 30, 2024, 2) amend the contract amount to \$987,100, for the remainder of fiscal year 23/24, bringing the maximum contract amount to \$3,161,850, 3) modify Section 12, Hold Harmless and Indemnification Agreement, to add the provision that the County of Nevada agrees to retain liability for third party animal bites, and hereby agrees to indemnify, defend and hold harmless Sammie's Friends from any and all liabilities, claims, demands damages, losses and expenses for third party animal bites arising from animal shelter operations pursuant to this Agreement. Sammie's Friends will retain general liability, workers compensation, and auto liability, 4) modify Exhibit C, Insurance Requirements, to add a provision for the County to cover third party animal bites and name Sammie's Friends an Additional Covered Party, 5) amend Exhibit B to include greater accountability requirements of the Contractor; and 6) amend Attachment E, Budget.

**Initiated By:** Ariel Lovett  
**Approved by:** Steve Monaghan



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