

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

236



FROM: Community Health Agency – Department of Animal Services

SUBMITTAL DATE:
December 26, 2009

**SUBJECT: APPROVAL OF THE SINGLE SOURCE AGREEMENT WITH VORTECH
PHARMACEUTICALS, LTD.**

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Single Source agreement between the Department of Animal Services and Vortech Pharmaceuticals, Ltd., without seeking competitive bids in accordance with Ordinance 459.4, in the amount of \$35,000, from July 1, 2009 through June 30, 2010, renewable annually and not to exceed three total years; and,
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459.4, to issue a purchase order for Vortech Pharmaceuticals, Ltd. for said goods and approve changes or amendments as necessary during the term of the contract not to exceed the authorized amounts.

BACKGROUND: Community Health Agency – Department of Animal Services is tasked with the grave responsibility of providing humane euthanasia for dangerous, sick and injured animals and for animals for which no home can be found. In keeping with the County's intent that euthanasia be provided respectfully, safely, and humanely and in accordance with protocol recommended by humane organizations including the Humane Society of the United States, the American Humane Association and the American Veterinary Association, Fatal Plus Solutions manufactured by Vortech Pharmaceuticals is the specific standard protocol agent to be used for euthanasia.

Robert P. Miller

Robert P. Miller, Director
Department of Animal Services

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 35,000	For Fiscal Year:	FY 09/10

SOURCE OF FUNDS: General Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

Debra Courmoyer
Debra Courmoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is denied, and IT WAS FURTHER ORDERED that Supervisor Stone is to work with hospital pharmacy staff and Animal Services to come up with a humane and cost effective formula for animal euthanasia.

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
Nays: None
Absent: None
Date: March 16, 2010
xc: CHA/Animal Svcs., Purchasing

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: ATTACHMENTS FILED WITH DISTRICT AGENDA NUMBER:

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

3.14

Purchasing: *Mark Seiler*
 Mark Seiler, Assistant Director
 Departmental Concurrence

Policy Policy
 Consent Consent
 Dept's Recomm.: Per Exec. Ofc.:

BOARD OF SUPERVISORS

**FORM 11: APPROVAL OF THE SINGLE SOURCE AGREEMENT WITH VORTECH
PHARMACEUTICALS, LTD, TO PROVIDE EUTHANASIA AGENT; FATAL
PLUS**

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BACKGROUND (Continued):

Vortech Pharmaceuticals, Ltd. is the sole manufacturer, sole distributor and sole patent holder of the Fatal Plus solution. Fatal Plus is used to provide a safe, expedient and humane way to euthanize animals, as needed. Fatal Plus solution is the specific standard protocol recommended by the Humane Society of the United States, the American Humane Association and the American Veterinary Medical Association. Fatal Plus is the only euthanasia agent to contain short chain alcohols that ensure consistent humaneness with each injection.

PRICE REASONABLENESS

Vortech Pharmaceuticals, Ltd. has been providing this specific euthanasia agent to the County of Riverside since 1994. During that time period, Vortech has increased pricing to the County only twice. Five (5) years ago, Vortech raised the pricing by \$1.75 per bottle (less than 1%) and honored that pricing for three (3) years. The current pricing has remained the same for the past two (2) years.

Department of Animal Services is requesting that this euthanasia agent, Fatal Plus continue to be used under an agreement with Vortech Pharmaceuticals, Ltd. This agreement to continue for a total of three (3) years, renewable annually and not to exceed thirty-five thousand (\$35,000) dollars annually.

REVIEW/APPROVAL: Purchasing and County Counsel concurs with this request.

Date: January 26, 2010
From: Rob Miller, Director
Department/Agency: Department of Animal Services (DAS)
To: Board of Supervisors
Via: Purchasing Agent
Subject: Sole Source Procurement
Request for: **Approval of a sole source item – Vortech/Fatal Plus solution**

The information below is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

Supply/Service being requested: Supply item - Euthanasia agent/Fatal Plus solution

Supplier being requested: Vortech Pharmaceuticals, LTD.

Alternative suppliers that can or might be able to provide supply/service: After a thorough search via the internet, contacting several veterinary offices, the National Animal Control Association, the American Veterinary Medical Association and the Humane Society of the United States, Vortech is the only recommended vendor.

Extent of market search conducted: Research was conducted using the Internet and sources as listed above. Vortech is sole manufacturer, sole distributor and sole patent holder of this euthanasia agent.

Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide: Vortech is the sole manufacturer, sole distributor and patent holder of this item. Fatal Plus solution is used to provide a safe, expedient and humane way to euthanize animals, as needed. In researching this product, Purchasing came across other euthanasia agents that are used; however this is the only one that is used for all species of animals. Fatal Plus solution is the specific standard protocol recommended by the Humane Society of the United States, the American Humane Association and the American Veterinary Medical Association. Fatal Plus is the only

euthanasia agent to contain short chain alcohols that ensure consistent humaneness with each injection.

Reasons why my department requires these unique features and what benefit will accrue to the County: Each year the Department of Animal Services must euthanize animals throughout Riverside County. Departmental statistics identify that in 2008, over twenty thousand (20,000) animals were euthanized. Euthanizing have increased during the first seven (7) months of 2009 to over twelve thousand (12,000) animals to date.

Price Reasonableness: Vortech Pharmaceuticals, Ltd. has been providing this euthanasia agent to the County of Riverside since 1994. During this time period, Vortech has increased pricing to the County only twice. Five (5) years ago, Vortech raised the pricing by \$1.75 per bottle (less than 1%) and honored that pricing for three (3) years. The current pricing has remained the same for the past two (2) years. The Department is requesting the fiscal years contract not to exceed thirty-five thousand (\$35,000) dollars.

Does moving forward on this product or service further obligate the County to future similar contractual arrangements? No.



Department Head Signature

1-27-10

Date

Purchasing Department Comments:

Approve as long as pricing remains unchanged and not to exceed \$35,000 in the fiscal year

Approve

Approve with Condition/s

Disapprove



Purchasing Agent

3-1-10

Date