



City of Grand Island

Tuesday, September 27, 2016

Council Session

Item G-19

#2016-238 – Approving MOU with Central Nebraska Humane Society for Extension of Contract

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Stacy R. Nonhof, Assistant City Attorney

Meeting: September 27, 2016

Subject: Approval of Memorandum of Understanding Extending Current Contract with CNHS

Presenter(s): Jerry E. Janulewicz, City Attorney

Background

The City of Grand Island has a contract with the Central Nebraska Humane Society (CNHS) for providing Animal Control and Pet Licensing services for the City. This contract was approved by Council on September 24, 2013, and is set to expire at midnight on September 30, 2016.

Discussion

An RFP for Animal Control Services was issued in July of this year and proposals were opened on July 27, 2016. The City and CNHS are currently in negotiations for new contract. CNHS and the City are in agreement on extending the current contract by one month to allow for continued negotiations. Both parties believe that a new agreement will be reached in this time frame. Both parties have agreed upon the Memorandum of Understanding that extends the current contract under all current terms and conditions for one month.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Move to deny

Recommendation

City Administration recommends that the Council approve the Resolution approving the execution of the Memorandum of Understanding to extend the current Animal Control Contract.

Sample Motion

Move to approve authorizing the Resolution approving the execution of the Memorandum of Understanding to extend the current Animal Control Contract.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into on September 27, 2016, between the CENTRAL NEBRASKA HUMANE SOCIETY, ("CNHS") and the CITY OF GRAND ISLAND, Hall County, Nebraska, a political subdivision duly organized and existing under the Constitution and Laws of the State of Nebraska (the "City").

WHEREAS, the City and CNHS desire to continue the existing contract entered into on September 24, 2013, until midnight October 31, 2016; and

WHEREAS, the City and CNHS desire to continue negotiations on a new contract; and

WHEREAS, the City and CNHS expect to have an agreement on a new contract by November 1, 2016.

In consideration of the mutual promises and covenants set forth in this MOU and for other good valuable consideration, the parties hereby agree as follows:

Section 1. CNHS Responsibilities.

CNHS will continue to provide all services as defined in the contract between the City and CNHS dated September 24, 2013.

Section 2. City Responsibilities.

The City will continue to abide by all terms of the current contract dated September 24, 2013, and will pay CNHS the monthly amount provided in said contract.

Section 3. Term.

The term of this MOU shall commence October 1, 2016 and end at midnight on October 31, 2016.

Section 4. Entire Memorandum of Understanding.

This MOU and all exhibits attached hereto constitute the entire MOU between the parties, superseding any other written and oral MOUs between the parties. If any section of this MOU is held to be invalid by a court of competent jurisdiction, such section shall be reformed to the extent necessary to be held valid, and the parties agree that the remainder of this MOU shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have executed this MOU the day and year first above written.

CENTRAL NEBRASKA HUMANE SOCIETY

By: _____

Title: _____

Printed Name: _____

CITY OF GRAND ISLAND, NEBRASKA

By: _____

Title: _____

Printed Name: _____

Attest:

RaNae Edward, City Clerk

RESOLUTION 2016-238

WHEREAS, the City and the Central Nebraska Humane Society entered into a contract on September 24, 2013, for Animal Control Services; and

WHEREAS, the current contract will expire on September 30, 2016 at midnight; and

WHEREAS, the City is currently in negotiations with the Central Nebraska Humane Society for a new contract; and

WHEREAS, it is necessary to extend the current contract for one month to allow for continued service while negotiations continue; and

WHEREAS, both parties are in agreement to extend the current contract for one month and have agreed upon a Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Understanding with the Central Nebraska Humane Society for an extension of the current Animal Control Contract is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 27, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 23, 2016	☐ City Attorney