

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: General Services Agency

BOARD AGENDA #: *B-6

AGENDA DATE: June 28, 2016

SUBJECT:

Approval of Amendment No. 2 and Amendment No. 3 to the Master Agreement with Cypress Security LLC for Security Services in the amount of \$310,000

BOARD ACTION AS FOLLOWS:

No. 2016-332

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, DeMartini, and Vice-Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman Monteith

Abstaining: Supervisor: None

1) Approved as recommended


2) Denied

3) Approved as amended

4) Other:


MOTION:

ATTEST:


ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: General Services Agency BOARD AGENDA #: *B-6
Urgent Routine AGENDA DATE: June 28, 2016
CEO CONCURRENCE: *phc*  4/5 Vote Required: Yes No

SUBJECT:

Approval of Amendment No. 2 and Amendment No. 3 to the Master Agreement with Cypress Security LLC for Security Services in the amount of \$310,000

STAFF RECOMMENDATIONS:

1. Approval of Project 2012-004 Amendment 2 and Project 2015-007 Amendment No. 3 to the Master Agreement with Cypress Security LLC for Security Services to increase the not to exceed amount by \$310,000.
2. Authorize the Purchasing Agent to execute the Amendments to the Master Agreement with Cypress Security LLC, and to sign any subsequent amendments to the Project that do not increase the not to exceed total.

DISCUSSION:

The existing Master Agreement for security services was awarded to Cypress Security LLC as the result of a Request for Proposals process, with an initial term of July 1, 2012, through June 30, 2017. The Agreement provides for two optional one-year renewals through June 30, 2019.

A provision of the Master Agreement allows for the Purchasing Agent to execute individual Projects where the cost of services does not exceed \$100,000. Projects greater than \$100,000 shall be approved by the Board of Supervisors. These amendments apply to 832 12th Street, Modesto CA.

Project 2012-004 for two unarmed security guards at the 12th street building set the not to exceed limit to \$490,000. Amendment No. 1 to Project 2012-004 clarified the scope of the project, changing employee titles, added an armed uniformed guard at the first floor counter and increased the weekly hours from 40 hours to 45 hours per week, specified pre-employment screening and knowledge/skill set, but did not change the not to exceed limit of the Project. Amendment No. 2, designated Project 2015-007, added an additional armed-security guard for the District Attorney's Office however, the not to exceed amount was erroneously reduced to \$325,000. If approved, Amendment 2 and Amendment No. 3 would increase this by \$310,000 for a new not to exceed limit of \$635,000. Renewals or extensions will require General Services Agency to return to the Board for approval.

Approval of Amendment No. 2 and Amendment No. 3 to the Master Agreement with Cypress Security LLC for Security Services in the amount of \$310,000

POLICY ISSUE:

The County's purchasing policy requires Board of Supervisors approval for contracts exceeding \$100,000. This requirement is based upon California Government Codes § 25212, et seq, and § 25502.5, et seq, which establish the powers of the Board of Supervisors and the Purchasing Agent.

FISCAL IMPACT:

Amendments No. 2 and No. 3 increase the agreement by \$310,000, with a new not to exceed amount of \$635,000 to the Master Agreement. Funding is available in the Fiscal Year 2016-2017 Adopted Proposed Budgets for the District Attorney's (DA) Office and Stanislaus County Employee's Retirement Association (StanCera).

| | | |
|--|----|---------|
| Cost of recommended action: | \$ | 310,000 |
| Source(s) of Funding: | | |
| DA and StanCERA budgets | \$ | 310,000 |
| Funding Total: | \$ | 310,000 |
| Net Cost to County General Fund | \$ | 252,162 |

| | |
|---|---------|
| Fiscal Year: | FY16/17 |
| Budget Adjustment/Appropriations needed: | No |

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Board's priorities of Efficient Delivery of Public Services and Effective Partnerships by providing cost-effective service agreements to County departments.

STAFFING IMPACT:

Existing GSA staff will manage the contract for security services.

CONTACT PERSON:

| | |
|--------------------------------------|---------------------------|
| Donna Riley, Deputy Purchasing Agent | Telephone: (209) 525-7645 |
| Brad Diemer, Purchasing Manager | Telephone: (209) 525-6503 |

ATTACHMENT(S):

- 1. Amendment No. 2 and Amendment No. 3 to the Master Agreement with Cypress Security LLC

**THIRD AMENDMENT TO CYPRESS SECURITY LLC
PROJECT NO. 2012-004**

Reference is made to Project 2012-004 (the "Project") under the Master Agreement for Professional Services ("Agreement") made and entered into by and between the County of Stanislaus ("County") and Cypress, Security LLC., a California limited liability company doing business as Cypress Private Security, ("Consultant"), on July 1, 2012.

WHEREAS, the parties agreed to revise the scope of work to add service in Amendment 1 the Amended and Restated Project; and

WHEREAS, Amendment 2 to this Project, issued under Project number 2015-007, set the maximum not to exceed limit to \$325,000; and

WHEREAS, the County has a need to increase the not to exceed amount in Section C – Compensation subsection 6 by \$310,00 to pay for services through June 30, 2017; and

NOW THEREFORE, the parties hereby agree to amend the Project as follows:

1. Section C - Compensation of the Project is amended to read as follows:

"6. The parties hereto acknowledge the maximum amount to be paid by the County for services provided under this Project shall not exceed \$95,000 per year for the first year and \$540,000 over the five-year term of the Master Agreement (through June 30, 2017), contingent upon the approval of the Stanislaus County Board of Supervisors budget for fiscal years 2012-2013 through 2016-2017. The maximum amount to be paid shall include, without limitation, the cost of any subcontractors, consultants, experts or investigators retained by the Consultant to perform or to assist in the performance of its work under this Project."

2. All other terms and conditions of the Project shall remain in full force and effect.

(Signatures on the next page)

IN WITNESS WHEREOF, the parties have executed this Third Amendment to Project 2012-004 on this _____ day of June 2016.

COUNTY OF STANISLAUS

DONNA RILEY
GSA DEP. DIR

CYPRESS SECURITY LLC dba CYPRESS PRIVATE SECURITY

By: 
for Keith D. Boggs, Assistant Executive Officer,
GSA Director/Purchasing Agent

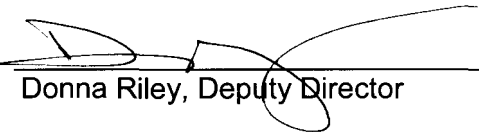
By: _____
Kes Narbutas, Chief Executive Officer

"County"

"Consultant"

Approved: BOS Resolution # 2016-332 B-6
Dated: 6/28/16

APPROVED AS TO CONTENT:
General Services Agency – Facilities Maintenance
Division

By: 
Donna Riley, Deputy Director

APPROVED AS TO FORM:
John P. Doering, County Counsel


By: 
Thomas E. Boze, Assistant County Counsel

IN WITNESS WHEREOF, the parties have executed this Third Amendment to Project 2012-004 on this _____ day of June 2016.

COUNTY OF STANISLAUS

CYPRESS SECURITY LLC dba CYPRESS PRIVATE SECURITY

By: _____
Keith D. Boggs, Assistant Executive Officer,
GSA Director/Purchasing Agent

By:  _____
Kes Narbutas, Chief Executive Officer

"County"

"Consultant"

Approved: BOS Resolution # 2016-332 B-6
Dated: 6/28/16

APPROVED AS TO CONTENT:
General Services Agency – Facilities Maintenance
Division

By: _____
Donna Riley, Deputy Director

APPROVED AS TO FORM:
John P. Doering, County Counsel

By: _____
Thomas E. Boze, Assistant County Counsel

**SECOND AMENDMENT TO
CYPRESS SECURITY LLC
dba CYPRESS PRIVATE SECURITY
PROJECT NO. 2015-007**

Reference is made to Project 2012-007 (the "Project") under the Master Agreement for Professional Services (the "Master Agreement") dated as of July 1, 2012 by and between the County of Stanislaus ("County") and Cypress Security LLC, a California limited liability company doing business as Cypress Private Security ("Consultant").

WHEREAS, the parties have agreed to revise the scope of work to add a Post to be serviced; and

WHEREAS, the parties have agreed to increase compensation due to Contractor for the added Post.

NOW THEREFORE, the parties hereby agree to amend the Project as follows:

1. Paragraph 1 of Section B of the Project is amended to read as follows:

1. The Consultant shall provide an additional "armed" uniformed security guard to County's District Attorney's Department ("DA") at the following locations:

| Post: | Address: |
|-------------|--|
| DA's Office | 832 12 th Street, Modesto, CA |

2. Paragraph 2 of Section B is amended to add sub-paragraph d which reads as follows:

- d. At the DA's Office scheduled as follows:
- i. One (1) additional "armed" uniformed security guard ("Guard") Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8:00 am and 5:30 pm for a total of 45 hours per week stationed within the Building and Garage (inside and outside) five (5) days per week.

3. Paragraph 1 and 6 of Section C is amended to read as follows:

| Classification | Year 1 – 7/1/15 - 6/30/16 | Year 2 – 7/1/16 - 6/30/17 |
|-------------------------|---------------------------|---------------------------|
| Armed (uniformed) Guard | \$20.75 | \$21.07 |

The parties hereto acknowledge the maximum amount to be paid by the County for services provided under this Project shall not exceed \$110,000 per year and \$325,000 over the five-year term of the Master Agreement (through June 30, 2017), contingent upon the approval of the Stanislaus County Board of Supervisors of the budget for fiscal years 2015-2016 through 2016-2017. The maximum amount to be paid shall include, without limitation, the cost of any subcontractors, consultants, experts or investigators retained by the Consultant to perform or to assist in the performance of its work under this Project

4. Paragraph 2 of Section F is amended to read as follows:

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2. The parties' respective Site Coordinators for this Project shall be:

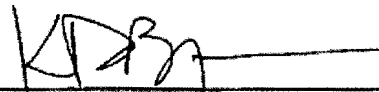
| Post: | County: | Consultant: |
|-------------|---|--|
| DA's Office | Lt. David Hutchinson (209) 525-6916 Cell: 209-652-9116 | Scott Jones (209) 505-0007 sjones@cypress-security.com |

The Site Coordinators shall be responsible for day-to-day communication regarding the provision of services under this Project.

4. All other terms and conditions of the Project shall remain in full force and effect.


IN WITNESS WHEREOF, the parties have executed this Second Amendment to Project No. 2015-007 as of September 1, 2015.

COUNTY OF STANISLAUS

By: 
Keith D. Boggs, Assistant Executive Officer,
GSA Director/Purchasing Agent

"County"

CYPRESS SECURITY LLC dba CYPRESS
PRIVATE SECURITY

By: 
Res Narbutas, President

"Consultant"

APPROVED: BOS Resolution #2012-294

APPROVED AS TO CONTENT:
District Attorney's Department

By: 
Birgit Fladager, District Attorney

APPROVED AS TO FORM:
JOHN P. DOERING
County Counsel

By: 
Thomas E. Boze, Asst. County Counsel