



Council Agenda Report

To: Mayor Pierson and the Honorable Members of the City Council

Prepared by: Kristin Riesgo, Community Services Deputy Director

Reviewed by: Jesse Bobbett, Community Services Director

Approved by: Reva Feldman, City Manager

Date prepared: October 16, 2020 Meeting date: November 9, 2020

Subject: Amendment to Professional Services Agreement with American Guard Services, Inc.

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with American Guard Services, Inc. to provide professional security services at Charmlee Wilderness Park.

FISCAL IMPACT: Funding in the amount of \$24,000 for this Amendment was included in the Adopted Budget for Fiscal Year 2020-2021 in Account Number 100-4010-5100 (Park Maintenance Professional Services).

WORK PLAN: This item was included as item 2j in the Adopted Work Plan for Fiscal Year 2020-2021.

DISCUSSION: On June 29, 2019, the City reassumed control of Charmlee Wilderness Park (Charmlee), which has remained closed after sustaining substantial damage during the Woolsey Fire. Since that time, staff has coordinated repairs to the welcome area, ranger dwelling, parking lots, and primary trail system in preparation for reopening.

Charmlee reopened on October 19, 2020, and will require security guard services to close the park entrance gate and restrooms daily. The City's security guard services contractor, American Guard Services, Inc., currently performs similar services at Trancas Canyon Park, Las Flores Creek Park, and the Malibu Equestrian Park daily. An Amendment to the Professional Services Agreement (Amendment) is required to incorporate Charmlee into the Scope of Work and Fee Schedule for the remainder of the original three-year Agreement, which ends August 22, 2022.

Staff initially expected the Agreement for on-site ranger services between the City and California State Parks to be completed before the park reopened. The Agreement is still pending approval, but staff anticipates that the on-site ranger will conduct the daily closure of Charmlee. Additionally, once the Agreement is in place, staff will reassess the Scope of Work and Fee Schedule with American Guard Services, Inc. to remove Charmlee.

ATTACHMENT: Amendment No. 1 to Professional Services Agreement with American Guard Services, Inc.

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on November 9, 2020, by and between the CITY OF MALIBU, hereinafter referred to as City, and American Guard Services, Inc., hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

A. On August 12, 2019, the City entered into an Agreement with the Consultant for professional security services at Trancas Canyon Park, Las Flores Creek Park, and the Malibu Equestrian Park (the "Agreement").

B. The City desires to amend the Agreement to include Charmlee Wilderness Park in the scope of work, and the Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 1.0 – Scope of the Consultant’s Services, of the Agreement, is hereby amended as set forth in Exhibit A attached hereto.
2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended as set forth in Exhibit A attached hereto.
3. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
4. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on _____, 2020, at Malibu, California, and effective as of October 19, 2020.

CITY OF MALIBU:

MIKKE PIERSON, Mayor

ATTEST:

HEATHER GLASER, Acting City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

CHRISTI HOGIN, City Attorney

CONSULTANT:



By: *CHRISTIE + GREGORY*
Title: Executive Vice President

**City of Malibu
Parks Professional Security and Fee Schedule**

The Contractor will be responsible for securing and locking four (4) City of Malibu park facilities 365 days a year, including holidays.

Park Facilities

The Contractor will be responsible for securing access gates and locking the restrooms at four (4) City of Malibu parks.

- Trancas Canyon Park .6050 Trancas Canyon Road, Malibu, CA 90265
- Las Flores Creek Park .3805 Las Flores Canyon Road, Malibu, CA 90265
- Malibu Equestrian Park .6225 Merritt Drive, Malibu, CA 90265
- Charmlee Wilderness Park 2577 Encinal Canyon Road, Malibu, CA 90265

Fee Schedule

Position	Charmlee Monthly Rate	Charmlee Annual Rate
Patrol Officer	\$1,931.63	\$23,179.56

Position	All Parks Monthly Rate	Annual Rate
Patrol Officer	\$5,794.88	\$69,538.56

Incomplete work or non-service days will be deducted at \$75 per day.

Emergency services shall be billed at a rate of \$40 per hour.