



Council Agenda Report

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

Reviewed by: Jesse Bobbett, Community Services Director

Approved by: Steve McClary, Interim City Manager

Date prepared: August 23, 2021 Meeting date: September 13, 2021

Subject: Amendment to Professional Services Agreement with Managed Career Solutions

RECOMMENDED ACTION: Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Managed Career Solutions, Social Purpose Corporation, DBA Managed Career Solutions Rehab & FTI-LA & American Medical Careers (MCS) to continue trail clearance and remediation work at Charmlee Wilderness Park.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. Funding for the work will be provided by the United States Department of Labor's Disaster Recovery National Dislocated Worker Grant awarded to the California Employment Development Department (EDD). MCS has secured funding through the EDD.

WORK PLAN: This item was included in the Adopted Work Plan for Fiscal Year 2020-2021 as item 7.k. (Community Services Operations)

DISCUSSION: On June 29, 2019, the City resumed control of Charmlee Wilderness Park (Charmlee) following the termination of a five-year reciprocal lease agreement with the Santa Mountains Mountains Conservancy. Charmlee sustained substantial damage during the 2018 Woolsey Fire and had remained closed pending repairs. In addition to the fire damage, many sections of the trail system had become overgrown or washed out due to the long-term closure and reduced maintenance.

On May 26, 2020, the City Council approved a one-year Professional Services Agreement with MCS to provide trail clearance and remediation work at Charmlee. Funding for the work was secured by MCS through the EDD, and was completed in four phases (Attachment 2) at no cost to the City.

Following the repairs to the primary trail system, staff identified additional fire-damaged areas and tasks that MCS could complete, including:

- Clearance of several switchback trails
- Installation of new trail signage
- Removal of debris related to fire damage

MCS has agreed to amend the Agreement to complete the additional repair work at no cost to the City. The Amendment would extend the term of the Agreement through June 30, 2022. The Amendment would be effective May 27, 2021, as MCS has continued to provide services without interruption since the Agreement began in May 2020. MCS has provided up-to-date insurance for the dates worked outside of the term noted in the original Agreement.

ATTACHMENTS:

- 1) Amendment No. 1 to Professional Services Agreement with Managed Career Solutions, SPC
- 2) Charmlee Park Trail System Repair Map

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on September 13, 2021, by and between the CITY OF MALIBU, hereinafter referred to as "City", and Managed Career Solutions, Social Purpose Corporation, DBA Managed Career Solutions Rehab & FTI-LA & American Medical Careers hereinafter referred to as "Consultant"

The City and the Consultant agree as follows:

RECITALS

A. On May 26, 2020, the City entered into an Agreement with Consultant for services related to trail clearance and remediation at Charmlee Wilderness Park through May 27, 2021 ("Agreement").

B. The City desires to amend the Agreement to provide removal of fire damaged debris, trail clearance, and erosion control and mitigation for Charmlee Wilderness Park and extend the term of the Agreement.

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 2.0 – Term of Agreement, of the Agreement, is hereby extended to June 30, 2022.
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 8/31, 2021, at Malibu, California, and effective as of May 28, 2021.

CITY OF MALIBU:

PAUL GRISANTI, Mayor

ATTEST:

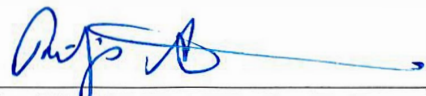
KELSEY PETTIJOHN, Acting City Clerk
(seal)

APPROVED AS TO FORM:

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

JOHN COTTI, City Attorney

CONSULTANT:



By: PHILIP STARR, PsyD, Executive Director

EXHIBIT A

City of Malibu Charmlee Wilderness Park Trail Remediation, Erosion Control and Mitigation Scope of Work

1. Background

Charmlee Wilderness Park, located at 2577 Encinal Canyon Rd, Malibu, CA 90265, is owned by the City of Malibu. The park was heavily affected by the Woolsey Fire in November 2018 and the City began working with a trail crew from Managed Career Solutions (MCS) in May 2020. MCS provided trail remediation and clearance during the summer of 2020 to allow the safe reopening of the park in October 2020. The MCS trail crew has worked with the City for over a year maintain the trails and assist with erosion control. MCS will continue to work on trail remediation and plans to remove fire damaged items through June 2022.

2. Scope of Work

General Specifications

The Consultant shall provide skilled and adequately trained personnel, materials, tools, equipment, and transportation to perform trail remediation, erosion control, and mitigation at Charmlee Wilderness Park.

The Consultant shall be responsible for providing all supplies and equipment, which are required in connection with the services to be performed under this Agreement.

The Consultant shall not subcontract any portion of the Agreement or any additions made to the Agreement without first receiving approval from the Community Services Director. All persons engaged in the scope of work shall be considered employees of the Consultant, with the supervisor being directly responsible for their work.

Location and Trails

The Consultant shall provide trail remediation, erosion control, and mitigation at Charmlee Wilderness Park located at 2577 Encinal Canyon Road, Malibu, CA 90265. Attachments 1 through 3 outline the park trails and completed work.

- Charmlee Wilderness Park Blank Trail Map – a reference to all trails without markings (Attachment 1)
- Charmlee Wilderness Park Trail Clearance Priority Map – park trail sections, areas of priority from 1-4, and outline of completed work (Attachment 2)
- Charmlee Wilderness Park Trail Remediation Priority Map – areas where trail remediation is needed, prioritized from 1-6, and outline of completed work (Attachment 3)

The Consultant will continue to maintain trails and remove overgrown weeds on approximately 6 miles of trails, picnic areas, park roadways, parking lots, and other designated areas outlined in Attachments 1 through 3.

The Consultant will remove fire damaged signs and install new park signs and maps.

The Consultant will work with staff to determine the best method for removing fire damaged cinderblock, materials, and supplies located in or near the Nature Center and parking lots.

Tools and Clearance

The Consultant shall perform all work by following the best industry standards of landscape maintenance, workmanship, safety practices, and standards of cleanliness. All work shall be performed without the use of poisons, including pesticides, herbicides, insecticides, and rodenticides.

The Consultant may use mechanical methods or hand tools to perform trail remediation, erosion control and mitigation. All work must be completed following the City's Earth-Friendly Management Program.

Vehicles, including utility vehicles (UTVs or RTVs), cannot be used on the trails unless approved by the Community Services Director.

Debris and green waste will be removed by the Consultant and placed in the appropriate waste bins.

The Consultant will notify the Community Services Director and/or his designee of hazardous plants such as poison oak within 15 feet of the park trails.

The Consultant will use existing materials to backfill trail erosion. The introduction of new materials for erosion control methods must be approved by the Community Services Director and/or his designee before installation.

The Consultant will secure and store all tools in the designated on-site storage area each day. The City is not responsible for lost or stolen tools for the duration of the Agreement.

Hours and Access

The Consultant will coordinate priority areas and timelines with the Community Services Director and/or his designee. The timelines must be approved before work is performed and/or scheduled.

The Consultant may work at Charmlee Wilderness Park from 7:00 AM to 4:00 PM Monday through Saturday. The Consultant cannot work on red flag warning days and legal holidays.

The Consultant may park their vehicles in designated parking lots near the primary restroom and Nature Center. The Consultant cannot drive a vehicle through the park

trails or other designated areas unless approved by the Community Services Director and/or his designee.

The Consultant shall adequately secure keys, other entry devices, and codes provided by the City. The Consultant shall maintain a record of the keys or codes issued to its employees. The Consultant shall not allow such items to be duplicated or removed from Charmlee Wilderness Park.

Reporting and Communication

The Consultants crew(s) shall work under the supervision of a Contractor designated Lead Worker. All working employees must be at least eighteen (18) years of age. All employees must be able to follow directions and physically capable of the duties assigned to them.

The Consultant will provide at least one satellite phone to the on-site Lead Worker/Supervisor. The telephone number will be given to Community Services Director and/or his designee.

At the request of the Community Services Director and/or his designee, the Consultant may be requested to provide copies of daily inspection forms, log-in sheets, or other reporting documents related to the Scope of Work.

The Consultant will report any park maintenance or safety concerns to the Community Services Director and/or his designee via email or telephone by the next business day.

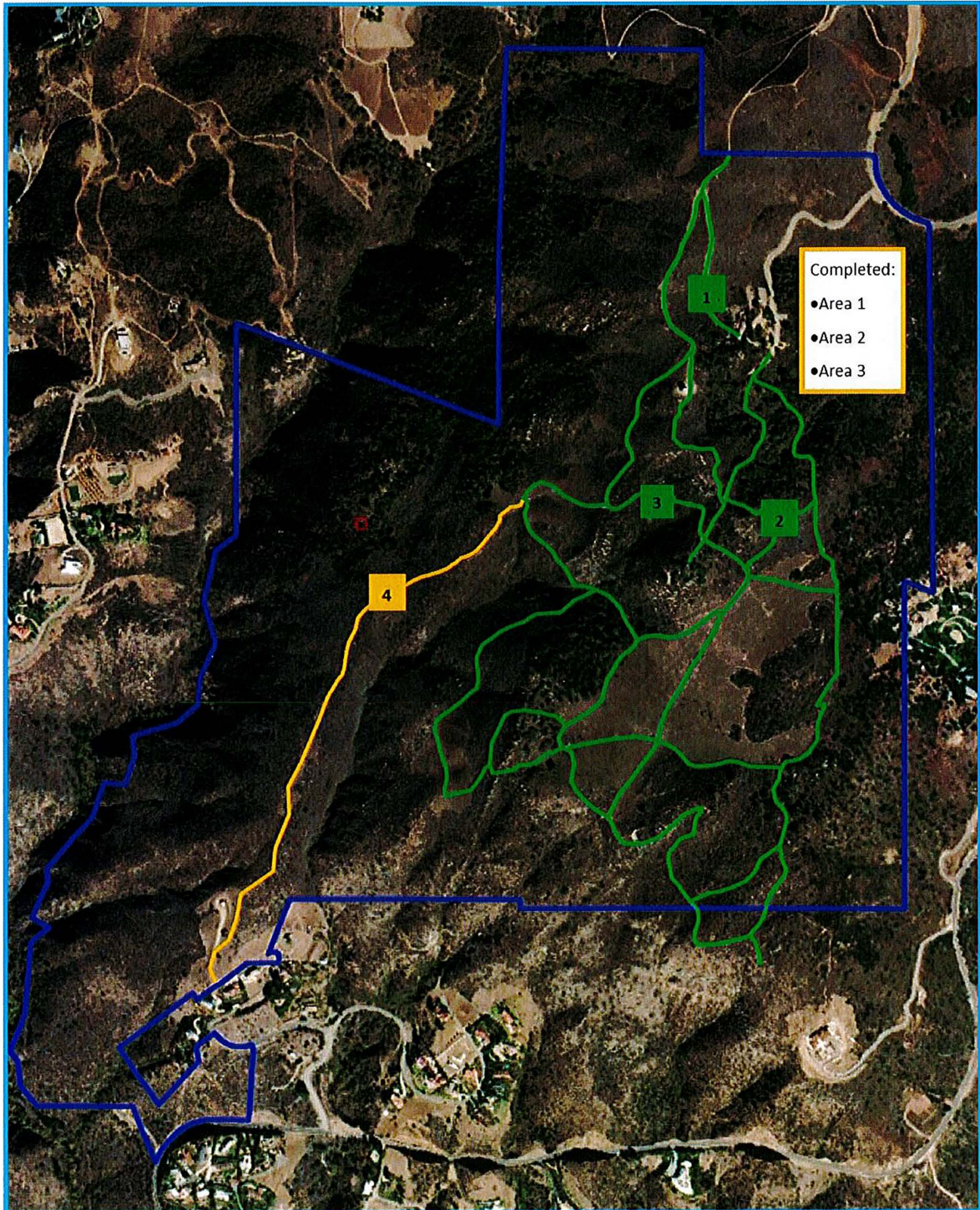
The Consultant will contact the Los Angeles County Sheriff Department Lost Hills Division to report crimes or illegal activity. The Consultant will remain on-site until Sheriff's Deputies arrive and report the incident to the Community Services Director and/or his designee via email or telephone within 12 hours.

Charmlee Wilderness Park Blank Trail Map



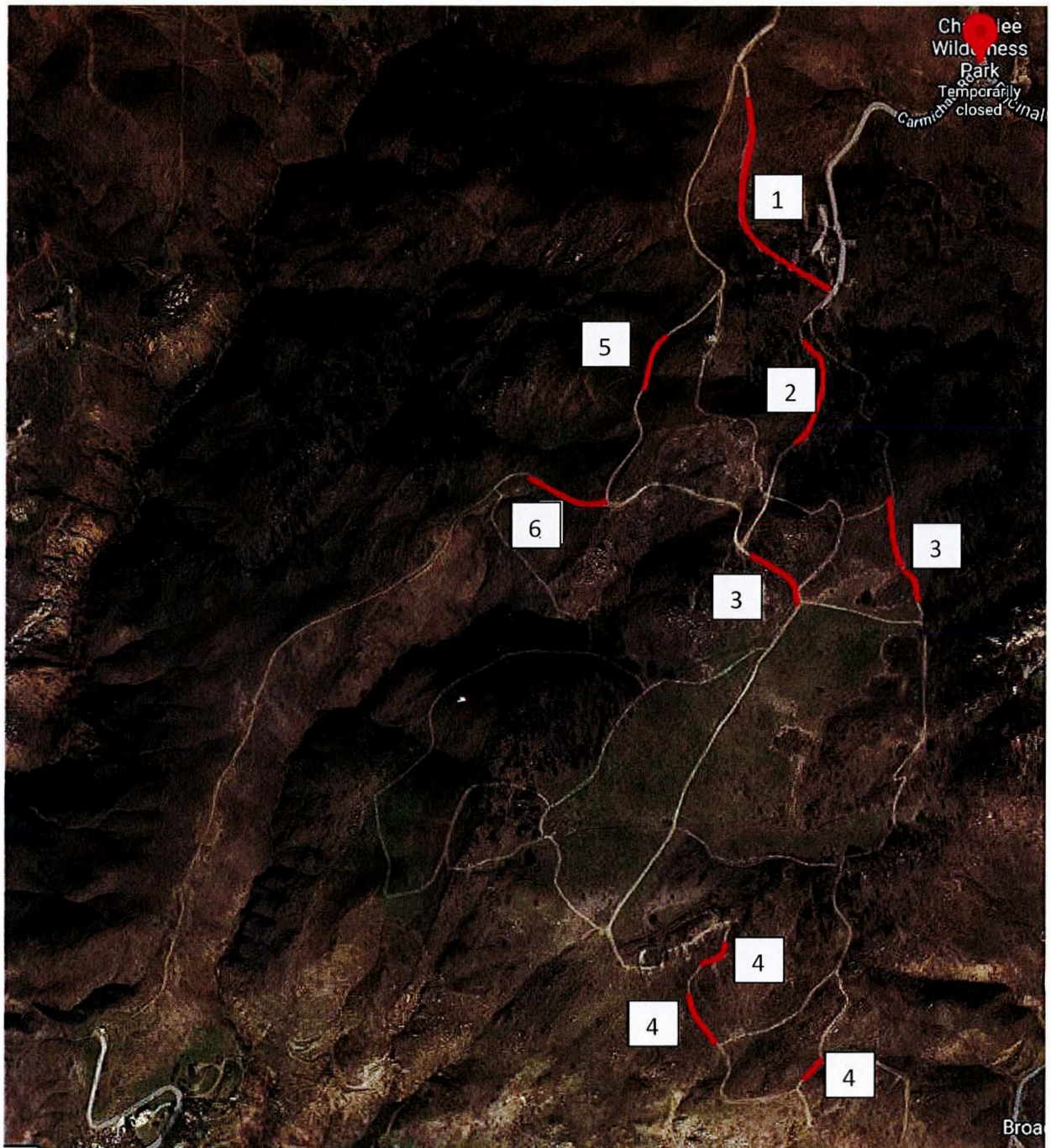
ATTACHMENT 1

Charmlee Wilderness Park Trail Clearance Priority Map



ATTACHMENT 2

Charmlee Wilderness Park Remediation Priority Map



ATTACHMENT 3

Charmlee Park Trail System Repair Map

