



# Council Agenda Report

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

Prepared by: Jesse Bobbett, Community Services Director

Approved by: Steve McClary, City Manager

Date prepared: July 13, 2022 Meeting date: August 8, 2022

Subject: Amendment to Professional Services Agreement with American Guard Services Inc. for Security Services at City Parks

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with American Guard Services Inc., extending the term of the Agreement for security services at Trancas Canyon Park, Las Flores Creek Park, Malibu Equestrian Park, and Charmlee Wilderness Park through August 22, 2023.

**FISCAL IMPACT:** Funding in the amount of \$74,220 for security services is included in the Budget for Fiscal Year 2022-2023 in Account Number 100-4010-5100-00 (Park Maintenance Professional Services).

**WORK PLAN:** This item was included as Item 7.k.2. in the Adopted Work Plan for Fiscal Year 2022-2023.

**DISCUSSION:** On August 12, 2019, the Council approved a three-year Professional Services Agreement (Agreement) with American Guard Services, Inc. (AGS) to provide security services for Trancas Canyon Park, Las Flores Creek Park, and the Malibu Equestrian Park. The Agreement includes clearing visitors from City parks, securing access gates, and reporting issues to the City, 365 days a year. On November 9, 2020, the Council approved Amendment No. 1 to the Agreement adding Charmlee Wilderness Park to the scope of services.

Since taking over as the City's security services provider, AGS has secured the parks noted above daily and effectively communicated with staff regarding issues. With the current Agreement expiring on August 22, 2022, staff worked with AGS on a proposal to extend the Agreement for one additional year through August 22, 2023. The proposal

would increase the annual cost of the Agreement by 6.7%, which is primarily related to increased labor and operating costs.

	<u>Monthly</u>	<u>Annually</u>
Current Agreement	\$5,795	\$69,540
Proposed Amendment	\$6,185	\$74,220
<b>Total Increase</b>	<b>\$390</b>	<b>\$4,680</b>

Additionally, the City anticipates the monthly cost of the Agreement will be reduced once the California State Parks Ranger begins occupying the residence at Charmlee Wilderness Park in late 2022. At that time, California State Parks will take over the responsibility for securing the Charmlee gate and the park will be removed from the Agreement's Scope of Work. Staff anticipates the monthly cost of the Agreement will be reduced by \$2,061.

The Agreement allows for up to three additional one-year extensions, if both parties mutually agree, subject to City Council approval. If approved, this Amendment would represent the first extension of the Agreement under those terms.

ATTACHMENT: Amendment No. 2 to Professional Services Agreement with American Guard Services Inc.

**AMENDMENT NO. 2 TO AGREEMENT**

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on August 8, 2022, 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. On November 9, 2020, the City amended the Agreement to include professional security services at Charmlee Wilderness Park.

C. The City desires to amend the Agreement to extend the term by one year, 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 2.0 – Term of the Agreement is hereby extended to August 22, 2023.
2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended to authorize compensation for the work and services in the amount set forth in Exhibit A attached hereto. The amended costs for services shall be \$6,184.36 per month.
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, Amendment No. 1 not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on July 6, 2022, at Malibu, California, and effective as of August 22, 2022.

CITY OF MALIBU:

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PAUL GRISANTI, Mayor

ATTEST:

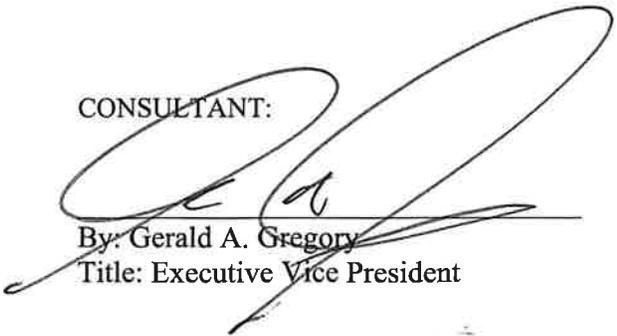
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KELSEY PETTIJOHN, City Clerk  
(seal)

APPROVED AS TO FORM:

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

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JOHN COTTI, Interim City Attorney

CONSULTANT:

  
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By: Gerald A. Gregory  
Title: Executive Vice President

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

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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	\$2,061.45	\$24,737.40

Position	All Parks Monthly Rate*	Annual Rate
Patrol Officer	\$6,184.36	\$74,212.32

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.