



Council Agenda Report

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

Prepared by: Robert DuBoux, Public Works Director/City Engineer

Approved by: Reva Feldman, City Manager

Date prepared: June 24, 2020 Meeting date: August 10, 2020

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

RECOMMENDED ACTION: Authorize the City Manager to execute Amendment No. 3 to the Professional Services Agreement with American Guard Services, Inc. to extend the term of the Agreement for an additional year.

FISCAL IMPACT: Funding for this agreement was included in the Adopted Budget for Fiscal Year 2020-2021 in Account Nos. 100-3008-5100 and 100-4001-5100 (Public Works and General Recreation Professional Services).

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2020-2021.

DISCUSSION: On July 10, 2017, the Council authorized an agreement with American Guard Services, Inc. to provide crossing guards at three intersections on Morning View Drive near Juan Cabrillo Elementary and Malibu High School. On April 9, 2018, the agreement was amended to include additional locations within the City limits to allow for crossing guard services for City programs and future events. During the summer months, the City has been utilizing additional crossing guards in the Civic Center and Cross Creek area and at Bluffs Park.

American Guard Services, Inc. has performed very well during the term of its agreement. Staff recommends executing Amendment No. 3 to extend the term of the agreement for an additional year. By executing Amendment No. 3, the level of service to the City will continue uninterrupted.

Staff recommends authorizing the City Manager to execute Amendment No. 3 to the professional services agreement with American Guard Services, Inc.

ATTACHMENT: Amendment No. 3 to Agreement with American Guard Services, Inc.

AMENDMENT NO. 3 TO AGREEMENT

THIS AMENDMENT NO. 3 TO AGREEMENT is made and entered in the City of Malibu on August 10, 2020, by and between the CITY OF MALIBU, hereinafter referred to as City, and American Guards Services, Inc. hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

- A. On July 10, 2017, the City entered into an Agreement with Consultant to provide crossing guards services at Juan Cabrillo Elementary and Malibu High School (the "Agreement").
- B. On March 28, 2018, the City amended the scope of work to include various locations within the City Limits.
- C. On July 8, 2019, the City amended compensation for services of the agreement and extended the term of the agreement from an additional year to expire on August 1, 2020.
- D. The City desires to amend the Agreement to extend the term of the agreement and modify the compensation schedule.

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 Agreement, of the Agreement, is hereby extended to August 1, 2021.
- 2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended to add the compensation for Fiscal Year 2020-2021 as set forth in Exhibit B attached hereto.
- 3. All terms and conditions of the Agreement not amended by this Amendment No. 3 remain in full force and effect.

This Agreement is executed on _____, 2020, at Malibu, California, and effective as of August 1, 2020.

CITY OF MALIBU:

REVA FELDMAN, City Manager

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:

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

CHRISTI HOGIN, City Attorney

CONSULTANT:



By: Gerald Gregory
Title: Executive Vice President
American Guard Services, Inc.

EXHIBIT "B"

COMPENSATION SCHEDULE

Crossing Guards at Juan Cabrillo and Malibu High School	2020/2021
Number of Guards	3
Hours of Service per Day	4
Number of Days per Year	180
Total Estimated # of Hours	2160
Hourly Rate (\$/hr)	\$ 23.26
Approximate Cost per Year	\$ 50,241.60

Any additional services outside of crossing for the schools shall be at a of \$23.26 per hour