

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

DEPT: General Services Agency

BOARD AGENDA: 5.B.2
AGENDA DATE: August 21, 2018

SUBJECT:

Approval of Amendment No. 1 to the Master Agreement with Jorgensen & Sons, Inc. for Countywide Fire Extinguisher Inspection, Testing and Maintenance Services

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0411

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

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

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:5.B.2
AGENDA DATE: August 21, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of Amendment No. 1 to the Master Agreement with Jorgensen & Sons, Inc. for Countywide Fire Extinguisher Inspection, Testing and Maintenance Services

STAFF RECOMMENDATION:

1. Approve Amendment No. 1 to the Independent Contractor Services Master Agreement with Jorgensen Company for fire extinguisher inspection, testing and maintenance services, and to adjust the agreement's not-to-exceed limit from \$100,000 to \$250,000.
2. Authorize the Purchasing Agent to sign Amendment No. 1, and any subsequent amendments to the Agreement on behalf of the County.

DISCUSSION:

General Services Agency (GSA) Purchasing competitively procures and maintains countywide master agreements for a variety of goods and services, such as office supplies, fire alarm maintenance, security and janitorial services. By combining the needs of multiple County departments, GSA is able to procure these items at lower rates than would otherwise be possible.

One such master agreement is with Jorgensen Company for fire extinguisher servicing, which includes testing of carbon dioxide, pressure-water, dry and wet chemical extinguishers, maintenance, recharging and replacement, kitchen hood system maintenance, and annual fire extinguisher training to maintain a safe working environment throughout the County. This agreement resulted from the competitive Invitation for Bid No. 15-30-CB (BID) conducted by GSA in 2015, and was executed for an amount not to exceed \$100,000.

Departmental needs have grown since the original Jorgensen Company agreement was established, and while Board-approved department budgets currently allow for the increased usage, the agreement itself must be adjusted to keep pace. The Jorgensen Company agreement was originally executed within spending authority limits of the County Purchasing Agent, and spending is currently within those limits but increasing departmental demand requires Board approval for continued use of the agreement. Approval of Amendment No. 1 to the agreement with Jorgensen Company will adjust the agreement's not-to-exceed spending limits, but does not affect any other provisions of the agreement.

POLICY ISSUE:

The Stanislaus County 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:

Based on current usage trends and departmental budgets, GSA-Purchasing anticipates approximately \$250,000 will be spent during the term of the agreement, which runs through June 30, 2021. Appropriations for department use of the agreement are requested at the department level and therefore, no increase in appropriations is being requested as part of the amendment.

Unless otherwise terminated, this agreement holds a renewal for two additional one-year terms by mutual consent, to a maximum date of June 30, 2023.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Boards' priority of *Delivering Efficient Public Services* by providing cost-efficient contracted fire extinguishing services to County departments.

STAFFING IMPACT:

Existing GSA staff will continue to manage the existing agreement.

CONTACT PERSON:

Keith D. Boggs, GSA Director/Purchasing Agent
Brad Diemer, Purchasing Manager

Telephone: (209) 525-7640
Telephone: (209) 525-6319

ATTACHMENT(S):

1. Jorgensen & Sons, Inc. - Amendment 1

**FIRST AMENDMENT
MASTER AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES
TO JORGENSEN & SONS, INC.**

This Amendment No.1 to the Master Agreement for Independent Contractor Services ("Amendment No. 1") by and between the County of Stanislaus ("County") and Jorgensen & Sons, Inc., a California corporation doing business as Jorgensen Company, ("Contractor") is made and entered into on August 21, 2018.

WHEREAS, the County and Contractor entered into an Agreement for Independent Contractor Services dated July 1, 2016, ("the Agreement"); and

WHEREAS, Paragraph 16 of the Agreement provides for the Agreement to be amended, modified, changed, added or subtracted from by mutual consent of both parties; and

WHEREAS, the County's cumulative departmental needs have increased and exceed the original \$100,000 Not-To-Exceed amount under Exhibit A, Section B; Compensation Paragraph 4 of the Agreement;

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

1. Exhibit A, Section B, Paragraph 4 to the Agreement is amended to read:

"The parties hereto acknowledge the maximum amount to be paid by the County for services provided shall not exceed \$250,000 including, without limitation, the cost of any subcontractors, consultants, experts or investigators pre-approved by County and retained by the Contractor to perform or to assist in the performance of its work under this Agreement.

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

IN WITNESS WHEREOF, the parties have executed this First Amendment effective August 21, 2018.

COUNTY OF STANISLAUS

By: _____

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

"County"

JORGENSEN & SONS, INC.

By: _____

Brianne Pacheco, Operational Manager

"Contractor"

APPROVED AS TO CONTENT:
GSA Department, Purchasing Division

By: _____

Brad Diemer, Purchasing Manager

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

By: _____

Thomas E. Boze, Assistant County Counsel