

BOARD ACTION SUMMARY

DEPT: CEO - Office of Emergency Services/Fire Warden BOARD AGENDA:5.B.8
AGENDA DATE: October 9, 2018

SUBJECT:

Approval of Amendment No. 2 to the Agreement for Independent Contractor Services with Dave L. Funk Consulting for Emergency Management Training

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0503

On motion of Supervisor Chiesa 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) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: CEO - Office of Emergency Services/Fire Warden BOARD AGENDA:5.B.8
AGENDA DATE: October 9, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of Amendment No. 2 to the Agreement for Independent Contractor Services with Dave L. Funk Consulting for Emergency Management Training

STAFF RECOMMENDATION:

1. Approve Amendment No. 2 to the Independent Contractor Agreement with Dave L. Funk Consulting for Emergency Management Training including National Incident Management Systems (NIMS) and Incident Command System (ICS) Training.
2. Authorize the Assistant Director of Emergency Services, or designee, to execute Amendment No. 2 with Dave L. Funk and to sign any necessary documents.
3. Authorize the Assistant Director of Emergency Services or designee, to sign additional related amendments for an overall total not to exceed \$200,000.

DISCUSSION:

In accordance with Homeland Security Presidential Directive-5 (HSPD-5), the Stanislaus County Office of Emergency Services (OES) provides Emergency Management Training including National Incident Management System (NIMS) and Incident Command System (ICS). HSPD-5 states that NIMS provides a consistent national approach for Federal, State, tribal and local governments, the private sector, and nongovernmental organizations to work together to prepare for, respond to, recover from and mitigate domestic incidents, regardless of size, or complexity. HSPD-5 also directs Federal agencies to adopt NIMS and encourages adoption of NIMS by all stakeholders including State, tribal, local governments, and private sector organizations. The adoption and implementation of NIMS is also a condition for receiving Federal preparedness assistance through grants, contracts, and other support.

On March 1, 2017, OES entered into an Agreement for Independent Contractor Services with Dave L. Funk Consulting to provide Emergency Management Training, including NIMS and ICS training. The original term of the Agreement was from March 1, 2017 to April 30, 2019 for \$70,000 funded by the Department of Homeland Security Grant (HLSG).

On May 8, 2018, the Agreement was amended in Amendment No. 1 to increase the Agreement not to exceed \$95,000 also extending the term to May 31, 2019 to coincide with the grant funding. After completion of the September 2018 ICS 300/400 courses, it was determined that OES staff underestimated the cost of certain components of the curriculum. The Agreement now needs an increase of \$35,000, for a total not to exceed \$130,000 to complete the approved Training and Exercise Plan as submitted to the California Governor's Office of Emergency Services in compliance with the Department of Homeland Security Grant which funds the training Agreement.

POLICY ISSUE:

Government Code Section 23005 and 25502.5 requires that the Board of Supervisors approve all contracts exceeding \$100,000.

FISCAL IMPACT:

Amendment No. 2 increases the Agreement by \$35,000 for a total of \$130,000 through May 2019. Sufficient appropriations exist in the FY17 Department of Homeland Security Grant budget to cover the cost of these services.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Boards' priority of *Supporting Strong and Safe Neighborhoods* by having as many individuals and agencies as possible trained in the consistent national standards for emergency preparedness.

STAFFING IMPACT:

Existing staff will continue to manage the Agreement

CONTACT PERSON:

Richard Murdock, Fire Warden (209) 552-3600

ATTACHMENT(S):

1. Funk Amendment #2 Signed 10.5.18

AMENDMENT NO. 2
to
INDEPENDENT CONTRACTOR SERVICES

Pursuant to Paragraph 17 of the Agreement for Independent Contractor Services dated March 1, 2017 (the "Agreement"), entered into by and between the County of Stanislaus ("County") and Dave L. Funk ("Contractor") hereby modify the Agreement as follows:

1. The Exhibit A, Section B (24), is amended to read as follows:


"The parties hereto acknowledge the maximum amount to be paid by the County for services provided under the term of this Agreement shall not exceed \$130,000, including, without limitation, the cost of any subcontractors, consultants, experts or investigators retained by the Contractor to perform or to assist in the performance of its work under this Agreement. All Travel expenses must be pre-approved by the Stanislaus County Assistant Director of Emergency Services or designee and reimbursed in accordance with the Stanislaus County Travel Policy and in compliance with the Department of Homeland Security Grant. The contract period will terminate on May 31, 2019."

In Witness Whereof, the parties have executed this Amendment No.2 to the Agreement in duplicate on October 9, 2018.


County of Stanislaus

By _____
Richard Murdock
Fire Warden/ Assistant Director
Office of Emergency Services
"County"

Dave L. Funk

By  _____
Dave L. Funk
"Contractor"

Approved as to Form:
John Doering

By  _____
County Counsel