

REPORT TO CITY COUNCIL

DATE: JUNE 24, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: KIMBERLY M. RODRIGUES, CITY CLERK

SUBJECT: APPROVAL OF FIFTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES, WITH ECS IMAGING, INC., FOR ELECTRONIC DOCUMENT IMAGING (SCANNING) AND INDEXING SERVICES

On June 12, 2019, the City Council approved the Fourth Amendment to the Agreement for Consultant Services, with ECS Imaging, Inc., for Electronic Document Imaging (Scanning) and Indexing Services. The scope of services of the RFQ/P allows for the City to increase or decrease the budgeted amount for the additional periods and the agreement was increased by \$10,000, for a total of \$50,000 for the 2019-2020 period. The amendment is set to expire on June 30, 2020.

On March 17, 2020, the City Council declared a local emergency in response to the global COVID-19 pandemic. Due to the emergency circumstances, and the closure of City Hall to the public until further notice, the outsourced scanning project was placed on hold. As the opening of City Hall is yet to be determined, and it is anticipated that any efforts toward this scanning project will not occur until later this year, staff negotiated a fifth amendment to continue with the scanning services at such time that business is back to normal. As part of the negotiation, and in accordance with current time and budget constraints, the consultant was amenable to a reduction of the contract price to \$25,000.

The terms of the original agreement allow for the City, at its option, to extend the agreement upon providing written notice of its intent to the consultant, not less than thirty (30) days prior to the expiration of the initial term. The City forwarded a formal letter of intent to the consultant, ECS Imaging, Inc., on May 20, 2020, to extend the Agreement for another term, ending June 30, 2021, at a reduced amount of \$25,000.

ECS Imaging, Inc., was in accord with the extension, at the same consultant prices and conditions, and returned the signed letter of intent, to extend the agreement to another term for the 2020-2021 period, in the amount of \$25,000.

The proposed amendment to the agreement has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council approve the Fifth Amendment to Agreement for Consultant Services, with ECS Imaging, Inc., to extend the Agreement for Electronic Document Imaging (Scanning) and Indexing Services to another term, ending June 30, 2021, in the amount of \$25,000.

Attachment: Letter of Intent dated May 20, 2020
Fifth Amendment to Agreement for Consultant Services



"Gateway to the Santa Monica Mountains National Recreation Area"

May 20, 2020

ECS Imaging, Inc.
Attn: Debbi Bodewin, EVP
5905 Brockton Avenue, Suite C
Riverside, CA 92508

Subject: Extension of Consultant Services Agreement

The *Agreement for Consultant Services*, for Electronic Document Imaging Scanning and Indexing Services, is set to expire June 30, 2020.

As per the terms of the agreement, the City may, at its option, extend the agreement an additional term of one year upon providing written notice of its intent to extend not less than thirty (30) days prior to the termination date. Such extension shall be in accordance with the same service rates and conditions, as set forth in the agreement, and at a contract price of \$25,000.

This letter serves as the City's formal written notice of its intent to extend the Agreement for another term, to June 30, 2021, in the amount of \$25,000. If you are in accord with this extension, please sign and return this cover letter with the enclosed amendment.

Enclosed, please find the *Fifth Amendment to Agreement* for your signature. Please return the amendment, along with the appropriate certificates of insurance, on or before June 9, 2020, so that we may formally present it to the City Council for approval. Once approved, a fully executed copy will be returned to you for your files.

Should you have any questions regarding this agreement, please contact me at (818) 597-7303. We look forward to your continued service with the City of Agoura Hills!

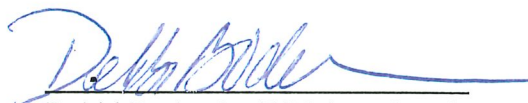
Sincerely,



Kimberly M. Rodrigues, MPPA, MMC
City Clerk

Enclosures

(In accord with the extension)



Debbi Bodewin, ECS Imaging, Inc.

Dated: 5-28-20

FIFTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES
WITH THE CITY OF AGOURA HILLS

NAME OF CONSULTANT:	ECS Imaging, Inc.
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Debbi Bodewin
CONSULTANT'S ADDRESS:	5905 Brockton Avenue Suite C Riverside, CA 92508
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Kimberly M. Rodrigues
COMMENCEMENT DATE:	July 1, 2020
TERMINATION DATE:	June 30, 2021
CONSIDERATION:	Extend Contract for One Year per Original Agreement Amendment Amount: Not to Exceed \$25,000/yr

**FIFTH AMENDMENT TO AGREEMENT BETWEEN
CITY OF AGOURA HILLS AND ECS IMAGING, INC.**

Electronic Document Imaging (Scanning) and Indexing Services

THIS FIFTH AMENDMENT is made and entered into as of June 24, 2020, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and ECS Imaging, Inc., (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On May 14, 2015, the City and Consultant entered into that certain Agreement entitled "Agreement for Consultant Services" for Electronic Document Imaging (Scanning) and Indexing Services, in the amount of Forty Thousand Dollars and Zero Cents (\$40,000) with a termination date of June 30, 2016.

b. The Agreement allows for extending the agreement and the first extension was entered into, at the same price and conditions set forth in the original agreement, in the amount of Forty Thousand Dollars and Zero Cents (\$40,000) with a termination date of June 30, 2017.

c. The second extension was entered into in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000), with a termination date of June 30, 2018.

d. The third extension was entered into in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000), with a termination date of June 30, 2019.

e. The fourth extension was entered into in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000), with a termination date of June 30, 2020.

f. The parties now desire to extend the term of the Agreement, for a fifth extension, to June 30, 2021, at the same Consultant price and conditions set forth in the original agreement, in the amount of Twenty-Five Thousand Dollars and Zero Cents (\$25,000) and to amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than June 30, 2021, unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 4 of the Agreement entitled "PAYMENT" at paragraph "a" is hereby amended to read as follows:

"The City agrees to pay Consultant monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The Fifth Amendment amount shall not exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000), for the 2020-2021 year."

4. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect, including Attachment A (Scope of Services) and Exhibit B (Payment Rates and Schedules), hereby incorporated by reference.

IN WITNESS WHEREOF, the parties hereto have caused this FIFTH Amendment to Agreement to be executed the day and year first above written.

CITY OF AGOURA HILLS

Illece Buckley Weber,
Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk
Date Approved by City Council _____

APPROVED AS TO FORM:

Candice K. Lee,
City Attorney

CONTRACTOR

ECS Imaging, Inc.
Attn: Debbi Bodewin, EVP
5905 Brockton Avenue, Suite C
Riverside, CA 92506
(951) 787-8768, x109

By: 

Print Name: JAMES PAPPAS

Title: CEO

By: 

Print Name: DEBBI BODEWIN

Title: EVP / SECRETARY

[Signatures of Two Corporate Officers Required]