

REPORT TO CITY COUNCIL

DATE: JUNE 23, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: KIMBERLY M. RODRIGUES, CITY CLERK

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

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 City's outsourced scanning project was placed on hold. As the opening of City Hall was yet to be determined, and it was anticipated that any efforts toward the scanning project would not occur until later in the year, staff negotiated an amendment to continue with the scanning services at such time that City Hall reopened and business was back to normal.

As part of the negotiation, and in accordance with the projected staff and budget constraints, the consultant was amenable to a reduction of the original contract price from \$50,000 to \$25,000. On June 24, 2020, the City Council approved the Fifth Amendment to the Agreement for Consultant Services, with ECS Imaging, Inc., for Electronic Document Imaging (Scanning) and Indexing Services for a total of \$25,000 for the 2020-2021 period. The amendment is set to expire on June 30, 2021.

Unfortunately, due to the ongoing pandemic and a reduction in staffing, the City was unable to continue with the scanning project during the term of the agreement. In addition, City Hall was closed to the public during this time period and no scanning services were utilized nor was any of the appropriated \$25,000 in the budget expended. With the recent reopening of City Hall to the public on June 7, 2021, staff is optimistic that scanning services may be restarted this summer.

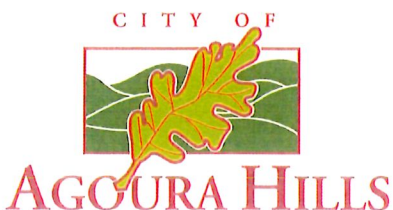
The terms of the original agreement allow for the City, at its option, to extend the agreement upon providing written notice of its intent to the consultant, not less than thirty (30) days prior to the expiration of the initial term. As part of the negotiation with ECS Imaging, Inc., on May 28, 2021, the consultant was amenable to extend the term of the Agreement to June 30, 2022.

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 Sixth 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, 2022.

Attachment: Letter of Intent dated May 28, 2021
Sixth Amendment to Agreement for Consultant Services



"Gateway to the Santa Monica Mountains National Recreation Area"

May 28, 2021

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, 2021. Unfortunately, due to the COVID-19 pandemic, we were unable to utilize scanning services last year, but are set to re-negotiate for services beginning in July 2021 at the contract price of \$25,000.

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.

This letter serves as the City's formal written notice of its intent to extend the Agreement for another term, to June 30, 2022. If you are in accord with this extension, please sign and return this cover letter with the enclosed amendment.

Enclosed, please find the *Sixth Amendment to Agreement* for your signature. Please return the enclosed amendment, along with the appropriate certificates of insurance and endorsement, on or before June 14, 2021, so that we may formally present the item to the City Council for approval. Once approved, a fully executed conformed 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: 6-9-21

SIXTH 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, 2021

TERMINATION DATE: June 30, 2021

CONSIDERATION: Extend Contract for One Year per
Original Agreement

Amendment Amount:
Not to Exceed \$25,000/yr

Total Contract To-Date:
\$255,000

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

Electronic Document Imaging (Scanning) and Indexing Services

THIS SIXTH AMENDMENT is made and entered into as of June 23, 2021, 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 Amendment (\$40,000) was entered into, at the same Consultant price and conditions set forth in the original agreement, with a termination date of June 30, 2017, for a total contract amount of Eighty Thousand Dollars and Zero Cents (\$80,000).

c. The Second Amendment (\$50,000) was entered into, at the same Consultant price and conditions set forth in the original agreement, with a termination date of June 30, 2018, for a total contract amount of One Hundred Thirty Thousand Dollars and Zero Cents (\$130,000).

d. The Third Amendment (\$50,000) was entered into, at the same Consultant price and conditions set forth in the original agreement, with a termination date of June 30, 2019, for a total contract amount of One Hundred Eighty Thousand Dollars and Zero Cents (\$180,000).

e. The Fourth Amendment (\$50,000) was entered into, at the same Consultant price and conditions set forth in the original agreement, with a termination date of June 30, 2020, for a total contract amount of Two Hundred Thirty Thousand Dollars and Zero Cents (\$230,000).

f. The Fifth Amendment (\$25,000) was entered into, at the same Consultant price and conditions set forth in the original agreement, with a termination date of June 30, 2021, for a total contract amount of Two Hundred Fifty-Five Thousand Dollars and Zero Cents (\$255,000), however, due to the COVID-19 pandemic, City Hall was closed to the public during this time period and no scanning services were utilized nor was any of the appropriated \$25,000 in the budget expended.

g. Now, with the re-opening of City Hall on June 7, 2021, and the ability to continue scanning services, the parties now desire to enter into a Sixth Amendment to the Agreement to **extend the term of the Agreement to June 30, 2022**, to complete the scanning services, at the same Consultant price and conditions set forth in the original agreement, and to amend the Agreement as set forth in the Amendment.

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, 2022, unless sooner terminated pursuant to the provisions of this Agreement."

2. 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 Sixth Amendment to Agreement to be executed the day and year first above written.

CITY OF AGOURA HILLS

CONSULTANT

Denis Weber,
Mayor

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

ATTEST:

By: Debby Bodewin

Print Name: DEBBI BODEWIN

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

Title: CEO

By: William Wolfe

Print Name: WILLIAM WOLFE

APPROVED AS TO FORM:

Title: PRESIDENT

[Signatures of Two Corporate Officers Required]

Candice K. Lee,
City Attorney