



## AGENDA REPORT

**Meeting Date:** July 8, 2008

**Item Number:** E-3

**To:** Honorable Mayor & City Council

**From:** Timothy Scranton, Fire Chief  
Alberto Zelaya, Management Analyst

**Subject:** **APPROVAL OF FIRST SUPPLEMENTAL TO AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND CITY OF LOS ANGELES FOR DISBURSEMENT OF THE 2006 URBAN AREA SECURITY INITIATIVE (UASI) GRANT AND APPROPRIATING FUNDS THEREFOR; APPROVAL FOR CORRECTION TO THE INITIAL 2006 URBAN AREA SECURITY INITIATIVE (UASI) GRANT DISBURSEMENT AND REAPPROPRIATING FUNDS THEREFOR; AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS, AND OTHER DOCUMENTS FOR THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$174,499; AND APPROVAL OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$174,499**

**Attachments:** 1. Agreement

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### **RECOMMENDATION**

Fire Department staff recommends that the City Council approve the first supplemental agreement between the City of Beverly Hills and the City of Los Angeles related to the 2006 Urban Area Security Initiative (UASI) funding, and to approve a re-appropriation in the amount of \$141,665 to modify UASI 2006 funding appropriation approved at the June 21, 2007 City Council formal meeting. It is also recommended that the City Manager be authorized to execute agreements and other documents for the purchase of Self Contained Breathing Apparatus (SCBA) equipment in an amount not to exceed \$174,499, for a total appropriation in the amount of \$316,164.

## **INTRODUCTION**

The total 2006 Urban Area Security Initiative (UASI) of \$380,964 awarded to the City of Beverly Hills was expected to be disbursed as follows: \$64,800 for Urban Search and Rescue (USAR) training; \$141,665 for the creation of a Regional Alliance to establish priorities and implement planning, training, and exercise programs for first responders throughout the Urban Area; and \$174,499 to assist the city with the purchase of basic Self Contained Breathing Apparatus (SCBA) equipment.

The City entered into an agreement with the City of Los Angeles on July 24, 2007 for the disbursement of the 2006 Urban Area Security Initiative (UASI) in the amount of \$206,465 (that is \$64,800 training and \$141,665 Regional Alliance). The current recommendation is to accept and appropriate the outstanding \$174,499 and to re-appropriate Regional Alliance funding in the amount of \$141,665 inadvertently omitted from the June 21, 2007 approved spending authorization, for a total appropriation in the amount of \$316,164.

## **DISCUSSION**

### **1. Self Contained Breathing Apparatus (SCBA) equipment: \$174,499 UASI award**

Originally, all of the 14 agencies (City of Beverly Hills included) who received 2006 UASI grant funding were to complete the purchase of Self Contained Breathing Apparatus equipment utilizing the LA County vendor selection and purchasing procedures. The idea behind this decision was to comply with Urban Area interoperability requirements. However, the Los Angeles Area Fire Chiefs Association decided it that it would be more time efficient to let each individual jurisdiction purchase the equipment through its individual purchasing process, using the LA County purchase agreement through consortium pricing.

There have been a series of delays in the purchase of this equipment. One of the delays was related to the need of having all SCBA equipment meet National Fire Protection Association (NFPA) standards and to allow time for vendors to seek NFPA approval. The current delay is due to a vendor contesting the LA County bid/contract award selection process. The UASI 06 performance period expired on March 31, 2008; however, an extension has been granted for all grant components through November 28, 2008.

### **2. Regional Alliance: \$141,665 UASI award**

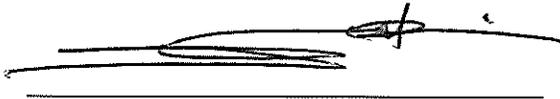
The current recommendation is to accept and re-appropriate \$141,665 inadvertently omitted from the June 21, 2007 City Council appropriation.

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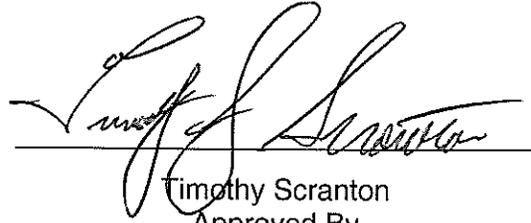
**FISCAL IMPACT**

Funds were not appropriated but are available in the amount of \$316,164 as a result of the Federal 2006 Urban Area Security Initiative (UASI) grant.

From		To	
\$316,164	FD – Grant Revenue 0103101F004-42221	\$141,665	FD Overtime 0103101F004-71300
		\$174,499	FD Safety Equipment 0103101F004-74030



Scott G. Miller  
Finance Approval



Timothy Scranton  
Approved By

FIRST SUPPLEMENTAL TO AGREEMENT NUMBER C-112570 OF  
CITY OF LOS ANGELES CONTRACT  
BETWEEN  
THE CITY OF LOS ANGELES  
AND  
THE CITY OF BEVERLY HILLS

THIS SUPPLEMENTAL AGREEMENT to Contract Number C-112570 of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter called the "City,"), and the City of Beverly Hills, a municipal corporation (hereinafter called "City of Beverly Hills" or "Contractor").

WITNESSETH

WHEREAS, the City and the City of Beverly Hills have entered into an Agreement wherein the City of Beverly Hills shall provide certain services; and the City shall pay for them using grant funds from the Urban Area Security Initiative ("UASI") for year 2006, said Agreement effective August 28, 2006 through March 31, 2008 shall hereinafter be referred to as the Agreement; and

WHEREAS, the City and Contractor now seek to continue Contractor's service to November 28, 2008 for the completion of particular budget line item projects, and until May 31, 2008 for the completion of all other budget line item projects; and

WHEREAS, the Los Angeles City Council authorized (CF# 07-0582) on April 18, 2007 an allocation to the Contractor of \$206,465 from the UASI 2006 grant award, for certain services as described in Section 202.A of the Agreement and pursuant to budget line item projects 81 and 128; and

WHEREAS, the Los Angeles City Council also authorized (CF# 07-0582) on April 18, 2007 an allocation to the Contractor of \$174,499 to expend on regional equipment purchases pursuant to regional line item project 108 ; and

WHEREAS, the Agreement did not include the regional equipment funds of \$174,499, and;

WHEREAS, the City and the Contractor are desirous of correcting this technical error by supplementing the Agreement to add the regional equipment purchase line item to the budget in accordance with Los Angeles City Administrative Code 14.8, which authorizes the City to prepare and execute amendments for the purposes of (a) extending the Contractor's service to November 28, 2008 for the completion of budget line item projects 108 and 128; (b) extending the Contractor's service to May 31, 2008 for the completion of all other budget line item projects; (c) adding additional funds in the amount of One Hundred Seventy-Four Thousand Four Hundred Ninety-Nine Dollars (\$174,499)

for a new total of \$380,964; (d) making minor revisions to the budget; and (e) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Agreement; and

NOW, THEREFORE, the parties hereby covenant and agree as follows:

1. Contract No. C-109619 is attached hereto as Exhibit 1 and incorporated herein by this reference. The terms and conditions of said Contract shall be the terms and conditions of this Supplemental Agreement, except as expressly modified herein.
2. Section 201, Time of Performance, is deleted and replaced by revised Section 201, Time of Performance:

The term of this Agreement shall commence on August 28, 2006, and end as follows: budget line item projects 108 and 128 must be completed by November 28, 2008, and all other budget line item projects must be completed by May 31, 2008, or upon the final disbursement of all of the Grant Amount (as defined in Section 301) and any additional period of time as is required to complete the close out activities. Said term is subject to the provisions herein.

This amendment adds additional time for the completion of certain projects.

3. Section 301A, Payment of Grant Funds and Method of Payment, is amended by deleting the current total dollar amount of \$206,465 and replacing it with the new total dollar amount of \$380,964.

This amendment adds an additional \$174,499 to the total amount of the contract.

4. Except as herein amended, all terms and conditions of the Agreement shall remain in full force and effect.
5. This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This Agreement includes three (3) pages which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City and City of Beverly Hills have caused this Agreement to be executed by their duly authorized representatives.

<p>APPROVED AS TO FORM AND LEGALITY: ROCKARD J. DELGADILLO, City Attorney</p> <p>By _____ Deputy City Attorney</p> <p>Date _____</p>	<p>For: THE CITY OF LOS ANGELES</p> <p>ANTONIO R. VILLARAIGOSA, Mayor</p> <p>By _____</p> <p>Antonio R. Villaraigosa, Mayor Homeland Security and Public Safety, Mayor's Office</p> <p>Date _____</p>
<p>ATTEST:</p> <p>Karen E. Kalfayan, City Clerk</p> <p>By _____ Deputy City Clerk</p> <p>Date _____</p>	
<p>APPROVED AS TO FORM:</p> <p>By <u><i>Sebnem Halal</i></u> City Attorney</p> <p>Date <u>6/30/08</u></p>	<p>For: City of Beverly Hills, a municipal corporation</p> <p>By _____</p> <p>Date _____</p>
<p>ATTEST:</p> <p>By _____ City Clerk</p> <p>Date _____</p>	

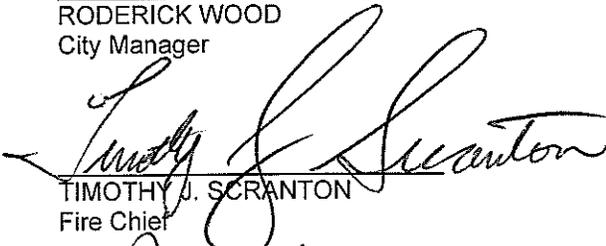
City Business License Number: \_\_\_\_\_  
 Internal Revenue Service ID Number: \_\_\_\_\_  
 Council File/OARS File Number: \_\_\_\_\_ Date of Approval

Said Agreement is Number \_\_\_\_\_ of City Contracts

Signatures continued for First Supplemental Agreement between the City of Beverly Hills and the City of Los Angeles for Disbursement of the 2006 UASI Grant

APPROVED AS TO CONTENT:

\_\_\_\_\_  
RODERICK WOOD  
City Manager

  
TIMOTHY J. SCRANTON  
Fire Chief

\_\_\_\_\_  
PAMELA MOTTICE-MULLER  
Director of Emergency Management

\_\_\_\_\_  
SCOTT MILLER  
Director of Administrative Services/Chief  
Financial Officer

\_\_\_\_\_  
KARL KIRKMAN  
Risk Manager