



AGENDA REPORT

Meeting Date: April 1, 2008
Item Number: F-9
To: Honorable Mayor & City Council
From: Scott Miller, Director of Administrative Services and CFO and
Noel Marquis, Assistant Director of Administrative Services
Subject: **APPROVALS RELATED TO VARIOUS CITY PURCHASING AND
BUDGET TRANSACTIONS AS DESCRIBED HEREIN.**

Attachments: 1. Agreements (1)

**ITEM A. APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT
BETWEEN THE CITY OF BEVERLY HILLS AND MATHIS &
ASSOCIATES FOR MANAGEMENT CONSULTING SERVICES; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$58,213.92
TO MATHIS & ASSOCIATES FOR A TOTAL NOT-TO-EXCEED
AMOUNT OF \$170,000.**

RECOMMENDATION

Staff recommends that the City Council approve amendment no. 3 to the agreement and change order in the amount of \$58,213.92 with Mathis & Associates in the total not-to-exceed amount of \$170,000.

INTRODUCTION

Mathis & Associates provides management consultant services in connection with various evaluations, workshops and retreats.

DISCUSSION

The proposed amendment will add funds to cover the various executive workshops such as Senior Management & Executive Organizational Development and Succession Planning workshops.

FISCAL IMPACT

Funds were budgeted and are available for this purpose.

ITEM B. APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$457,669 TO CARMENITA TRUCK CENTER FOR PURCHASE OF TWO REFUSE-COLLECTION TRUCKS.

RECOMMENDATION

Staff recommends that the City Council approve a purchase order to Carmenita Truck Center in the Amount of \$457,669 for the purchase of 2 Autocar 2008 cab-over-engine chassis with Cummins Diesel engine and Heil 26 cubic-yard autoside-loading refuse body.

INTRODUCTION

A review of the Solid Waste operations determined that an additional 2 automated side-loading refuse collection trucks were necessary to reach optimal efficiency. To that end formal bid was published and the City received two bids, Carmenita Truck Center and Peck Road Ford.

DISCUSSION

Carmenita Truck Center provided the lowest bid price and staff recommends acceptance of their bid in the amount of \$457,669 including all taxes and charges.

FISCAL IMPACT

Funds were budgeted and are available in the Solid Waste Enterprise Fund and the Capital Assets Internal Service Fund for this purpose.

ITEM C. APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$60,000 TO THE BLANKET PURCHASE ORDER TO LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS INDUSTRIAL WASTE DIVISION FOR ADMINISTERING THE INDUSTRIAL WASTE DISCHARGE PROGRAM FOR A NOT-TO-EXCEED TOTAL OF \$110,000.

RECOMMENDATION

Staff recommends that the City Council approve a change order in the amount of \$60,000 to the blanket purchase order to Los Angeles County Department of Public

Works Industrial Waste Division for Administering the Industrial Waste Discharge program for a total not-to-exceed amount \$110,000.

INTRODUCTION

The County of Los Angeles Department of Public Works Industrial Waste Division administers the industrial wastewater discharge program, a requirement mandated by the Environmental Protection Agency (EPA).

DISCUSSION

This additional charge is required due to additional testing requirements for some of the City's 100 plus industrial waste permittees.

FISCAL IMPACT

Funds were budgeted and are available in the Wastewater Enterprise Fund for this purpose.

ITEM D. APPROPRIATING FUNDS IN THE AMOUNT OF \$200,000 FOR BUSINESS TAX COMPLIANCE AUDITS; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$200,000 TO JOHN T. SHEA FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$270,000.

RECOMMENDATION

Staff recommends that the City Council move to appropriate funds in the amount of \$200,000 for Business Tax compliance audits and approve a change order in the amount of \$200,000 for John T. Shea for a total not-to-exceed amount of \$270,000.

FROM	TO
\$200,000 General Fund unrestricted balance 01- 30000	\$200,000 Revenue Administration 0101704-73120

INTRODUCTION

John T. Shea provides field inspection and audits of local businesses which result in increased compliance to the City's business tax codes and generate additional revenue to the City.

DISCUSSION

As a result of several large business tax audit findings during the current fiscal year the original amount budgeted for this purpose is not sufficient. Since the vendors compensation is based on recoverable audit finds the City benefits significantly from this increase in audit findings. Additional funds are required to provide compensation for the services provided to date and complete the remainder of the fiscal year.

FISCAL IMPACT

Funds were not budgeted but are available from the additional business tax revenues generated from this audit program. Costs for this program are incurred only when business tax audits provide additional funds to the City.

ITEM E. APPROPRIATING FUNDS IN THE AMOUNT OF \$231,416 FOR THE CITY'S MARKETING PROGRAM.

RECOMMENDATION

Staff recommends that the City Council move to appropriate funds in the amount of \$231,416 for the City's marketing programs as follows:

<u>FROM</u>		<u>TO</u>	
\$231,416	General Fund unrestricted balance 01- 30000	\$231,416	City Marketing Program 73440

INTRODUCTION

The City collects Transient Occupancy Tax (TOT) at 14% of the gross hotel room rate. The City has generally committed two of the 14% (one-seventh of the revenue) to marketing efforts to attract visitors and tourists to the City.

Each year the Budget Team makes a projection of TOT revenues. The projection is generally conservative and actual TOT revenue collected often exceed the budget projection. Over the last few years Council has approved a mid-year adjustment to the TOT marketing fund to ensure that the full 2% TOT Marketing revenue is available for marketing purposes.

DISCUSSION

For fiscal year 2006/2007 the amount of 2% TOT marketing revenue received was \$3,698,511. The amount of marketing funds budgeted including adjustments was \$3,467,095. The additional 2% TOT marketing funds available to be added to the fiscal year 2007/2008 is \$231,416.

FISCAL IMPACT

Funds were not budgeted but are available in the General Fund unrestricted fund balance from the additional TOT revenues generated in fiscal year 2006/2007.



Noel Marquis
Finance Approval



Scott G. Miller
Approved By

AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND MATHIS & ASSOCIATES
FOR MANAGEMENT CONSULTING SERVICES

NAME OF CONSULTANT: Mathis & Associates

RESPONSIBLE PRINCIPAL
OF CONSULTANT: R. William Mathis, Ph.D.

CONSULTANT'S ADDRESS: 3435 Valle Verde Drive
Napa, California 94558

CITY'S ADDRESS: City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210
Attention: Sandra Olivencia
Assistant Director of Administrative
Services/Human Resources

COMMENCEMENT DATE: January 1, 2006

TERMINATION DATE: Upon completion of services

CONSIDERATION: Not to exceed \$170,000 and more
particularly described in Exhibit A

AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND MATHIS & ASSOCIATES
FOR MANAGEMENT CONSULTING SERVICES

This Amendment No. 3 is to that certain Agreement between the City of Beverly Hills, a municipal corporation (hereafter called "City"), and Mathis & Associates (hereinafter called "Consultant"), dated February 2, 2006, identified as Contract No. 33-06 as amended by Amendment No. 1 dated September 19, 2006 and identified as Contract No. 351-06 and Amendment No. 2. dated April 26, 2007 and identified as Contract No. 139-07 ("Agreement") for management consulting services.

RECITALS

A. City entered into the Agreement for management consulting services on February 2, 2006 which was previously amended.

B. City desires Consultant to provide additional organizational and development training services for the Executive Team/Executive Senior Management/Department Head Retreat and additional management consulting services.

NOW, THEREFORE, the parties agree as follows:

Section 1. The Consideration is hereby amended as set forth above.

Section 2. Exhibit A, Scope of Services shall be amended to read as attached hereto and incorporated herein.

Section 3. Except as specifically amended by Section 1 of Amendment No. 1 and this Amendment No. 3, the Agreement shall remain in full force and effect.

Executed the _____ day of _____, 200__, at Beverly Hills,

California.

CITY OF BEVERLY HILLS
A Municipal Corporation

BARRY BRUCKER
Mayor of the City of
Beverly Hills, California

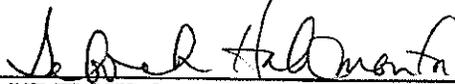
ATTEST:

(SEAL)
BYRON POPE
City Clerk

CONSULTANT: MATHIS &
ASSOCIATES

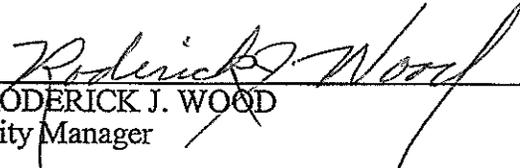

R. WILLIAM MATHIS, Ph.D.

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

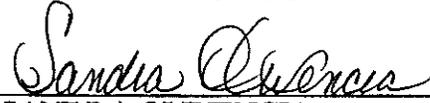
APPROVED AS TO CONTENT:



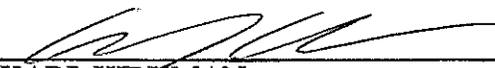
RODERICK J. WOOD
City Manager



SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer



SANDRA OLIVENCIA
Assistant Director of Administrative
Services/Human Services



KARL KIRKMAN
Risk Manager

EXHIBIT A

SCOPE OF SERVICES/COMPENSATION

Consultant shall provide management consultant services for City in connection with various City evaluations, workshops and retreats. Upon request of City, Consultant shall submit a written proposal for each project detailing the services to be provided and the cost for such services which shall be subject to City's written approval. Each proposal shall include the total costs, including all professional fees and expenses. Reasonable expenses to be incurred in the performance of the Agreement shall be included in the total cost. Consultant shall identify a not exceed amount for its expenses in its proposal which may include transportation, lodging, meals, and DISC profiles.

In no event shall the cost for both professional fees and reasonable expenses exceed One Hundred Seventy Thousand Dollars (\$170,000) for the term of the Agreement.