



# Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

## Board Report

Legistar File Number: A 15-141

June 09, 2015

**Introduced:** 5/19/2015

**Version:** 1

**Current Status:** Consent Agenda

**Matter Type:** BoS Agreement

- a. Authorize the Contracts/Purchasing Officer to execute an Agreement for the lease, installation, and monitoring of a temperature sensor alarm system, between the County of Monterey, d/b/a Monterey County Health Department ("County") and First Alarm Security Services, Inc. ("First Alarm") for a total Agreement amount of \$5,215.00 in the aggregate, for a five-year term ending March 16, 2020, for the following location: Laurel Family Practice Clinic, 1441 Constitution Boulevard, Building 400, 3rd Floor, Salinas, CA; and
- b. Accept the non-standard risk provisions in the First Alarm Security Services, Inc. Agreement.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts/Purchasing Officer to execute an Agreement for the lease, installation, and monitoring of a temperature sensor alarm system, between the County of Monterey, d/b/a Monterey County Health Department ("County") and First Alarm Security Services, Inc. ("First Alarm") for a total Agreement amount of \$5,215.00 in the aggregate, for a five-year term ending March 16, 2020, for the following location: Laurel Family Practice Clinic, 1441 Constitution Boulevard, Building 400, 3rd Floor, Salinas, CA; and
- b. Accept the non-standard risk provisions in the First Alarm Security Services, Inc. Agreement.

### SUMMARY/DISCUSSION:

The Health Department requests approval to enter into a nonstandard Agreement with First Alarm for the lease of equipment, installation, implementation, and monitoring of a temperature sensor alarm system, which includes, three (3) alarmed temperature probes, one (1) 8 zone temperature sensor, one (1) keypad, and two (2) control panels to monitor refrigerator temperatures for the Laurel Family Practice Clinic.

The lease and installation of the temperature sensor alarm system will work to safeguard the quality, and protect against premature expiration of, vaccines, samples, and medications used in the clinic. Clinic staff will routinely audit reports to ensure compliance with appropriate security procedures.

The Agreement has a term of five years ending March 16, 2020. The Agreement also includes a provision automatically renewing the Agreement and continuing for successive three (3) year terms unless canceled by either party in writing at least thirty (30) days prior to the end of the original term or any renewal term. Health seeks approval only for the original term. First Alarm will not agree to remove the provision. Health will seek additional Board approval to extend the Agreement for an additional three (3) year term prior to the end of the original term of five (5) years, or provide First Alarm with notice to cancel the Agreement at least thirty (30) days before the end of the original term.

County Counsel did not approve Agreement due to the following provisions: Company is Not an Insurer; Limitation of Warranty Provision; Liquidated Damages; Third Party Indemnification; Waiver of Subrogation; and Limitation on Lawsuits. First Alarm did not agree to remove the provisions.

The Director of Health recommends the risk provisions be accepted as part of the Agreement. The Laurel Family Practice Clinic is anticipated to open to patients July 1, 2015 and a temperature sensor alarm system must be in place in order to safeguard patient vaccines, samples, and medications.

OTHER AGENCY INVOLVEMENT:

The proposed Agreement was not approved by County Counsel or Risk Management due to the non-standard language and risk provisions in the Agreement. Agreement is on file with the Clerk of the Board.

FINANCING:

Sufficient funds are available in the Health Department Clinic Services Bureau (4000-HEA007) FY 2014-15 Adopted Budget to cover installation fee of \$835 and \$73 for monthly monitoring. This request is included in the Health Department Clinic Services Bureau (4000-HEA007) FY 2015-16 requested budget. Authorization of this request will have no financial impact on the general fund.

Prepared by: Sunny Utterback, Management Analyst I, 1344

Approved by: Ray Bullick, Director of Health, 4526

Attachment:

Agreement is on file with the Clerk of the Board