



# Monterey County

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## Board Report

Legistar File Number: A 18-276

June 19, 2018

**Introduced:** 6/8/2018

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Approve Non-Standard Agreement with Doug Evers dba Proactive Risk Solutions to provide consulting services for safety coordinator/investigator function within the Resource Management Agency, in a total amount not to exceed \$100,000 for the term of June 12, 2018 through June 30, 2019; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Non-Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

### RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve Non-Standard Agreement with Doug Evers dba Proactive Risk Solutions to provide consulting services for safety coordinator/investigator function within the Resource Management Agency, in a total amount not to exceed \$100,000 for the term of June 12, 2018 through June 30, 2019; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Non-Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

### SUMMARY/ DISCUSSION:

In April of 2018, the Resource Management Agency (RMA) received notice that the permanent employee occupying the Safety Coordinator position had accepted another job outside of the County's employment. With the incumbent's last day of April 30, 2018, RMA is faced with needing to bring in someone who has direct knowledge and experience in performing in the role of the Safety Coordinator position until a permanent hire can be made.

Seven (7) years ago, the RMA had received services from Doug Evers dba Proactive Risk Solutions (Consultant) to fill the duties and functions of the Safety Coordinator/Investigator in a temporary capacity until there was a successful full-time candidate hired into the County permanently. This request will allow the RMA to bring back this Consultant to perform the duties of the Safety Coordinator/Investigator until a permanent candidate can be identified and permanently hired by the County. The requested Consultant has approximately one (1) years relevant knowledge and experience serving in the capacity as the RMA Safety Coordinator/Investigator.

This Consultant successfully supported the RMA on previous occasions by providing the services of the Safety Coordinator/Investigator while the RMA was actively recruiting for a permanent candidate to fill the vacant position. This Consultant is familiar with the RMA field management and staff, as well as the crews, including the types of work performed and the inherent risk that comes with functions

performed.

There are no current employees within the RMA that have a background in occupational safety that can perform the duties of the Safety Coordinator/Investigator until a replacement hire can be obtained. Due to the immediate need for a Safety Coordinator/Investigator, processing a Request for Qualifications (RFQ) for a consultant is not feasible. The skills and experience needed are also beyond the scope of the County's temporary help agreements.

RMA is working with the Office of the County Counsel-Risk Management to partner on centralizing the Safety Coordinator/Investigator position within the Office of the County Counsel-Risk Management matrixed backed to the RMA. Upon identification of a permanent candidate, the position would receive technical oversight and guidance from the Office of the County Counsel-Risk Management, but would be physically present within the RMA and receive day to day assignments from the RMA Deputy Director of Administrative Services or designee.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and Auditor-Controller's Office have reviewed the Agreement as to form and legality, indemnity and insurance, and fiscal provisions, respectively. The Office of the County Counsel-Risk Management cannot approve the Agreement due to non-standard Auto Insurance, Workers' Compensation Insurance provisions. RMA recommends approval of this Agreement because the vendor has provided auto insurance in an amount accepted as reasonable for the amount of driving associated with the Agreement scope of work; the vendor represents that he has no employees but will obtain Workers' Compensation Insurance in the event he hires employees; RMA will work in close collaboration with the vendor so that the vendor's right to terminate the Agreement does not present a significant risk; and, the mutual indemnification language has been determined by RMA to be an acceptable risk for the duration and scope of the Agreement.

FINANCING:

Costs are anticipated to be incurred during fiscal years (FY) 2017-18 and 2018-19. Sufficient appropriations are available in the RMA adopted FY 2017-18 budget, Fund 001, Department 3000, Unit 8222, Appropriations Unit RMA RMA013, to fund this Agreement.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the following Board of Supervisors' Strategic Initiatives:

The role of Safety Coordinator/Investigator is a critical position within the RMA that is specialized in the field of occupational safety and risk management. This Agreement will allow RMA to continue to provide mandatory and discretionary safety training. Safe work practices and awareness affects both staff and the public as many RMA staff work on roads, bridges, parks and other public areas.

- ☐ Economic Development
- ☐ Administration
- ☒ Health & Human Services
- ☐ Infrastructure
- ☒ Public Safety

Prepared by: Shawne Ellerbee, RMA Deputy Director of Administrative Services

Reviewed by: Melanie Beretti, Special Programs Manager (x5285)

Approved by: Carl P. Holm, AICP, RMA Director

Attachment:

Attachment A - Agreement

(Attachment on File with the Clerk of the Board)