



Legislation Details (With Board Report)

File #: A 19-026 **Name:** Amendment No. to the Agreement with EJ Ward Inc.
Type: BoS Agreement **Status:** Passed - County Administrative Office
File created: 2/27/2019 **In control:** Board of Supervisors
On agenda: 3/12/2019 **Final action:** 3/12/2019

Title: a. Ratify the prior payment to EJ Ward, Inc. of \$28,880 for services rendered to CAO-Fleet, which was paid to the vendor from leftover funds (previously allocated for payment to this vendor under a separate agreement), and which was paid in excess of the not-to-exceed authority granted by the Board of Supervisors for this Agreement; and,
b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement with EJ Ward, Inc. for a "Turn-Key" Fleet Fuel Management Operations System extending the term to December 31, 2021 and adding \$172,000 to the total not-to-exceed amount, for a new total not-to-exceed amount of \$689,500.

Sponsors: County Administrative Office

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Amendment No. 2 - EJ Ward Inc., 3. Amendment No. 1 - EJ Ward Inc., 4. Board Order - EJ Ward Inc., 5. Agreement - EJ Ward Inc., 6. No. 43 Completed Board Order

Date	Ver.	Action By	Action	Result
3/12/2019	1	Board of Supervisors	approved - county administrative office	Pass

a. Ratify the prior payment to EJ Ward, Inc. of \$28,880 for services rendered to CAO-Fleet, which was paid to the vendor from leftover funds (previously allocated for payment to this vendor under a separate agreement), and which was paid in excess of the not-to-exceed authority granted by the Board of Supervisors for this Agreement; and,
b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement with EJ Ward, Inc. for a "Turn-Key" Fleet Fuel Management Operations System extending the term to December 31, 2021 and adding \$172,000 to the total not-to-exceed amount, for a new total not-to-exceed amount of \$689,500.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Ratify the prior payment to EJ Ward, Inc. of \$28,880 for services rendered to CAO-Fleet, which was paid to the vendor from leftover funds (previously allocated for payment to this vendor under a separate agreement), and which was paid in excess of the not-to-exceed authority granted by the Board of Supervisors for this Agreement; and,
b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement with EJ Ward, Inc. for a "Turn-Key" Fleet Fuel Management Operations System extending the term to December 31, 2021 and adding \$172,000 to the total not-to-exceed amount, for a new total not-to-exceed amount of \$689,500.

SUMMARY/DISCUSSION:

The County issued a Request for Proposal (RFP) No.10417 on May 16, 2013 to solicit proposals from qualified vendors capable of providing the County Fleet Operations with a "Turn-Key" Fleet Fuel Management Operations System and Continuing Web Hosting Services and Maintenance to replace the previous outdated

fuel management system, which was operating on an unsupported platform due to its age.

The replacement of the previous Fuel Management Operations System was to ensure fuel and water levels are properly monitored and are accurately accounted for through automated fueling management solutions of the County's Fleet for approximately 1,500 vehicles, ranging from small equipment to full size trucks and heavy equipment, such as dozers and graders.

The County and Contractor entered into the original Agreement effective December 17, 2013 and with a term of December 3, 2013 through and including December 3, 2018. The Agreement contained a total not-to-exceed amount of \$450,000.

At the time the Agreement was entered into, the Monterey County Board of Supervisors authorized the Contracts/Purchasing Officer to execute up to three Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement annual rates of more than fifteen percent (15%).

The parties previously entered into an Amendment No. 1 to address certain issues related to how taxes were addressed in the original agreement, and to exercise the previously granted authority to increase the not-to-exceed amount by 15% to a new total not-to-exceed of \$517,500.

The funds available under the present Agreement were exhausted in approximately mid-2018 and the County has no further authority to increase the not-to-exceed under the Board Order and the department was able to make payments for ongoing services by the Contractor by utilizing other available funds from a separate agreement between the County and this same Contractor.

Contractor is providing, and desires to continue providing, needed fleet management services to the County, and County desires to continue receiving such necessary services. The parties now seek ratification of the \$28,880 in payments made in excess of the authorized not-to-exceed amount, and the parties now wish to extend the term of the Agreement by an additional three years through December 31, 2021.

In order to fund these necessary services through the new term of December 31, 2021, the parties have determined that the County needs to increase the total not-to-exceed by \$172,000, for a new total not-to-exceed amount of \$689,500.

OTHER AGENCY INVOLVEMENT:

The agreement has been approved by County Counsel as to legal form and the Auditor-Controller as to fiscal provisions. The Information Technology Department has approved the system as to its technical requirements and security provisions.

FINANCING:

The cost for Amendment No. 2 is \$172,000 which was included, in part, in the Fiscal Year 2019-2020 adopted budget. Amounts for remaining years of the agreement will be included in those budgets as appropriate. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

These actions will help ensure the timely provision of necessary services to all County Department.

Mark a check to the related Board of Supervisors Strategic Initiatives

Economic Development
 Administration
 Health & Human Services
 Infrastructure
 Public Safety

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Approved by: Dewayne Woods, Assistant County Administrative Officer

Attachments: Amendment No. 2; Amendment No. 1; Board Order; EJ Ward Inc. Agreement.
(Attachments on file with the Clerk of the Board)