



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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**File #:** A 13-044, **Version:** 1

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Approve and authorize the Director of Health to sign Amendment No. 3 to a Professional Services Agreement between the County of Monterey and Bagley Enterprises, Inc., to increase the amount payable by \$35,000, for an amount not to exceed \$130,000 for the period January 5, 2010, through June 30, 2013, to inspect and maintain used oil pump-out equipment, including the relocation and reconstruction of a double-wall oil recycling container at Breakwater Cove Marina, in the city of Monterey, for Environmental Health's Used Oil Recycling Program.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and authorize the Director of Health to sign Amendment No. 3 to a Professional Services Agreement between the County of Monterey and Bagley Enterprises, Inc., to increase the amount payable by \$35,000, for an amount not to exceed \$130,000 for the period January 5, 2010, through June 30, 2013, to inspect and maintain used oil pump-out equipment, including the relocation and reconstruction of a double-wall oil recycling container at Breakwater Cove Marina, in the city of Monterey, for Environmental Health's Used Oil Recycling Program.

### SUMMARY/DISCUSSION:

On January 5, 2010, a Professional Services Agreement (Agreement) with Bagley Enterprises, Inc., was executed to provide inspection and maintenance services for the used oil pump-out equipment in various Monterey County locations on behalf of Environmental Health's Used Oil Recycling Program, in an amount not to exceed \$60,000. (Attachment A) Subsequently, on January 1, 2011, Amendment No. 1 to the Agreement amended Exhibit B - Site Inspection Locations. (Attachment B) Then, on March 1, 2012, Amendment No. 2 to the Agreement extended the term of the Agreement to June 30, 2013, and increased the amount payable to Bagley Enterprises, Inc., to an amount not to exceed \$95,000, for the services to be provided during the extension period, for additional services to be provided, and for services provided to an updated list of site inspection locations. (Attachment C)

Before the term of the current agreement expires, on June 30, 2013, it is necessary to relocate an oil recycling container to a more suitable location at Breakwater Cove Marina and to reconstruct the container with double walls. This service can readily be provided by Bagley Enterprises, Inc., but at a cost not previously anticipated within the existing Agreement as previously amended. In order to accommodate this and any other unexpected maintenance requirements before termination of the current agreement, the Director of Health is requesting approval to increase the contract by \$35,000, from an amount not to exceed \$95,000 to an amount not to exceed \$130,000, by way of executing Amendment No. 3 to the Agreement. (Attachment D) Bagley Enterprises, Inc., will be reimbursed for this project, and other maintenance expenses incurred before expiration of the Agreement, at the agreed upon rates as provided for in Exhibit A of the original Agreement.

It is expected that a new agreement will be negotiated with Bagley Enterprises, Inc., or another service provider, for any services to be provided after June 30, 2013.

### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved Amendment No. 3 as to form and legality.

**FINANCING:**

There is no effect to Net County Cost. Appropriations were included in the budget for FY2012-13. Services provided by Bagley Enterprises, Inc., including the additional services for which the contract is being amended, are 100% funded through CalRecycle's Oil Payment Program grant to the Health Department's Environmental Health Bureau. Staff has obtained approval from CalRecycle for additional services to be provided by Bagley Enterprises, Inc.

Prepared by: Ted Pinson, Management Analyst, 1297

Approved by: Ray Bullick, Director of Health, 4526

**Attachments:**

Attachment A - Bagley Enterprises PSA (on file with the Clerk of the Board)

Attachment B - Amendment 1 to PSA (on file with the Clerk of the Board)

Attachment C - Amendment 2 to PSA (on file with the Clerk of the Board)

Attachment D - Proposed Amendment 3 to PSA (on file with the Clerk of the Board)