



## Legislation Text

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**File #:** 19-0944, **Version:** 1

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Environmental Management Department, Planning and Building Department, Department of Transportation, and Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:

- 1) Approve the continuation of nine (9) perpetual agreements as detailed in Attachment A;
- 2) Authorize the Purchasing Agent to establish change orders to add funds to each agreement as necessary to process associated payments for Fiscal Year 2019-2020; and
- 3) Find that, in accordance with County Ordinance Section 3.13.030, it is more economical and feasible to engage independent contractors for the various services provided via the perpetual agreements detailed in Attachment A.

**FUNDING:** Road Fund, Community Development Block Grants, General Fund, Public Utility Franchise Fees, and Housing and Economic Development Program Income Funds (Federal, State, and Local Funds).

### **DISCUSSION / BACKGROUND**

Board of Supervisors Policy C-17, Section 4.5, Contract Term, requires departments to obtain authorization from the Board of Supervisors, initially, and on an annual basis, to use any contract that does not have a stated agreement term. The termination provisions for each of the agreements are included as Attachment A.

In the past, departments recommended the Board authorize the Purchasing Agent to execute a blanket purchase order for each perpetual agreement, to ensure availability of funding for payments. Since the implementation of FENIX, each perpetual agreement must have a change order executed to allocate funding for payments in the upcoming fiscal year. This matter is intended to apprise the Board of these perpetual agreements listed in Attachment A, and recommend the Board authorize the Purchasing Agent to post a change order for each ongoing perpetual agreement to ensure availability of funding in FY 2019-20.

During FY 2019-20, Procurement and Contracts Division staff will continue to monitor and research the existing perpetual agreements. For any agreement that is no longer needed, Procurement and Contracts Division staff will terminate them as appropriate, and notify the Board of such terminations on an annual basis.

### **ALTERNATIVES**

The Board may choose not to approve any or all of the perpetual agreements. As each item facilitates an important service, alternative methods to deliver these services would need to be identified, in addition to associated costs.

### **PRIOR BOARD ACTION**

- 1) 08/05/2014, 09-0998, Item 8
- 2) 08/16/2016, 16-0747, Item 11
- 3) 08/15/2017, 17-0766, Item 10

- 4) 09/19/2017, 17-0879, Item 4
- 5) 09/26/2017, 12-1290, Item 21
- 6) 05/08/2018, 18-0266, Item 43
- 7) 07/24/2018, 18-1138, Item 2
- 8) 08/21/2018, 18-1179, Item 12

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

The current FY 2019-20 budgeted amounts are included in Attachment A.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Infrastructure, Good Governance, and Public Safety

**CONTACT**

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