



County of El Dorado

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Legislation Text

File #: 13-0026, Version: 1

Sheriff's Office recommending the Board consider the following:

- 1) Authorize the Chair to sign Agreement for Services No. 338-S1310 with E-S Press Inc., to provide training titled "Emotional Survival for Law Enforcement" to Sheriff's Office staff on February 14-15, 2013, in an amount not to exceed \$9,595.58; and
- 2) Waive the standard indemnity language in the County's contract as requested by the vendor.

FUNDING: General Fund.

BUDGET SUMMARY:	
Total Estimated Cost.....	9,595.58
Budgeted.....	9,595.58
New Funding.....	
Savings.....	
Other.....	
Total Funding Available.....	9,595.58
Change To Net County Cost.....	0

Fiscal Impact/Change to Net County Cost

None. Appropriations are available in the Sheriff's Office Fiscal Year 2012/13 budget to cover these expenses.

Background

ES Press Inc., is a publishing company that represents Dr. Kevin Gilmartin who is the author of the book *Emotional Survival for Law Enforcement*. Dr. Gilmartin travels around the country offering a two-day course on ensuring the emotional well being of law enforcement officials and their families. This two-day course is highly regarded in law enforcement circles, and will provide El Dorado County with valuable, low cost training for its law enforcement staff and families.

Dr. Gilmartin has provided the required insurance certificates, but is requesting a waiver of the County's standard indemnity language as being too excessive for the scope of the contract which is training within a classroom environment. The Sheriff's Office believes there are very few if any liability issues involved in the training as outlined in the vendor's Scope of Work, and therefore, recommends the waiver be granted by the Board

This request is before the Board of Supervisors for approval of the Agreement with a waiver of the County's standard indemnity requirement. Specifically, the Sheriff's Office is recommending removal

of the following standard indemnification provisions:

- Full Worker's Compensation and Employer's Liability Insurance covering all employees of Consultant as required by law in the State of California.
- Automobile Liability Insurance of not less than \$1,000,000 is required in the event motor vehicles are used by the Consultant in the performance of the Agreement.
- The Consultant's insurance coverage shall be primary insurance as respects to the County, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees or volunteers shall be in excess of the Consultant's insurance and shall not contribute with it.
- Any deductibles or self insured retentions must be declared to and approved by the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.
- In the event Consultant cannot provide an occurrence policy, Consultant shall provide insurance covering claims made as a result of performance of this Agreement for not less than three (3) years following completion of performance of this Agreement.
- Certificate of insurance shall meet such additional standards as may be determined by the contracting County Department either independently or in consultation with Risk Management, as essential for protection of the County.

Reason for Recommendation

Approval of this request will authorize the Sheriff's Office to contract with ES Press Inc., to provide training for staff.

Action(s) to be taken following Board approval

Contract will be forwarded to vendor, and training will be completed by February 15, 2013.

Contact

Undersheriff, Rich Williams