

RESOLUTION NO. 2011-248

Adopted by the Sacramento City Council

April 26, 2011

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO AGREEMENT NO. 2010-0299 FOR LABOR COMPLIANCE FIELD INVESTIGATION AND ADMINISTRATIVE SERVICES

BACKGROUND.

- A. The City's approved Labor Compliance Program requires specific labor compliance field investigation, monitoring, and administrative services for City construction projects subject to state or federal prevailing wage laws and apprenticeship standards. Because of the specialty nature of this work, the City has contracted for these services.
- B. The City advertised for these services in a request for proposals (RFP) in January 2010, and Diversified Contract Management Group was chosen as the top-ranked firm by the selection committee. The RFP provided for a one year term, with an option for the City to extend the agreement for an additional year. On April 27, 2010, the City Council approved a Professional Services Agreement with Diversified Contract Management Group (Agreement No. 2010-0299) that funded one year of these services, in an amount not to exceed \$229,029.49.
- C. Supplemental Agreement No. 1 to Agreement No. 2010-0299 will provide the contract authority to continue with Diversified Contract Management Group's labor compliance field investigation, monitoring and administrative services for various capital improvement projects for an additional year, to April 27, 2012, for an amount not to exceed \$162,227.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager is authorized to execute Supplemental Agreement No. 1 to City Agreement No. 2010-0299 with Diversified Contract Management Group for an amount not to exceed \$162,227, increasing the agreement's total not to exceed amount to \$391,257.
- Section 2. Exhibit A is made part of this Resolution.

Exhibit A – Supplemental Agreement No. 1

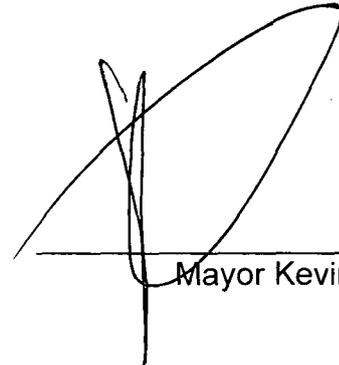
Adopted by the City of Sacramento City Council on April 26, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Corcolino, City Clerk

SUPPLEMENTAL AGREEMENT

Project Title and Job Number: Labor Compliance Field Investigation & Administrative Services 433061-14000-6011 14001321

Date: April 26, 2011

Purchase Order #: 0000010277

Supplemental Agreement No.: 1

The City of Sacramento ("City") and Diversified Contract Management (DCM) Group, Inc. ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2010-0299, including any and all prior supplemental agreements modifying the agreement (said agreement and supplemental agreements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The Time of Performance specified in Section 5 of Exhibit A of the Agreement contained a typographic error that specified an Agreement term of approximately two months, rather than the intended one year term extending through April 27, 2011. This supplemental agreement corrects that error and extends the term for a period of one additional year, by amending Section 5 of Exhibit A to read in its entirety as follows:

5. Time of Performance. The services described herein shall be provided during the period from April 27, 2010 to April 27, 2012.

2. In consideration of the additional and/or revised services described in Section 1 above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses is increased by \$162,227 to provide funding for an additional 12 months of services, and said maximum not-to-exceed amount is amended as follows:

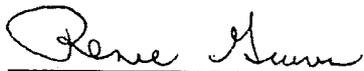
Agreement's original not-to-exceed amount:	<u>\$ 229,029.49</u>
Net change by previous supplemental agreements:	<u>\$ 0.00</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$ 229,029.49</u>
Increased by this supplemental agreement:	<u>\$ 162,227.00</u>
New not-to-exceed amount including all supplemental agreements:	<u>\$ 391,256.87</u>

3. Contractor agrees that the amount of increase in the not-to-exceed amount specified in section 2 above, shall constitute full compensation for the additional and/or revised services specified in Section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.

4. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms thereof.

5. Except as specifically revised herein, all terms and conditions of the agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

Approval Recommended by:


Project Manager

Approved as to Form By:


City Attorney

Approved By:


Contractor

Approved By:

Attested to By:

City of Sacramento

City Clerk