



# Council Agenda Report

To: Mayor Grisanti and the Honorable Members of the City Council

Prepared by: Arthur Aladjadjian, Public Works Superintendent

Reviewed by: Rob Duboux, Public Works Director/City Engineer

Approved by: Steve McClary, Interim City Manager

Date prepared: April 25, 2022 Meeting date: May 23, 2022

Subject: Amendment to Professional Services Agreement with American Guard Services, Inc.

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with American Guard Services, Inc. to correct the compensation schedule.

**FISCAL IMPACT:** No additional appropriation is required. Funding for the school crossing guards in the amount of \$56,980.80 is included in the Adopted Budget for Fiscal Year 2021-2022 in Account Nos. 100-3008-5100 (Public Works/Engineering – Professional Services).

**WORK PLAN:** This item was not included in the Adopted Work Plan for Fiscal year 2021-2022. This project is part of normal staff operations.

**DISCUSSION:** In 2009, the City responded to resident concerns regarding parking and traffic congestion along Morning View Drive and the safety of the students. After a community meeting with elected and school officials, staff reported back to the City Council with several recommendations to improve the flow of traffic in the area including the hiring of additional crossing guards.

The crossing guard services agreement provides the City with crossing guards at two (2) crosswalks impacted during school hours on Morning View Drive near Malibu High School and one (1) crossing guard at a crosswalk for Malibu Elementary School.

It was discovered that there was a calculation error in the number of hours which impacted the total cost per year. This amendment will adjust the contract to account for the correct number of hours of operations and the correct total cost per year.

Staff recommends authorizing the Mayor to execute Amendment No. 1 to the Professional Services Agreement with American Guard Services, Inc.

ATTACHMENT: Amendment No. 1 to the Professional Services Agreement with American Guard Services, Inc.

**AMENDMENT NO. 1 TO AGREEMENT**

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on May 23, 2022, by and between the CITY OF MALIBU, hereinafter referred to as City, and American Guard Services, Inc. hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

**RECITALS**

A. On September 13, 2021, the City entered into an Agreement with Consultant for crossing guard program (the "Agreement").

B. The City desires to amend the Agreement to adjust the compensation schedule to increase the total number of hours required to provide crossing guard services, and Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended as set forth in Exhibit B attached hereto.
2. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
3. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on \_\_\_\_\_, at Malibu, California, and effective as of May 23, 2022.

CITY OF MALIBU:

\_\_\_\_\_  
PAUL GRISANTI, Mayor

ATTEST:

\_\_\_\_\_  
KELSEY PETTIJOHN, City Clerk  
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED  
BY THE CITY ATTORNEY'S OFFICE

\_\_\_\_\_  
JOHN COTTI, Interim City Attorney

CONSULTANT:

  
\_\_\_\_\_  
By: Gerald Gregory  
Title: Executive Vice President

**EXHIBIT "B"**

**COMPENSATION SCHEDULE**

<b>Crossing Guards for Malibu High School</b>	<b>2021/2022</b>	<b>2022/2023</b>	<b>2023/2024 (optional)</b>
<b>Number of Guards</b>	3	3	3
<b>Hours of Service per Day</b>	4	4	4
<b>Number of Days per Year</b>	180	180	180
<b>Total Estimated # of Hours</b>	2160	2160	2160
<b>Hourly Rate (\$/hr)</b>	\$ 26.38	\$ 27.21	27.86
<b>Approximate Cost per Year</b>	\$ 56,980.80	\$ 58,773.60	\$ 60,177.60