

LOS ANGELES FIRE DEPARTMENT



BRIAN L. CUMMINGS
FIRE CHIEF

BOARD OF FIRE COMMISSIONERS
FILE NO. BFC 12-043

March 1, 2012

TO: Board of Fire Commissioners
FROM: Brian L. Cummings, Fire Chief
SUBJECT: HR VALUE CONTRACT AMENDMENT

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

Recommendations: That the Board:

1. APPROVE staff's recommendation to amend Agreement No. C-116124 to increase the ceiling amount of the Agreement for the period October 8, 2011 to October 7, 2012; and
2. AUTHORIZE the Fire Chief to execute the Second Amendment to Agreement No. C-116124; and
3. INSTRUCT the Commission Executive Assistant to forward this Board Report and Draft Second Amendment to Agreement C-116124 to the Mayor's office in accordance with Executive Directive 3

Summary:

The purpose of this amendment to the HR Value contract is to increase the "ceiling" payment amount during the current fiscal year (FY2011-2012) from \$99,000 to \$130,000. The total amount of the contract does not change, only the timing of the payments.

Discussion:

On February 17, 2009, the Fire Commission authorized the contract between the Los Angeles Fire Department and HR Value and instructed staff to return to the Commission with specific task based objectives for consideration by the Board prior to the commencement of work performed by the consultant (BFC 09-001).

On November 3, 2009, the Fire Commission authorized the Fire Chief to utilize the services of HR Value. Utilizing the agreement between the City and HR Value, the Department has used the services of HR Value to conduct an assessment of the needs of the Department and assist staff in the development of task-based objectives (BFC 09-001-S1).

On September 20, 2011, the Board of Fire Commissioners approved the execution of the First Amendment to Agreement No. C-116124 to extend Agreement C-116124 by one-year, from

October 8, 2011 through October 7, 2012. In approving the First amendment to the HR Value contract, the Board of Fire Commissioners approved specific tasks in the areas of succession planning and strategic planning. Due to the time frame established for the completion of the strategic plan, and additional work involved in the tasks, the ceiling amount of the agreement for the time period of October 8, 2011 through October 7, 2012 needs to be increased by \$31,000, an increase from \$99,000 to \$130,000. This increase is necessitated by additional resources required by the Consultant to complete the tasks assigned (BFC 11-138).

The draft Second Amendment to Agreement No. C-116124 has been reviewed and approved as to form by the Office of the City Attorney.

Fiscal Impact:

Funding for this agreement in the LAFD's State Educational Account Fund, Department 38, Fund 40J. There is no impact to the General Fund in FY2011-12 or in FY2012-13 through the execution of the Second Amendment to Agreement No. C-116124.

Cost Accounting Information for the Second Amendment to Agreement No. C-116124 is:

Work Order: FVEXPENS Task: EXPS Sub-Task: GENA
Fund: 40J Account: 3840JB FY: 2004

Conclusion:

Approval of this amendment will allow the expedited completion of Succession – Strategic Plan as per the request of the Fire Chief.

Board report prepared by Michelle Banks, Firefighter/Lead Paramedic, Office of the Fire Chief in association with William Jones, Senior Management Analyst II, Administrative Services Bureau.

AGREEMENT NO. C-116124-2

**SECOND AMENDMENT TO SUPPLEMENTAL AGREEMENT
BETWEEN THE CITY OF LOS ANGELES AND HR VALUE**

This Second Amendment to Supplemental Agreement No. C-116124 (hereinafter referred to as "Agreement") to Contract Number C-7-1208 between the Orange County Transportation Authority and HR Value is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter referred to as "City"), acting by and through the Los Angeles Fire Department (hereinafter referred to as "Fire Department"), and HR Value (hereinafter referred to as "Consultant") with reference to the following:

WHEREAS, on June 4, 2007, the Orange County Transportation Authority (hereinafter referred to as "OCTA") released Request for Proposals, Number 7-0692, for Labor, Employee Relations and Civil Rights Consulting Services; and

WHEREAS, Consultant submitted a proposal in response to the OCTA Request for Proposals;

WHEREAS, on November 8, 2007, the OCTA and Consultant entered into Agreement No. C-7-1208 (attached hereto and incorporated herein as Exhibit A); and

WHEREAS, the OCTA is substituted by and through the Fire Department in Agreement No. C-7-1208; and

WHEREAS, the Fire Department requires the assistance from Consultant to provide such services as leadership development programs, strategic plans to address communication efforts, and other management-related matters as included in Agreement No. C-7-1208, on an on-call basis; and

WHEREAS, the Consultant possesses the unique skills and proficiencies in these areas, and has agreed to provide such services to the Fire Department; and

WHEREAS, the LAFD and Consultant have worked together for the past two years on a number of tasks related to the development of senior staff to deal with the organizational culture change and succession planning; and

WHEREAS, both parties desire to continue this contract to complete tasks the LAFD and Consultant are presently working on; and

WHEREAS, the consulting services to be provided are temporary and occasional in nature; and

WHEREAS, the City does not employ personnel with the required expertise and it is more economical and feasible to have the work performed by a contractor.

WHEREAS, the LAFD and the Consultant executed the First Amendment to Agreement No. C-116124 on February 16, 2012 to extend the term of the agreement for one-year, to October 7, 2012 in an amount not to exceed \$99,000.00; and

WHEREAS, the LAFD and the Consultant now execute this Second Amendment to Agreement No. C-116124 on February 16, 2012 to extend the term of the agreement for one additional year, to October 7, 2012 in an amount not to exceed \$130,000.00; and

WHEREAS, the amount has increased because the Consultant has now incurred additional expenses to complete the tasks required by the LAFD, and the LAFD has agreed to the additional costs pursuant to Section 4 of the original Agreement ; and

WHEREAS, the Consultant has provided invoices specifically detailing the increased costs and the services provided; and

WHEREAS, the LAFD Chief has deemed these funds necessary and within the scope of work necessary to complete this project;

NOW, THEREFORE, the parties hereby covenant and agree to amend Section 4 of Agreement Number C-116124 to include the following:

4.1. COMPENSATION AND METHOD OF PAYMENT OCTOBER 8, 2011 THROUGH OCTOBER 7, 2012

The maximum payable under this Second Amended Agreement will not exceed One Hundred Thirty Thousand Dollars (\$130,000) during the final year of this agreement, beginning October 8, 2011 and ending October 7, 2012, for complete and satisfactory performance of the terms of this Agreement. All invoices will be submitted to Los Angeles Fire Department, Administrative Services Bureau, Attn: Bill Jones, 200 North Main Street, City Hall East, Room 1630, Los Angeles, California 90012.

(Signature Page to Follow)

IN WITNESS WHEREOF, the parties have caused this Supplemental Agreement to be executed by their respective duly authorized representatives.

DATED: _____

For: THE CITY OF LOS ANGELES

By _____
BRIAN CUMMINGS
Fire Chief
Los Angeles Fire Department

DATED: _____

For: HR VALUE

By: _____
Name: _____
Title: _____

Approved as to Form
and Legality:
CARMEN A. TRUTANICH
City Attorney

ATTEST:

JUNE LAGMAY
City Clerk

By _____
ANTHONY-PAUL DIAZ
Deputy City Attorney

By _____
Deputy City Clerk

Date _____

Date _____

Agreement Number: **C-116124-2**