

# LOS ANGELES FIRE DEPARTMENT



BRIAN L. CUMMINGS  
FIRE CHIEF

March 20, 2013

BOARD OF FIRE COMMISSIONERS  
FILE NO. 13-049

TO: Board of Fire Commissioners

FROM: Brian L. Cummings, Fire Chief

SUBJECT: PROFESSIONAL SERVICES CONTRACT – HOWARD WRIGHT  
EMPLOYMENT AGENCY, INC. DBA APPLE ONE

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 Withdrawn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. Subject to the approval of the Mayor, ratify Contract No. C-121763, as amended herein, with Howard Wright Employment Agency, Inc. dba Apple One and authorize the Fire Chief to execute the amendment to provide temporary staffing services on an as-needed basis.
2. Instruct the Commission Executive Assistant to forward this agreement to the Mayor's Office in accordance with Executive Directive No. 3.

**Summary:** The Los Angeles Fire Department (LAFD) requires the assistance of temporary staffing on an as-needed basis to augment the Department in meeting numerous demands in the area of accounting and general office services. Staffing shortages and furloughs, in addition to the delays and impediments of the managed hiring process, have hindered the Department's ability to hire and retain staff in key positions. The LAFD therefore seeks the assistance of temporary workers in the area of accounting/revenue collections and general office services to address ongoing workloads and assignments. The LAFD has reached out to other departments through the 1022 process to determine if City staff is available to assist the LAFD. All departments have responded they do not have sufficient staffing. Though City employees functionally could perform the work, the limitations imposed by the City's managed hiring process and financial situation are contributing factors to a lack of staffing in the City. Therefore the LAFD has determined the need for a contract to provide temporary as-needed staffing.

**Discussion:** The LAFD needs temporary staffing assistance to meet the demands and workloads imposed on the organization in the areas of revenue collection and accounts payable. To this end, the Department has identified a contract currently utilized by a number of other City departments that will greatly assist existing staff. Over the past several months, the LAFD has lost a number of essential employees in the accounting field to other City departments or to early retirement. The drain on resources has had a tremendous impact on the department's ability to sustain key operations in the areas of revenue collection and accounts payable.

The LAFD desires to utilize the procurement process by which the Department of Neighborhood Empowerment entered into an agreement with the Howard Wright Employment Agency, Inc. dba Apple One, essentially "piggy-backing" on the competitive bid and selection process performed by another public agency, and, in accordance with the policies of the City of Los Angeles enter into a separate agreement with the vendor. On February 11, 2013, under the authority granted by the City Charter, the Fire Chief entered into a short-term agreement with the vendor, Contract No. C-121763, for an amount not to exceed \$20,000. Since that time, the LAFD has continued to suffer significant staffing losses that have jeopardized the Department's abilities to accomplish essential accounting duties and tasks.

With this amendment, the LAFD seeks the Board of Fire Commissioners to ratify the agreement entered into between the LAFD and the Howard Wright Employment Agency, Inc. dba Apple One for the same term but with an increased contract amount not to exceed \$95,000.

The LAFD has completed the contracting requirements to review the actions of the Department of Neighborhood Empowerment in their award of contract, issued its own notices of intent to contract and sought the recommendations of the Office of the City Administrative Officer and Personnel Department in accordance with Section 1022 of the Los Angeles City Charter. Additionally, the LAFD has identified and included all the legislative requirements and standard provisions required as part of this contract. The attached contract has been reviewed by the Office of the City Attorney and approved for legality and form.

**Fiscal Impact:** This amendment increases the contract ceiling and authorizes the Fire Department to expend a maximum of \$95,000 for services. The Department will be increasing the original contract for \$20,000 by an additional \$75,000, for a total of \$95,000. The Department has identified funds in FY 2012-13, Contractual Services Account (100/003040), to cover these expenses.

**Conclusion:** The LAFD requires these temporary staffing services to meet the staffing shortages and increasing workloads related to revenue collection and accounts payable. In the absence of temporary staffing, the Department will be unable to handle the workloads associated with the accounting functions, which would jeopardize the Department's accounting certification with the Los Angeles Controller's Office and result in a backlog and potential loss of revenue. The services provided by the Howard Wright Employment Agency, Inc. dba Apple One will greatly assist the Department through this difficult period of managed hiring.

Board report prepared by William Jones, Senior Management Analyst II, Administrative Services Bureau.

Attachment

**FIRST AMENDMENT TO CONTRACT No. C121763  
BETWEEN  
THE CITY OF LOS ANGELES  
AND  
APPLEONE EMPLOYMENT SERVICES**

**THIS FIRST AMENEDMENT** to Agreement No. C121763 between the City of Los Angeles (hereinafter referred to as "CITY"), a municipal corporation, acting by and through the Los Angeles Fire Department (hereinafter referred to as "LAFD"), and AppleOne Employment Services (hereinafter referred to as "CONTRACTOR"), a California corporation, is entered into with reference to the following:

**WHEREAS**, the parties entered into Agreement, Contract No. C121763, on February 11, 2013 wherein Contractor agreed to provide temporary staff support for the LAFD; and

**WHEREAS**, the maximum compensation under the terms of the current Agreement is \$20,000; and

**WHEREAS**, the LAFD has identified urgent, intermittent, temporary staff support requirements which will occur throughout Fiscal Year 2013; and

**WHEREAS**, the necessary funds are available in the LAFD budget and have been appropriated to pay for the additional expense proposed by this Amendment for Fiscal Year 2013; and

**WHEREAS**, the parties hereto desire to increase the maximum compensation amount; and

**NOW THEREFORE**, in consideration of the above premises and of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

**ARTICLE I – AMENDMENT TO THE AGREEMENT**

**Section VII – COMPENSATION AND METHOD OF PAYMENT**, Paragraph A is hereby amended in its entirety to read:

The CONTRACTOR shall be paid as compensation for complete and satisfactory performance of the terms of this AGREEMENT, an amount not to exceed ninety-five thousand dollars (\$95,000), to be paid based on the pricing schedule of services, listed in Exhibit A, which is attached to this AGREEMENT and incorporated herein. The LAFD makes no guarantee of work or minimum amount of payment to CONTRACTOR.

**ARTICLE II – GENERAL PROVISIONS**

Except as amended by this FIRST AMENDMENT, all other provisions of Contract No. C121763 shall remain in full force and effect.

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

DATE: \_\_\_\_\_

For: THE CITY OF LOS ANGELES

By: \_\_\_\_\_  
Brian L. Cummings  
Fire Chief  
Los Angeles Fire Department

DATE: \_\_\_\_\_

For: APPLEONE EMPLOYMENT  
SERVICES

By: \_\_\_\_\_  
Linda Madigan  
Vice President,  
Operations & Government Solutions

APPROVED AS TO FORM:  
CARMEN A. TRUTANICH, City Attorney

ATTEST:  
JUNE LAGMAY, City Clerk

By: \_\_\_\_\_  
Anthony-Paul Diaz  
Deputy City Attorney

By: \_\_\_\_\_  
Deputy City Clerk

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

City Business Tax Registration Certificate: 788965-0001-2

Agreement Number:     C121763-1