

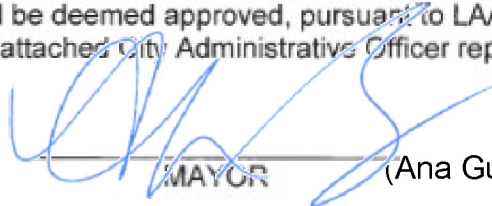
0150-10598-0003

TRANSMITTAL

TO The Council	DATE 1/29/19	COUNCIL FILE NO.
FROM The Mayor		COUNCIL DISTRICT

Second Amendment to Contract C-127056 with Harry Garvin for certified forensic photography services for the Los Angeles Fire Department

Transmitted for your consideration. After receipt, the Council has 60 days to act, otherwise the matter will be deemed approved, pursuant to LAAC Section 10.5(a). See the attached City Administrative Officer report.



MAYOR

(Ana Guerrero) for

RHL:SJ:04190085

CAO 649-d

Report From
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Analysis of Proposed Contract
(\$25,000 or Greater and Longer than Three Months)

To: The Mayor	Date: 01-29-19	C.D. No. --	CAO File No.: 0150-10598-0003				
Contracting Department/Bureau: Los Angeles Fire Department		Contact: Muriel Gee (213) 978-3461					
Reference: Board of Fire Commissioners transmittal dated November 27, 2018; referred for report November 27, 2018.							
Purpose of Contract: To provide certified forensic photography services							
Type of Contract: () New contract (x) Amendment, Contract No. C-127056		Contract Term Dates: February 16, 2016 through February 15, 2020 (one-year extension)					
Contract/Amendment Amount: \$25,000							
Proposed amount \$25,000 + Prior award(s) \$75,000= Total \$100,000							
Source of funds: Fund 100/38, Account 003040, Contractual Services Account							
Name of Contractor: Harry Garvin							
Address: 1010 Alvira Street, Los Angeles, CA 90035							
	Yes	No	N/A	Contractor has complied with:	Yes	No	N/A
1. Council has approved the purpose	X			8. Business Inclusion Program	X		
2. Appropriated funds are available	X			9. Equal Benefits & First Source Hiring Ordinances	X		
3. Charter Section 1022 findings completed	X			10. Contractor Responsibility Ordinance	X		
4. Proposals have been requested	X			11. Slavery & Border Wall Disclosure Ordinances	X		
5. Risk Management review completed	X			12. Bidder Certification CEC Form 50	X		
6. Standard Provisions for City Contracts included	X			13. Prohibited Contributors (Bidders) CEC Form 55	X		
7. Workforce that resides in the City: 0%				14. California Iran Contracting Act of 2010			X


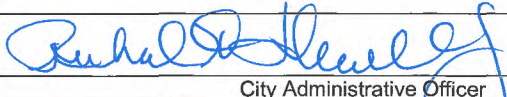
RECOMMENDATION

That the Council, subject to the approval of the Mayor, authorize the Fire Chief, or his designee, to execute the proposed agreement to Contract No. 127056 between the Los Angeles Fire Department and Harry Garvin for as-needed certified forensic photography services. The proposed agreement extends the term of the original contract by one year from February 16, 2019 through February 15, 2020 and increases the contract amount by \$25,000 for a total contract amount of \$100,000, subject to review by the City Attorney as to form.

SUMMARY

The Los Angeles Fire Department (LAFD) requests authority to execute the proposed agreement to Contract No. 127056 with Harry Garvin (Contractor) for certified forensic photographer services to extend the term by an additional one-year from February 16, 2019 through February 15, 2020, and increase the total maximum allowable compensation by \$25,000 from \$75,000 to \$100,000.

The Contractor was initially selected through a Request for Qualifications (RFQ) process released in June 2015. On February 16, 2016, the LAFD entered into an agreement with the Contractor for a one-year term through February 15, 2017, with two one-year options to renew, and a maximum allowable compensation of \$20,000. The LAFD elected to exercise a one-year extension option, in the

			
SJ	Analyst	04190085	City Administrative Officer

form of a supplemental agreement, to extend the term from February 16, 2017 through February 15, 2018 and increase the maximum compensation by \$30,000 from \$20,000 to \$50,000. On February 16, 2018, the LAFD executed the final option to extend the contract, in the form of a First Amendment, for an additional year through February 15, 2019, and increase the total maximum allowable compensation amount by \$25,000 from \$50,000 to \$75,000.

The LAFD is currently in the process of a RFQ to seek a contractor for forensic photographer services. As the RFQ is not expected to be completed by the contract expiration date of February 15, 2019, the LAFD is requesting an additional one-year extension to the contract and an increase in the maximum allowable compensation by \$25,000. The LAFD has identified funding through available savings in the 2018-19 Contractual Services Account and will identify available funds to provide this service during Fiscal Year 2019-20.

The Personnel Department made a Charter Section 1022 Determination that City employees have the expertise to perform the proposed work; however, because of the limited scope and intermittent nature of this work, as well as insufficient existing City staff to perform the work, this Office determined that the proposed task can be accomplished more feasibly by a contractor. On January 18, 2019, the LAFD submitted a Notice of Intent to contract to the Employees Relations Division.

In accordance with the Los Angeles Administrative Code Section 10.5(b)2, Council approval of the proposed amendment is required, as the proposed contract term exceeds three years. To the best of our knowledge, the Contractor has complied with all standard provisions for City contracts, as well as City contracting requirements.

FISCAL IMPACT STATEMENT

There is no additional impact to the General Fund associated with the recommendation in this report. The Los Angeles Fire Department (LAFD) has identified savings in the 2018-19 Contractual Services Account to fund this agreement. This action is in compliance with the City's Financial Policies in that on-going revenues will be used to support these services.

RHL:SJ:04190085

Attachment

LOS ANGELES FIRE COMMISSION

ATTACHMENT

BOARD OF
FIRE COMMISSIONERS

DELIA IBARRA
PRESIDENT

ANDREW GLAZIER
VICE PRESIDENT

JIMMY H. HARA, M.D.
REBECCA NINBURG
JIMMIE WOODS-GRAY

LETICIA GOMEZ
COMMISSION EXECUTIVE ASSISTANT II



ERIC GARCETTI
Mayor

SUE STENDEL
INDEPENDENT ASSESSOR

EXECUTIVE OFFICE
200 NORTH MAIN STREET, SUITE 1840
LOS ANGELES, CA 90012

(213) 978-3838 PHONE
(213) 978-3814 FAX

November 27, 2018

Honorable Eric Garcetti
Mayor, City of Los Angeles
Room 303, City Hall
Attn: Mandy Morales, Legislative Coordinator

[BFC 18-132] – SECOND AMENDMENT TO AGREEMENT C-127056 WITH HARRY GAVIN FOR FORENSIC PHOTOGRAPHER SERVICES

At its meeting of November 27, 2018, the Board of Fire Commissioners approved the report and its recommendations. The report is hereby transmitted to the Mayor and City Council for consideration and approval.

Should you need additional information, please contact the Board of Fire Commissioners' office at 213-978-3838.

Sincerely,

Isela Iñiguez
Acting Commission Executive Assistant

Attachment

cc: Board of Fire Commissioners (without attachments)
Fire Chief Ralph M. Terrazas (without attachments)

LOS ANGELES FIRE DEPARTMENT

RALPH M. TERRAZAS
FIRE CHIEF

APPROVED: 11/27/2018
BOARD OF FIRE COMMISSIONERS
BY: [Signature]
COMMISSION EXECUTIVE ASSISTANT

November 13, 2018

BOARD OF FIRE COMMISSIONERS
FILE NO. 18-132

TO: Board of Fire Commissioners

FROM: *RMT* Ralph M. Terrazas, Fire Chief

SUBJECT: SECOND AMENDMENT TO AGREEMENT C-127056 WITH HARRY GARVIN FOR FORENSIC PHOTOGRAPHER SERVICES

FINAL ACTION:	<input checked="" 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

SUMMARY

On June 4, 2015, the Los Angeles Fire Department (LAFD) released a Request for Qualifications (RFQ No. 2015-38-001) for a certified forensic photographer. Mr. Harry Garvin was the only responder to the RFQ. On February 16, 2016, the City of Los Angeles (City) entered into Agreement C-127056 with Mr. Garvin for a one-year term, with two one-year renewal options, and a total maximum compensation of \$20,000.

On June 6, 2017, through a First Supplemental Agreement, the City exercised the first renewal option to extend the term through February 15, 2018, and increase the total maximum compensation to \$50,000.

On March 12, 2018, through a First Amendment, the City exercised the second renewal option to extend the term through February 15, 2019, and increase the total maximum compensation to \$75,000.

The LAFD is currently in the process of preparing a RFQ for forensic photographer services. Because the RFQ process will not be completed by February 15, 2019, the LAFD desires to extend the term of Agreement C-127056 until a contractor is selected through this process in order to provide the Department with the continuous service of an on-call, as-needed, forensic photographer.

The LAFD proposes in this Second Amendment to Agreement C-127056 to extend the term of the Agreement through February 15, 2020 and to increase the total maximum compensation amount from \$75,000 to \$100,000.

Board of Fire Commissioners

Page 2

RECOMMENDATIONS

That the Board:

1. Approve and authorize the Fire Chief to execute the Second Amendment to Agreement C-127056 between the City and Harry Garvin for forensic photographer services.
2. Transmit the Second Amendment to Agreement C-127056 to the Mayor in accordance with Executive Directive 3, and to the City Council for approval.
3. Request the City Council, subject to approval of the Mayor, approve the Second Amendment to Agreement C-127056 for the period of February 16, 2016 through February 15, 2020.

FISCAL IMPACT

The Los Angeles Fire Department has identified funds in its FY 2018-19 Contractual Services Account to cover expenses related to this Agreement.

Board report prepared by Lauren Nakasuji, Senior Management Analyst I,
Administrative Services Bureau.

Attachment

**SECOND AMENDMENT TO AGREEMENT NO. C-127056
BETWEEN
THE CITY OF LOS ANGELES
AND
HARRY GARVIN
FOR FORENSIC PHOTOGRAPHER SERVICES**

This Second Amendment between the City of Los Angeles (hereinafter referred to as the "CITY"), a municipal corporation, acting by and through the Los Angeles Fire Department (hereinafter referred to as the "LAFD"), and Harry Garvin, as an individual, (hereinafter referred to as the "CONTRACTOR"), is entered into with reference to the following:

WHEREAS, the LAFD Arson and Counter-Terrorism Section has a need for a certified forensic photographer to photograph scenes of suspected arson or other criminal activity; and

WHEREAS, the LAFD issued a formal Request for Qualifications (RFQ) on June 4, 2015 seeking qualified contractors for dedicated forensic photographer services on a part-time and limited basis; and

WHEREAS, the CONTRACTOR was the only proposer to respond to the RFQ released by the LAFD; and

WHEREAS, pursuant to Los Angeles City Charter Section 1022, the City has determined that the work can be performed more economically or feasibly by independent contractors than by CITY employees; and

WHEREAS, the CONTRACTOR possesses the knowledge, skills and capabilities that the LAFD seeks from a forensic photographer; and

WHEREAS, the LAFD Arson and Counter-Terrorism Section has worked with the CONTRACTOR to provide forensic photography on an occasional and limited basis in the past and is familiar with the quality of the CONTRACTOR'S abilities and work product; and

WHEREAS, the CONTRACTOR has indicated he is available to work days, nights and weekends and to respond within one (1) hour of a request by the LAFD; and

WHEREAS, the Agreement is for on-call, as-needed, and temporary in nature forensic photography, and is not for full-time photographic services; and

WHEREAS, on February 16, 2016, the parties entered into Agreement C-127056 for the period of February 16, 2016 through February 15, 2017 for a total maximum compensation of \$20,000; and

WHEREAS, on June 7, 2017, the parties entered into a First Supplemental Agreement to Agreement No. C-127056, wherein the parties agreed to exercise the first of two (2) one-year options, and extended the Agreement from February 16, 2016 through February 15, 2018, and increased the maximum compensation amount to fifty thousand dollars (\$50,000); and

WHEREAS, on March 12, 2018, the parties entered into a First Amendment to Agreement No. C-127056, wherein the parties agreed to exercise the second of two (2) one-year options, and extended the Agreement from February 16, 2016 through February 15, 2019, and increase the maximum compensation amount to seventy-five thousand dollars (\$75,000); and

WHEREAS, the City, through the LAFD, is in the process of preparing a Request for Qualifications (RFQ) for forensic photographer services; and

WHEREAS, until the City enters into a new agreement for forensic photographer services through the RFQ process, the CITY desires in this Second Amendment to extend the term of Agreement No. C-127056 from February 16, 2016 through February 15, 2020, and to increase the total maximum compensation amount not to exceed one hundred thousand dollars (\$100,000).

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

1. **SECTION 5 – TERM OF THE AGREEMENT**, is hereby amended in its entirety to read:

Upon signatures by all parties and attestation by the City Clerk, the term of this Agreement shall commence on February 16, 2016 and shall end on February 15, 2020, unless terminated as provided elsewhere in this Agreement or extended by written amendment.

To the extent that the CONTRACTOR may have begun performance of the services before the date of execution, at the CITY'S request and due to immediate needs, the CITY hereby ratifies and accepts those services performed in accordance with this Agreement and authorizes payment as provided by the terms of this Agreement.

2. **SECTION 6.1 – Compensation**, Paragraph 3, is hereby amended in its entirety to read:

CONTRACTOR will be limited to a maximum compensation of Twenty-Five Thousand Dollars (\$25,000) annually for the term of the Agreement. The total maximum compensation for the life of the Agreement is One Hundred Thousand Dollars (\$100,000). The execution of an agreement between the LAFD and the CONTRACTOR is not a guarantee of work.

3. Except as amended by this Second Amendment, all other provisions of Agreement C-127056 shall remain in full force and effect.

(Signature Page to Follow)

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

DATE: _____

For: THE CITY OF LOS ANGELES

By: _____

RALPH M. TERRAZAS
Fire Chief
Los Angeles Fire Department

DATE: _____

For: CONTRACTOR

By: _____

HARRY GARVIN

Approved as to From:
MICHAEL N. FEUER, City Attorney

ATTEST:
HOLLY WOLCOTT, City Clerk

By: _____

Kimberly D. Miera
Deputy City Attorney

By: _____

Deputy City Clerk

DATE: _____

DATE: _____

Agreement Number: C-127056-2