

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

FROM: Allen Walter, Landscape/Parks Maintenance Superintendent *AW*

DATE: January 17, 2013 (CC Meeting of February 6, 2013)

SUBJECT: Consider Amendment No. 3 to the Ventura County Overhead Door, Inc., Agreement for a Second One (1) Year Period

DISCUSSION

On January 5, 2011, the City and Ventura County Overhead Door Inc., (Contractor) entered into a service agreement for quarterly preventative maintenance and repair services. Per the Agreement, the two (2) locations requiring annual service are the Moorpark Public Services Facility located at 627 Fitch Avenue for two (2) sliding gates with motors, and the Moorpark Police Service Center located at 610 Spring Road for three (3) sliding gates with motors

On December 28, 2011, the City and Contractor entered into Amendment No. 1 for a one (1) year extension to the January 5, 2011, Agreement. In accordance with Section 1 of the Agreement, upon the mutual consent of both parties, the Term of this Agreement may be extended for two (2) additional one (1) year periods.

On August 20, 2012, the City and Contractor entered and approved Amendment No. 2 to add the City owned property located at 782 Moorpark Avenue, including the maintenance of two (2) steel garage roll-up door motors, and increase annual compensation to fifteen thousand dollars (\$15,000).

On December 12, 2012, Ventura County Overhead Door, Inc. was sent Amendment No. 3 for a second one (1) year extension to the January 5, 2011, Agreement. Ventura County Overhead Door, Inc. returned the signed Amendment to the City. The City Manager executed Amendment No.3 on January 16, 2013. However, the Agreement extension date was due by December 31, 2012, therefore, the City Manager has directed staff to schedule the Amendment for City Council concurrence, due to the City Manager's signature to extend the term of the Agreement was after the extension due date of December 31, 2012. Staff is requesting Council authorize the City Manager's approval of Amendment No. 3 on January 16, 2013, to provide the Contractor a

second one (1) year period extension to the January 5, 2011 Agreement, expiring on December 31, 2013.

Staff is also requesting the Council authorize the extension of the Ventura County Overhead Door, Inc. Agreement Amendment No. 2, compensation of fifteen thousand dollars (\$15,000) for an additional one (1) year period expiring on December 31, 2013, unless sooner terminated as provided for within the Agreement.

FISCAL IMPACT

The FY 2012/13 operations budget from January to July 2013 includes \$7,500 in funds to provide for contractual services to provide sliding gate motor and roll-up door maintenance and services at Moorpark Public Services Facility, Moorpark Police Service Center, and 782 Moorpark Avenue. And the FY 2013/14 operations budget from July to December will also include \$7,500 to cover the total one (1) year period cost of \$15, 000 for the total term of the Agreement, expiring on December 31, 2013.

STAFF RECOMMENDATION:

Concur with Amendment No. 3, extending the Agreement to December 31, 2013.

AMENDMENT NO. 3 TO AGREEMENT BETWEEN THE CITY OF MOORPARK AND VENTURA COUNTY OVERHEAD DOOR FOR PREVENTATIVE MAINTENANCE SERVICES AT THE MOORPARK PUBLIC SERVICES FACILITY AND MOORPARK POLICE SERVICES CENTER

THIS SECOND AMENDMENT TO AGREEMENT, is made and effective as of this 16th day of January, 2013, between the City of Moorpark, a municipal corporation, hereinafter referred to as "City" and Ventura County Overhead Door Inc., a corporation, hereinafter referred to as "Contractor".

WITNESSETH

WHEREAS, on January 5, 2011, the City and Contractor entered into an Agreement for quarterly preventative maintenance service for five (5) sliding gates with motors, hereinafter referred to as "Agreement", pertaining to the Moorpark Public Service Facility the Moorpark Police Service Center; and

WHEREAS, on December 28, 2011, the City and Contractor entered into the First Amendment for a one (1) year extension to the January 5, 2011, Agreement; and

WHEREAS, on August 20, 2012, the City and Contractor entered and approved Amendment No. 2 to add repair services to the Moorpark Public Services Facility located at 627 Fitch Avenue for two (2) sliding gates with motors, the Moorpark Police Service Center located at 610 Spring Road for five (5) sliding gates with motors and the City owned property located at 782 Moorpark Avenue for two (2) roll-up doors with motors.

WHEREAS, Section 1, Term, of January 5, 2011, Agreement permits upon the mutual consent of both parties, the Term of this Agreement may be extended for two (2) additional one (1) year periods; and

WHEREAS, the City and Contractor now desire a one (1) year extension and this Amendment No. 3 to the January 5, 2011, Agreement documents approval of the extension of the Term.

NOW, THEREFORE, in consideration of the mutual convents, benefits, and premises herein stated, the parties hereto agree to amend the aforesaid Agreement as follows:

I. Section 1 of the Agreement is amended as follows:

The Term of said Agreement shall be extended one (1) year and will expire on December 31, 2013, unless sooner terminated as provided in Section 6 of the Agreement.

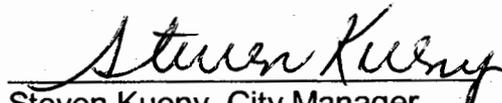
II. Section 5 of the Agreement is amended as follows:

City hereby extends the Agreement not exceed amount of fifteen thousand dollars (\$15,000) under this Agreement until December 31, 2013.

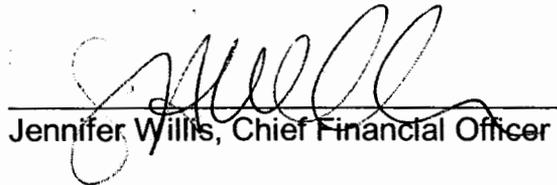
III. Remaining Provisions

All other provisions of the aforesaid Agreement shall remain in full force and effect.

CITY OF MOORPARK:


Steven Kueny, City Manager

VENTURA COUNTY OVERHEAD DOOR:


Jennifer Willis, Chief Financial Officer

ATTEST:


Maureen Benson, City Clerk

