



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: JUNE 22, 2021**

**FROM: CITY CLERK'S OFFICE      WARDS: ALL**

**SUBJECT: SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH LAGUNA VAULT LLC, DBA DOCU-TRUST, FOR A SUM NOT TO EXCEED \$150,000, FOR RECORDS STORAGE AND MANAGEMENT SERVICES THROUGH JUNE 30, 2023**

## **ISSUE:**

Approve the Second Amendment to the Professional Services Agreement with Laguna Vault LLC, dba Docu-Trust, of San Bernardino, California, for Records Storage and Management Services for a sum not to exceed \$150,000 for services through June 30, 2023.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the Second Amendment to the Maintenance Services Agreement with Laguna Vault LLC, dba Docu-Trust, of San Bernardino, California, for a term of July 1, 2021 through June 30, 2023, for a sum not to exceed \$150,000 in accordance with Purchasing Resolution 23256, Section 702(g); and
2. Authorize the City Manager, or his designee, to execute the Second Amendment to the Maintenance Services Agreement for Records Storage and Management with Laguna Vault LLC, dba Docu-Trust, and any other documents necessary to effectuate this amendment, including making minor and non-substantive changes.

## **BACKGROUND:**

On April 6, 2011, RFP 1244 closed, and City staff reviewed all responsive proposals and Laguna Vault LLC, dba Docu-Trust was deemed the highest-rated proposal. On June 21, 2011, the City of Riverside awarded a Request for Proposals Professional Services Agreement to Laguna Vault LLC, dba Docu-Trust, for off-site storage of records and management for a five-year term for total not-to-exceed with one five-year extension.

On July 28, 2015, the City Council approved a First Amendment to the Professional Services Agreement, increasing the annual not-to-exceed amount from \$35,000 to \$45,000, which included activity through the FY 2015-16. Thereafter beginning with FY 2015-2016, the annual amount was increased to \$50,000. The 2011 agreement provided for one five-year extension. The first

amendment invoked the approved extension through June 30, 2021. Storage and activity charges for retrieval, refiling, rush delivery, and acceptance of new boxes remained as negotiated in 2011.

In 2020, due to COVID-19 and the subsequent financial challenges it caused, staff were allowed to contact vendors to offer a contract extension through June 30, 2023, but only if the vendor agreed to maintain current pricing at the current level of services throughout the extended term. This exception to competitive procurement is provided under Section 702(g) of Purchasing Resolution 23256 which allows for services to “be Procured from a Contractor who offers the same and or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement or negotiations conducted by the City or another public agency”.

### **DISCUSSION:**

The proposed Second Amendment is to extend the term through June 30, 2023, for a compensation sum not to exceed \$150,000, subject to the standard change order as stated in the City’s Purchasing Resolution 23256. This allows the City to take advantage of current pricing and an increase in activity for destruction of records to be in compliance with the retention schedule prior to end of the extended contract.

Since Laguna Vault LLC, dba Docu-Trust, was agreeable to the terms and the City Clerk’s Office is satisfied with their performance, staff recommends amending the Agreement to extend the term.

The Purchasing Manager concurs that the recommended action is in compliance with Purchasing Resolution 23256, Section 702(g).

### **FISCAL IMPACT:**

The fiscal impact to extend the contract with Laguna Vault LLC, dba Docu-Trust, through June 30, 2023, is not-to-exceed \$150,000. Sufficient funding exists in the City Clerk’s Office budget in FY 2021/22 for anticipated needs. Appropriations for future fiscal years will be included in the City Clerk's budget submissions for those fiscal years to be presented to the City Council for approval.

Prepared by: Donesia Gause, City Clerk  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer  
Approved by: Lea Deesing, Assistant City Manager  
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachment: Second Amendment to Professional Services Agreement