



Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

CONNIE CONWAY
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: May 1, 2007

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						

CONTACT PERSON: Lloyd Finley PHONE: 733-6291

SUBJECT: Termination of Agreements for Custodial Services

REQUEST(S):

That the Board of Supervisors:

1. Approve the termination without cause of Tulare County Agreements No. 22393 for Custodial Services with Environment Control, Visalia California and No. 22392 for Custodial Services with ABM Janitorial Services, Visalia California, effective June 30, 2007 and authorize the Director Resource Management Agency, or his designee to formally notify the contractors.
2. Authorize the advertisement for a new agreement for Custodial Services, tentatively scheduled to begin service July 1, 2007.

SUMMARY:

Effective January 1, 2007, the State of California mandated an increase to the minimum wage of \$ 0.75/hr. The current Tulare County Agreements for Custodial Services run for a three-year period beginning July 1, 2005 and continuing through June 30, 2008 and do not provide for any adjustment in cost. Both of the current contractors have indicated that the wage increase is a significant, unforeseen increase to their operating expenses.

Paragraph 25 of the two Agreements provide the County the right to terminate without cause by giving thirty (30) days prior written notice of intention to terminate and specifying the date of termination. Compensation to the Contractor resulting from said termination is limited to that which is specified for services under the

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DATE: March 13, 2007

Agreements earned prior to the termination date and does not include lost anticipated profits or other economic loss.

Recommend termination without cause of the two Custodial Services Agreements, effective June 30, 2007. This action will provide the opportunity to obtain a fair, competitive cost for the work required in light of the new minimum wage requirement and the time delay will allow appropriate time to re-advertise and get a new agreement (or agreements) in place. The resulting Agreement (or Agreements) will be then brought back to the Board for approval.

FISCAL IMPACT/FINANCING:

There is no additional cost to the County for this fiscal year. Anticipated increases in the cost of new agreements will be requested through the budget process for the next fiscal year.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Economic Well-Being initiative to promote and provide a business-friendly, can-do service ethic. The termination without cause of these two agreements and subsequent re-advertisement of a new agreement will enable the County to obtain a fair, competitive price for services based on current labor mandates and eliminate a significant, unforeseen cost impact on the current vendors without a break in services.

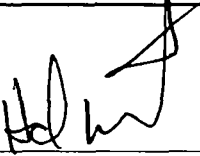
ALTERNATIVES:

The Board could choose not to approve the termination without cause actions and require the current vendors to continue with their present Agreements through June 30, 2008

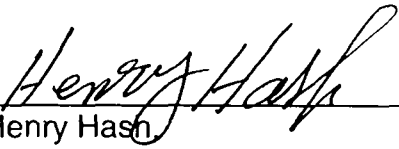
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has reviewed this action and concurs with the recommendations.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert, Assistant Director
Support Services



Henry Hash
Director

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF TERMINATION)
OF AGREEMENTS FOR CUSTODIAL) RESOLUTION NO. _____
SERVICES)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON MAY 1, 2007, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: C. BRIAN HADDIX
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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