



Board Agenda Item 29

DATE: June 12, 2018

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Retroactive Amendment II to Agreement with RR-M Reyna, Inc.

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute retroactive Amendment II to Agreement No. 14-258 with RR-M Reyna, Inc., doing business as R & R Transport, for professional decedent removal services, effective May 16, 2017; to change the term of the Agreement to May 16, 2014, through May 15, 2019; to retroactively ratify payments made during the fourth year of the Agreement; and to retroactively authorize payment for services previously provided, with no change in the Agreement maximum of \$870,000.

There is no increase in Net County Cost associated with the recommended action in the current year. The original term of the Agreement was three years, expiring on May 15, 2017, with two one-year renewal options. However, the one-year options were not solidified in writing, as required in the Agreement, and the parties continued to operate under the terms of the Agreement. Approval of the recommended action will allow the Agreement to be in effect for five years, the total possible length contemplated at the execution of the Agreement, with no changes to the increase amount approved by your Board on May 1, 2018, in the total five year agreement of \$870,000. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved, there would be a disruption in the ability of the Sheriff-Coroner's Office to provide decedent removal services throughout Fresno County. This will inhibit the Sheriff-Coroner's Office daily job duties and interfere with the functionality of the department.

RETROACTIVE AGREEMENT:

The original Agreement required both parties to provide written confirmation of any renewal terms. However, the parties did not confirm the renewal terms in writing and instead continued to operate under the terms of the Agreement. As a result, the recommended Amendment II is retroactive to May 15, 2017, when the first renewal term was set to commence. The Amendment II was signed and received from the vendor (RR-M Reyna, Inc.) on May 29, 2018.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The current annual maximum for the Sheriff-Coroner's Office is \$200,000 and is included in the Sheriff-Coroner's Org 3111 FY 2017-18 budget, which was approved by your Board on May 1, 2018. Sufficient appropriations will be included in future budget requests.

DISCUSSION:

On May 20, 2014, your Board approved an Agreement with RR-M Reyna, Inc. to provide decedent removal services. The decedent removal services, as covered by the agreement, are used to transport deceased from the scene of death to the Coroner's Office. If the cause of death is sudden or unexplained then an investigation would be done. When there is a natural cause of death, the transportation could still be required at the request of the next kin when there has been no final disposition arranged at the time of death.

The original term of the agreement was three years, from May 16, 2014, through May 15, 2017, with two one-year optional renewal periods, May 16, 2017, through May 15, 2019. The optional renewal periods necessitated written confirmation each year. However, the parties did not send written confirmation.

On May 1, 2018, your Board approved Amendment I to Agreement No. 14-258 with RR-M Reyna, Inc. to increase the maximum by \$44,000 to \$200,000 per year, with an increase in the total five-year agreement value to \$870,000.

On May 21, 2018, it was discovered that the renewal options were not exercised. This item is designed to extend the agreement to five years, to ratify amounts paid outside of the original term of the agreement, and retroactively approve and authorize payment to Contractor on unpaid invoices. The Department is developing a process to avoid this type of occurrence in the future.

REFERENCE MATERIAL:

BAI #34, May 1, 2018

BAI #25, May 20, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with RR-M Reyna, Inc. (dba R & R Transport)

On file with Clerk - Amendment I with RR-M Reyna, Inc. (dba R & R Transport)

On file with Clerk - Amendment II with RR-M Reyna, Inc. (dba R & R Transport)

CAO ANALYST:

Jeannie Z. Figueroa