



DOUGLAS T. SLOAN
City Attorney

CALLED FOR PICK-UP TO:

DATE:

5-5-15

BY:

Bryon
Horn

ITEM FOR APPROVAL

CONFIDENTIAL - PROTECTED BY ATTORNEY-CLIENT PRIVILEGE
AND ATTORNEY WORK PRODUCT DOCTRINE
THIS IS NOT A PUBLIC RECORD

Assignment #	A15-0395	C.O. #	
Fund #	54002	PC BU #	
Org #	510301	Resource Type:	
Project ID #		Timekeeping: Y/N	N
Activity ID #		CIP: Y/N	N
Opened Date:	4/28/2015	Desired Completion Date:	5/8/2015
Status Date:	4/28/2015	Hard Deadline Date:	5/8/2015
Assigned To:	Brandon M. Collet		

TO: Bryon Horn
Information Services Department - Administration
(559) 621-7119
Pick-up Contact (if different):

DOCUMENT: First Amendment to Agreement with Accuvant - Security assessment to put together a detailed security plan.

Attached material has been:

☒ APPROVED

☐ NOT APPROVED (Return this sheet with revised document)

☐ See Comments Below:

Staff Report Reviewed: ☐ Yes ☐ No

(RETURN THIS SHEET WITH REVISED DOCUMENT / RESUBMITTAL)

DOUGLAS T. SLOAN City Attorney

By:

Date:

5/5/15

RECEIVED
CITY ATTORNEY

**FRESNO CITY ATTORNEY'S OFFICE
REQUEST FOR LEGAL SERVICE (RLS)**

*Project Title (include address/names, etc.): Security Services Agreement		<div style="text-align: right;">2015 APR 28 PM 3:24</div> City Attorney Office Control No.: <div style="text-align: center; font-size: 1.2em;">A15-0395</div>	
Dept. Contact:	Bryon Horn	Phone #:	621-7119
Pick Up Contact: (If different from above)		Phone #:	
Desired Completion Date: 5/9/2015 Hard Deadline Date: 5/9/2015 (Response Required) Standard time for completion is 10 business days from date RLS is logged in with CAO. The CAO tries to accommodate requests for expediting projects, but there should be a good reason, and it should be the exception, not the rule. Reason for requesting expedited handling: Looking to get the engagement started as soon as possible. (Response Required, if expedited handling requested)			
Contract Counsel Requested? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If "Yes," our office will contact you to discuss.			
Description of Legal Service Being Requested: Amend the contract with Accuvant for a security assessment to put together a detailed security plan.			
Complete Sections Below:			
Fund #:	54002	Project ID:	PC BU:
Org #:	510301	Activity ID:	C.O.: Res Type:
Capital Improvement Project (CIP): Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (Response Required) Time Keeping Required for Billing or Reimbursement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (Response Required) The above numbers will be used to bill for costs incurred as a result of this request for legal service.			
At the request of the City Manager, no legal service can be provided unless this form is completed. If resubmitting documents, please attach a copy of this form and previous drafts. Estimates from the City Attorney available on request to cover all legal services and costs. When fee expenditures reach a certain level, a revised estimate for the completion of the project can be provided.			
I am authorized to request these services from the City Attorney and to identify the appropriate funding source and CIP designation, as appropriate, in the Sections above. There are now and will be for the duration of this project, sufficient funds in the accounts designated above to pay for the legal services requested.			
Carolyn T. Hogg, CIO Title		<div style="text-align: center;"> Authorized Department Signature </div> <div style="text-align: right;"> 4/28/15 Date </div>	
Title		Authorized Department Signature Resubmitted Date	

*When calling for project status, please reference the Project Title language used on RLS.

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT ("Amendment") made and entered into as of this ____ day of May, 2015, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation, ("CITY"), and ACCUVANT, INC., a Delaware corporation (herein after referred to as "CONSULTANT").

RECITALS

WHEREAS, CITY and CONSULTANT entered into an Agreement, dated October 24, 2014, for a professional technical security assessment and advisory services for Project Number: OP-119444, (hereinafter referred to as "Agreement;");

WHEREAS, CONSULTANT has satisfactorily performed the scope of services described in the Agreement;

WHEREAS, City desires to modify the scope of work of the Agreement to include additional planning services beyond what CONSULTANT previously provided;

WHEREAS, the modified scope of work contained in Attachment A of this Amendment shall be completed one year from the date of this Amendment; and

NOW THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledge, the parties agree that the aforesaid Agreement be amended as follows:

1. CONSULTANT shall provide additional services as described in Attachment "A", attached hereto and incorporated herein by reference. Such additional services shall be completed according to the scope of work following execution of this Amendment by both parties.

2. CONSULTANT'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be not exceed \$48,000 excluding expenses.

3. In the event of any conflict between the body of this Amendment and any Exhibit or Attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Amendment, shall be null and void.

4. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, dated October 24, 2014, remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment at Fresno, California, the day and year first above written

CITY OF FRESNO,
a municipal corporation

ACCUVANT, INC.
A Delaware corporation

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

ATTEST:
YVONNE SPENCE, CMC
City Clerk

and by ACCUVANT, INC.
officer as indicated below

By: _____
Deputy

By: _____

Name: _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

Title: _____
(if corporation or LLC, CFO, Treasurer,
Secretary or Assistant Secretary

By: _____
Brandon M. Collet Date _____
Deputy City Attorney

Addresses:

CITY:
City of Fresno
ISD Room 1070
2600 Fresno Street
Fresno, CA 93721

Attn: Bryon Horn
Title: CSD Manager
Phone: (559) 621-7119
FAX: _____

CONSULTANT:
Accuvant, Inc.
Attention: Legal
1125 17th Street, Suite 1700
Denver, CO 80202

Phone: (303)298-0600
FAX: (303)298-0868

Attachment: Attachment A – Scope of Services

Attachment A
SCOPE OF SERVICES