

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 23, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Rosanna Bayon Moore, Assistant City Manager *RBMM for PP*

APPROVED BY: Ron Bernal, City Manager

SUBJECT: Resolution Approving Amendment No. 5 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors and Authorizing the City Manager to Execute the Agreement

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution to:

- 1) Approve Amendment No. 5 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors, which extends the term of the Agreement for six months to May 15, 2022, and increases the value of the Agreement by \$48,000 for a total amount not to exceed \$256,000; and
- 2) Authorize the City Manager to execute Amendment No. 5 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors.

FISCAL IMPACT

Voler Strategic Advisors' cost is \$8,000 per month. This does not include the cost for any media advertising, buying and printing.

DISCUSSION

The City of Antioch solicited bids for Public Information and Communication Officer Services in July 2019. Voler Strategic Advisors ("Consultant") was the successful bidder and was engaged for an initial period of six months. Four amendments to the original Consulting Services Agreement ("Agreement") have been approved to date by the Antioch City Council.

The City continues to have a need for the above-referenced professional services. The City and Consultant desire to extend the term of services of the original Agreement by six months until May 15, 2022. The proposed action will increase the value of the Agreement by \$48,000 for a total amount not to exceed \$256,000.

ATTACHMENTS

A. Resolution

Exhibit A to Resolution – Amendment No. 5 to the Consulting Services Agreement

RESOLUTION NO. 2021/

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING AMENDMENT NO. 5 TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF ANTIOCH AND VOLER STRATEGIC ADVISORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, on September 16, 2019, the City of Antioch and Voler Strategic Advisors entered a Consulting Services Agreement for public information and communication officer services (“Agreement”);

WHEREAS, on March 10, 2020, the City of Antioch and Voler Strategic Advisors executed Amendment No. 1 extending the term of services in the Agreement to September 15, 2020 and increasing the contract value by \$48,000 for a total contract amount not to exceed \$96,000;

WHEREAS, on September 16, 2020, City of Antioch and Voler Strategic Advisors executed Amendment No. 2 extending the term of the Agreement for 6 months to March 15, 2021 and increasing the contract value by \$48,000 for a total amount not to exceed \$144,000;

WHEREAS, on March 9, 2021, the City of Antioch City Council approved Amendment No. 3 extending the term of the Agreement for 2 months to May 15, 2021 and increasing the contract value by \$16,000 for a total amount not to exceed \$160,000;

WHEREAS, on May 11, 2021, the City of Antioch City Council approved Amendment No. 4 extending the term of the Agreement to November 15, 2021 and increasing the contract value by \$48,000 for a total amount not to exceed \$208,000;

WHEREAS, the City continues to have a need for public information and communication officer services and the City and Consultant desire to extend the term of services of the original Agreement for 6 months to May 15, 2022, increasing the contract value by \$48,000 for a total amount not to exceed \$256,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch does hereby:

1. Approve Amendment No. 5 (“Exhibit A”) to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors, which extends the term of the Agreement for 6 months to May 15, 2022 and increases the value of the Agreement by \$48,000 for a total amount not to exceed \$256,000.
2. Authorize the City Manager to execute Amendment No. 5 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors in substantially the form attached as “Exhibit A” subject to approval of form by the City Attorney.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 23rd day of November 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH**

AMENDMENT NO. 5

**CONSULTING SERVICES AGREEMENT
Between the City of Antioch and
Voler Strategic Advisors**

THIS FOURTH AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES is entered into and effective this 23rd day of November, 2021, by and between the CITY OF ANTIOCH, a municipal corporation ("**City**") and VOLER STRATEGIC ADVISORS, their address is 1671 The Alameda, Suite 301 San Jose, CA 95126 ("**Consultant**").

RECITALS

WHEREAS, on September 16, 2019, the City of Antioch and Voler Strategic Advisors entered into a Consulting Services Agreement for public information and communication officer services;

WHEREAS, on March 10, 2020, the City of Antioch and Voler Strategic Advisors executed Amendment No. 1 to the Agreement extending the term of service to September 15, 2020 and increasing the total amount of the Agreement to \$96,000;

WHEREAS, on September 16, 2020, City of Antioch and Voler Strategic Advisors executed Amendment No. 2 extending the term of the Agreement for 6 months to March 15, 2021 and increasing the contract value by \$48,000 for a total amount not to exceed \$144,000;

WHEREAS, on March 9, 2021, the City of Antioch City Council approved Amendment No. 3 extending the term of the Agreement for 2 months to May 15, 2021 and increasing the contract value by \$16,000 for a total amount not to exceed \$160,000; and

WHEREAS, on May 11, 2021, the City of Antioch City Council approved Amendment No. 4 extending the term of the Agreement to November 15, 2021 and increasing the contract value by \$48,000 for a total amount not to exceed \$208,000;

WHEREAS, the City continues to have a need for public information and communication officer services and the City and Consultant desire to extend the term of services of the original Agreement for 6 months to May 15, 2022, increasing the contract value by \$48,000 for a total amount not to exceed \$256,000.

NOW, THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. Section 1.1 "Term of Services" shall be amended to read as follows:

The term of this Agreement shall begin on the date first noted above and shall end on May 15, 2022 and Consultant shall complete the work described in the Request for Proposal (“RFP”) prior to that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City’s right to terminate the Agreement, as provided for in Section 8.

2. Section 2 “COMPENSATION” the first two paragraphs shall be amended to read as follows:

City hereby agrees to pay Consultant a sum not to exceed \$8,000 per month, for a total contract amount not to exceed \$256,000, notwithstanding any contrary indications that may be contained in Consultant’s proposal, for services to be performed and reimbursable costs incurred under this Agreement. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth below. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant’s estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City, therefore, has no responsibility for such contributions beyond compensation required under this Agreement.

Except as modified herein, all other terms and conditions of the Consulting Services Agreement dated September 16, 2019 shall remain in full force and effect.

(all signatures are on the next page)

CITY OF ANTIOCH:

By: _____
Rowland E. Bernal, Jr.,
City Manager

ATTEST:

By: _____
Elizabeth Householder
City Clerk

APPROVED AS TO FORM:

By: _____
Thomas Lloyd Smith,
City Attorney

VOLER STRATEGIC
ADVISORS:

By: _____
Rolando Bonilla,
Chief Strategic Officer

By: _____
Peria Rodrigues,
Chief Executive Officer