



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
 AUDITOR-CONTROLLER/CLERK-RECORDER

REVISED

March 7, 2023

Honorable Board of Supervisors
 County of Alameda
 1221 Oak Street, Suite 536
 Oakland, CA 94612

SUBJECT: AUTHORIZE AMENDMENT NO. 2 TO EXTEND AND INCREASE THE CONTRACT WITH MGT OF AMERICA CONSULTING, LLC TO PROVIDE COUNTYWIDE COST ALLOCATION PLAN SERVICES, PROCUREMENT CONTRACT NO. 22021; AMOUNT \$27,815

Dear Board Members:

RECOMMENDATION:

Authorize the President of the Board of Supervisors to execute Amendment No. 2 for the contract (Procurement Contract No. 22021) with MGT of America Consulting, LLC (Principal: A. Trey Traviesa, Chairman and CEO, Location: Sacramento) to continue providing countywide cost allocation plan services and extending the current term of 04/09/19 – 04/08/23 by one year until 04/08/24, increasing the contract amount from \$101,668 to \$129,483 (\$27,815 increase).

DISCUSSION/SUMMARY:

The California State Controller's Office (SCO) requires the Alameda County Auditor-Controller Agency to provide a Countywide Cost Allocation Plan (CWCAP) every fiscal year. The County uses the CWCAP to identify costs of support service departments and to allocate those costs to County departments that benefit from the services. Allocated costs are indirect costs that cannot be directly assigned to specific cost objectives, but support a variety of cost objectives. The County uses the CWCAP to allocate indirect costs for Federal grant and contract reimbursement purposes.

On April 9, 2019, your Board approved a three-year contract with MGT of America Consulting, LLC (MGT) to provide cost allocation services. The contract allows for two one-year extensions by mutual agreement. On March 22, 2022, your Board approved the first one-year term extension through April 8, 2023. Under this contract, MGT has performed the preparation of the CWCAP for fiscal years including 2020/2021, 2021/2022, 2022/2023, 2023/24 and with your approval shall perform the preparation of the CWCAP for fiscal year 2024/2025.

Office of the Auditor-Controller
 1221 Oak St., Suite 249
 Oakland, CA 94612
 Tel: (510) 272-6565
 Fax: (510) 272-6502

Central Collections Division
 1106 Madison St., 1st Floor
 Oakland, CA 94607
 Tel: (510) 208-9900
 Fax: (510) 208-9932

Clerk-Recorder's Office, Oakland
 1106 Madison St., 1st Floor
 Oakland, CA 94607
 Tel: (510) 272-6362
 Fax: (510) 208-9858

Clerk-Recorder's Office, Tri-Valley
 7600 Dublin Blvd.
 Dublin, CA 94568
 Tel: (510) 272-6362
 Fax: (510) 208-9858

Services will include, but not be limited to, identifying the County's central service departments and activities, gathering information and calculating indirect cost rates, preparing the Cost Plan report, and submitting the report to the SCO.

SELECTION CRITERIA/PROCESS:

On December 18, 2018, the Auditor-Controller Agency released an Informal Request for Proposals (IRFP) to 10 vendors including the seven certified Small, Local, and Emerging Businesses (SLEB) found in the County's local vendor database, under the North American Industry Classification System (NAICS) code for Certified Public Accountants (NAICS code 541211). Two proposals were received, one of which was deemed non-responsive for not meeting the IRFP minimum requirements. The remaining proposal was submitted by MGT of America Consulting, LLC and met all of the IRFP requirements with demonstrated experience in preparing Countywide Cost Allocation Plans.

MGT agreed to subcontract 20% of the contract to Blaisdell's Business Products (SLEB Certification #02-90133, Expiration Date: March 31, 2023) for office supplies and equipment. To date, MGT has subcontracted 20.43% with Blaisdell's.

FINANCING:

Appropriations for this contract are included in the Alameda County Auditor-Controller Agency FY 2022-23 Approved Budget and will be requested in future budget years. No additional appropriations are required and there will be no increase to net County cost.

VISION 2026 GOALS:

Accurate and transparent financial information, and fiscal stewardship meet the County of Alameda's 10x goal pathways in support of our shared vision of a **Prosperous and Vibrant Economy.**

Respectfully submitted,



Melissa Wilk
Auditor-Controller/Clerk Recorder

Attachment

c: Susan S. Muranishi, County Administrator
Donna R. Ziegler, County Counsel

SECOND AMENDMENT TO STANDARD SERVICES AGREEMENT

This Second Amendment to Agreement (“Second Amendment”) is made by the County of Alameda (“County”) and MGT of America Consulting, LLC, (“Contractor”) with respect to that certain agreement entered by them on April 9, 2019 and that certain First (March 22, 2022) Amendment to Contract, (collectively referred to herein as the “Contract”) pursuant to which Contractor provides Cost Allocation Plan Services to County.

County and Contractor, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

1. Except as otherwise stated in this Second Amendment, the terms and provisions of this Amendment will be effective as of the date this Second Amendment is executed by the County (“Effective Date”).
2. The term of the Contract is currently scheduled to expire on April 8, 2023. As of the Effective Date, the term of the Contract is extended through April 8, 2024.
3. In consideration for Contractor’s additional services, the County shall pay Contractor in an additional amount not to exceed Twenty-Seven Thousand Eight-Hundred Fifteen dollars (\$27,815). As a result of these additional services the not to exceed amount has increased from One Hundred One Thousand Six-Hundred Sixty-Eight dollars (\$101,668) to One Hundred Twenty-Nine Thousand Four-Hundred Eighty-Three dollars (\$129,483) over the term of the Contract and any amendments.
4. Paragraph 20 of the Standard Services Agreement has been amended by changing the shall not exceed amount in the last sentence to \$129,483.
5. Exhibit B - Payment Terms, is amended by the attached Exhibit B-2, Payment Terms, which is attached to this Amendment.
6. Attached hereto is Exhibit D-1, a current Debarment and Suspension Certificate executed by Contractor.

7. Attached hereto is E-1, the Contract Compliance Reporting Requirements.

8. Except as expressly modified by this Second Amendment, all of the terms and conditions of the Contract are and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement as of the day and year first above written.

COUNTY OF ALAMEDA

MGT of America Consulting, LLC

By: Nate Miley
Signature

DocuSigned by:
By: Patrick J. Dyer
Signature
39A35BE4236D47E...

Name: Nate Miley
(Printed)

Name: Patrick J. Dyer
(Printed)

Title: President of the Board of Supervisors

Title: Vice President, Financial Solutions

Date: 3/14/2023

Approved as to Form:

DocuSigned by:
By: Farand Kan
County Counsel Signature
Farand Kan
C60AB0F8B042409...

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

**EXHIBIT B-2
PAYMENT TERMS**

- Total payment under the terms of this Contract will not exceed the total amount of \$129,483. This cost includes all taxes and all other charges. The total amount paid to Contractor shall be broken down annually as follows:

Annual Allocation Amount

Year 5
April 9, 2023 – April 8, 2024
\$27,815

For each contract year, the invoicing structure will be as follows:

Billing Milestone	Project Milestone
25% of annual allocation amount	Upon completion of department interviews
25% of annual allocation amount	Upon delivery of draft cost plan to County
25% of annual allocation amount	Upon delivery of final draft cost plan submittal to State Controller’s Office
15% of annual allocation amount	Upon delivery of presentations to County
10% of annual allocation amount	Upon completion of all services.

- County will use its best efforts to make payment to Contractor upon successful completion and acceptance of the following services listed within thirty (30) days upon receipt and approval of invoice.
- Invoices will be reviewed for approval by the County. Invoices shall be mailed or delivered to:

Alameda County Auditor-Controller Agency
ATTN: Craig Boyer, Assistant Controller
1221 Oak St., Suite 220
Oakland, CA 94612

EXHIBIT D-1

COUNTY OF ALAMEDA
DEBARMENT AND SUSPENSION CERTIFICATION

(Applicable to all agreements funded in part or whole with federal funds and contracts over \$25,000).

The Contractor, under penalty of perjury, certifies that, except as noted below, contractor, its principals, and any named or unnamed subcontractor:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, insert the exceptions in the following space. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Check if continued on attached page.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Amendment to the Standard Services Agreement. Signing the Amendment to Standard Services Agreement on the signature portion thereof shall also constitute signature of this Certification.

CONTRACTOR: MGT of America Consulting LLC

PRINCIPAL: Patrick J. Dyer TITLE: Vice President

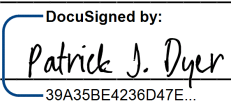
SIGNATURE:  DATE: 3/14/2023

EXHIBIT E-1

**COUNTY OF ALAMEDA
CONTRACT COMPLIANCE REPORTING REQUIREMENTS**

The County of Alameda utilizes Elation Systems (System), a third party compliance system to monitor subcontractor utilization requirements.

County project managers will provide a special access code to contractors and subcontractors participating in this contract to allow them to register to use Elation Systems at (<https://www.elationsys.com/APP/>) free of charge.

Upon receipt of signed contract documents, prime contractor shall immediately enter subcontractors (contributing towards utilization requirements) in the System, confirm payments received from the County within five business days in the System, immediately enter payments made to subcontractors, and ensure that subcontractors confirm they received payments within five business days in the System. Subcontractors shall confirm their payments received from the prime contractor within five business days in the System.

Elation Systems support, resources and assistance is available online to registered contractors awarded a contract as a result of this bid process for this project and participating registered sub-contractors.

It is the Contractor's responsibility to ensure that they and their subcontractors are registered and able to utilize Elation Systems as required.

CONTRACT SUMMARY
COST ALLOCATION PLAN SERVICES
 Procurement Contract No. 22021
 Term: April 9, 2022 – April 8, 2024

Vendor	Location	Contract Amount	Required Total Participation					
			Local		Small/Local Participation		Emerging/Local Participation	
			%	\$	%	\$	%	\$
MGT OF AMERICA CONSULTING LLC	Cleawater, FL	\$129,483	20.00%	\$25,896.60	20.00%	\$25,896.60		

Achieved Participation to Date								
Vendor	Location	\$ Paid to Prime	Local Participation*		Small/Local Participation*		Emerging/Local Participation*	
			%	\$	%	\$	%	\$
			MGT OF AMERICA CONSULTING LLC	Cleawater, FL	\$94,981.75	20.43%	\$19,400.11	20.43%

SLEB Subcontractor Name	Address	Certification Information	Small/Local Participation		Emerging/Local Utilization	
			%	\$	%	\$
Blaisdell's & Songey Inc Margee Witt	2972 Alvarado Street Suite H San Leandro, CA 94577	Cert #: 02-90133 Expires: 3/31/23	20.43%	\$19,400.11		