

AGENDA ITEM NO. 1P  
COUNCIL MEETING 06/09/11  
APPROVED BY \_\_\_\_\_

DEPARTMENT DIRECTOR \_\_\_\_\_

CITY MANAGER \_\_\_\_\_

*[Signature]*  
*[Signature]*  
*Mark Scott*

June 9, 2011

**FROM:** JOEL L. ARANAZ, Fire Chief  
Fire Department

**SUBJECT:** AUTHORIZE THE FIRE CHIEF TO EXTEND THE CONTRACT WITH DIGITAL  
SANDBOX, MCLEAN, VA, PROVIDING PROFESSIONAL CONSULTING SERVICES

**RECOMMENDATION**

It is recommended Council authorize the Fire Chief to extend the contract with Digital Sandbox, a professional consulting firm, from June 12, 2011, to August 31, 2011. The City entered into a contract with Digital Sandbox on March 25, 2011, (approved by Council on March 17, 2011) to assist the City with a risk assessment study of Critical Infrastructure and Key Resources (CIKR) in the Fresno Operational Area. The project had two time sensitive deliverable deadlines, April 12, 2011 for the Data Call and June 12, 2011, because the funding source for the project, the Public Safety Interoperable Communications Grant (PSIC) FY 2007, was set to close on June 30, 2011.

The April deliverable deadline was met, and the City received a grant extension on PSIC from the California Emergency Management Agency (Cal-EMA), on May 23, 2011, which extends the grant performance period to March 30, 2012. Due to the complexity of consulting project and scope of work assessing CIKR in the Fresno Operational Area, staff recommends Council authorize the Fire Chief to extend the remaining contract performance deadline to August 31, 2011.

**EXECUTIVE SUMMARY**

The Fresno Fire Department (FFD) on January 28, 2011, requested additional planning grant funds from California Emergency Management Agency (Cal-EMA) to assist the Fresno Metropolitan Statistical Area (MSA) with collection and submission of Critical Infrastructure and Key Resources (CIKR) data to Cal-EMA for the purpose of meeting the U.S. DHS nomination process in selecting the Urban Area Security Initiative (UASI) participants. This additional grant funding will provide for the collection and submission of information to Cal-EMA on the City's behalf with participation in the annual Data Call for the National Critical Infrastructure Prioritization Program, conducted by the U.S. Department of Homeland Security meeting the statutory requirement under the Implementing Recommendations of the 9/11 Commission Act of 2007.

This request was approved and additional grant funds of \$84,785 were recently awarded to the City. The City Council approved and authorized acceptance of the additional funds, adopting the 79th Amendment to AAR No. 2010-138, which enabled the grant administrator, the Fresno Police Department (FPD), to receive payment of the grant funds.

Cal-EMA notified the grant administrator that the grant performance period has been extended to March 30, 2012. Because of the complexity of the project and expertise required, staff is requesting Council authorize the Fire Chief to extend the contract deadline to August 31, 2011.

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### **BACKGROUND**

Fresno is the 5th largest city in the State of California, the 36th largest city in the nation, and one of the top agriculture producing counties in the nation. The nation's top 100 most populous Metropolitan Statistical Areas (MSA) are considered each year for the UASI program. In FY 2004 Fresno was awarded UASI status; however, in the FY 2005 cycle, Fresno and was removed by DHS. There were 64 UASI MSAs in the United States in FY 2011, and participation in this data collection process will provide the foundation for Fresno to be considered for UASI designation again.

The Central Planning Area (CPA) Fresno Operational Area is one of seven counties sitting on a governance board within the Cal-EMA Region 5. The CPA, along with the Fresno Operational Area Approval Authority (the local governance board overseeing Homeland Security within Fresno County), is in the process of managing a FY 2007 Public Safety Interoperability Communication Grant. The FPD has responsibility of oversight of this regional grant. The secretary of Cal-EMA approved an additional \$84,785 allocated to the current award, specifically to be used to collect data on the Fresno MSA critical infrastructure to assist Fresno with its participation in the annual Data Call for the National Critical Infrastructure Prioritization Program (NCIPP) conducted by the U.S. Department of Homeland Security (U.S. DHS). The U.S. DHS commenced the Nomination Phase of the Data Call on February 28, 2011; Digital Sandbox assisted the Fresno Operational Area with submitting the data on Critical Infrastructure and Key Resources (CIKR) on April 12, 2011.

The NCIPP is the mechanism through which the U.S. DHS fulfills its statutory requirement under the Implementing Recommendations of the 9/11 Commission Act of 2007 to produce lists of infrastructure that, if disrupted, could cause nationally or regionally catastrophic effects. The resulting lists of critical infrastructure inform U.S. DHS's overall understanding of the nation's infrastructure and guide development of DHS infrastructure protection plans, programs (such as State Homeland Security Program, Urban Area Security Initiatives Program, and the Buffer Zone Protection Program), and analyses.

Digital Sandbox is in the process of preparing a localized regional catalogue of CIKR data to assist emergency services agencies with strategic planning for disaster preparedness and mitigation; more time is needed to complete this project. Staff identified Digital Sandbox as an entity providing analytic risk management, capabilities analysis, and resource prioritization services to federal, state, and local governments, which is recognized by FEMA and co-developer of all the risk content for the FEMA's National Risk Management Training.

Staff is requesting authorization to extend the contract timeline from June 12, 2011, to August 31, 2011, due to the extremely compressed timeline established in the current contract to perform the remaining deliverables.

### **FISCAL IMPACT**

There is no net fiscal impact to the General Fund in FY 2011 or FY 2012.

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USAI/PSIC DSB extension .doc 052511

Attachment:

Amended Contract with Digital Sandbox

**FIRST AMENDMENT TO AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT (“Amendment”) made and entered into as of this 9th day of June, 2011, amends the Agreement heretofore entered into between the CITY OF FRESNO, a California municipal corporation (hereinafter referred to as “CITY”), and Digital Sandbox, Inc., a Delaware corporation (hereinafter referred to as “CONSULTANT”).

**RECITALS**

WHEREAS, CITY and CONSULTANT entered into an Agreement, dated March 25, 2011 for public safety risk management consulting services for the Fresno County Urban Area Security Initiative Data Call Support, Localized Asset Catalog Development and Risk Analysis project, hereinafter referred to as “Agreement;” and

WHEREAS, the Agreement is due to expire on June 12, 2011; and

WHEREAS, CONSULTANT’S services are funded pursuant to the United states Department of Homeland Security Public Safety Interoperability Communication Grant Program and Grant agreement (“Grant”) during the life of the Grant; and

WHEREAS, the Grant is due to expire June 30, 2011 and CITY has requested and received an extension of the Grant to allow the parties to complete the project; and

WHEREAS, the parties desire to extend the Agreement until August 31, 2011; and

WHEREAS, with entry into this Amendment, CONSULTANT agrees that CONSULTANT has no claim, demands or disputes against CITY.

**AGREEMENT**

NOW, THEREFORE, the parties agree that the aforesaid Agreement be amended as follows:

1. The term of the Agreement (“Term”) as set forth in Section 2 thereof, and the “Performance Period” set forth on Page 4 of 4 of Exhibit A to the Agreement, are extended to August 31, 2011.

2. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, dated March 25, 2011, remains in full force and effect.

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

CITY OF FRESNO,  
a California municipal corporation

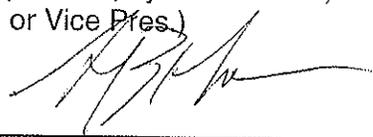
Digital Sandbox, Inc.,  
a Delaware corporation

By: \_\_\_\_\_  
Joel L. Aranaz, Fire Chief  
Fresno Fire Department

By: \_\_\_\_\_

Name: ADAM TRISTER

Title: VP and Corporate Counsel  
(if corporation, by Board Chair,  
Pres. or Vice Pres.)



By: \_\_\_\_\_

Name: ANDREW HOBBIK

Title: CFO  
(if corporation, by CFO, Treasurer,  
Secretary or Assistant Secretary)

ATTEST:  
  
REBECCA E. KLISCH  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
JAMES C. SANCHEZ  
City Attorney

By: Nancy A. Algier 5/25/11  
Senior Deputy Date