

# ***Alaska State Legislature***

## ***Legislative Affairs Agency***

### ***Information and Teleconferencing Services***

#### ***Anchorage Information Office***

***Mailing Address: 716 W. 4<sup>th</sup> Avenue, Ste 200, Anchorage, Alaska 99501-2133 Phone (907)269-0111 Fax (907)269-0229***

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## **MEMORANDUM**

TO: Legislative Council

FROM: Mike Warendt, Anchorage Information Officer

DATE: May 13, 2014

SUBJECT: Anchorage Security Guard Contract

Attached is a draft contract amendment with Arrowdyne Security LLC, dba American Guard Services for uniformed armed security services at our Anchorage legislative leased offices. American Guard Services has been providing monthly billings for day time security services for Legislative Council since 2005. They have been providing quality guard services consistently and effectively over the years.

American Guard is the fourth security company providing security for the 716 W. 4<sup>th</sup> Street Building since 1993 and now our temporary leased office space. The landlord provided a night time walk-through by other security companies. There were a number of problems over the years with various other security companies. Due to increased security concerns, the Agency contracted with American Guard Services to provide a daytime security presence in the lobby starting in 2005 in addition to the landlord contracting for a walk-through at night.

It is in Legislative Council's best interest to continue to contract with American Guard until a new Legislative Council Chair can assess our new remodeled lobby area in 2015 and our future security needs. A written justification and contract amendment is attached.

I am the Project Director for this contract and will be available at the meeting to answer questions.

Enclosures

PROFESSIONAL SERVICES CONTRACT AMENDMENT BETWEEN

ALASKA LEGISLATIVE COUNCIL

AND

ARROWDYNE SECURITY LLC,  
dba AMERICAN GUARD SERVICES  
P.O. BOX 230783  
ANCHORAGE, AK 99523-0783

TOTAL AMOUNT OF THIS AMENDMENT: \$45,000.00

TOTAL AMOUNT OF CONTRACT AS AMENDED: \$90,000.00

The parties to this contract amendment, made and entered into the date the Legislative Affairs Agency Executive Director or her designee signs the contract amendment, are Alaska Legislative Council, whose address is 120 4<sup>th</sup> Street, State Capitol, Room 3, Juneau, AK 99801-1182, hereinafter referred to as the "Agency", and Arrowdyne Security LLC, dba American Guard Services, whose address is P.O. Box 230783, Anchorage, AK 99523-0783, hereinafter referred to as the "Contractor".

This document amends the May 22, 2013, professional services contract between the Contractor and the Agency.

**IT IS THEREFORE MUTUALLY AGREED THAT:**

**1. THE SECOND PARAGRAPH OF THE CONTRACT IS AMENDED TO READ AS FOLLOWS:**

THE PURPOSE OF THIS CONTRACT IS TO PROVIDE uniformed armed security services at the leased location or locations of the Alaska State Legislature located in Anchorage, Alaska.

**2. THE FIRST PARAGRAPH OF CLAUSE 1 – STATEMENT OF SCOPE OF WORK, IS AMENDED TO READ AS FOLLOWS:**

The Contractor shall provide uniformed armed security services at the leased location or locations of the Alaska State Legislature located in Anchorage, Alaska. The duties are as follows:

**3. PARAGRAPH (A) OF CLAUSE II - PERIOD AND DATES OF PERFORMANCE, IS AMENDED TO READ AS FOLLOWS:**

(A) The work under this contract shall begin July 1, 2013 and terminate April 30, 2015.

**4. PARAGRAPH (E) OF CLAUSE III – COMPENSATION, IS AMENDED TO READ AS FOLLOWS:**

(E) Total payments under this contract may not exceed Ninety Thousand and No/100 Dollars (\$90,000.00).

5. **CLAUSE XVI – AUTHORIZATION; CERTIFICATION, IS AMENDED TO READ AS FOLLOWS:**

The section 040 exemption justification and execution of this contract were authorized by a majority of the members of the Alaska Legislative Council at a meeting on \_\_\_\_\_, 2014. The section 040 exemption justification is attached as Exhibit B to this Contract.

Execution of this contract amendment by the Legislative Affairs Agency Executive Director or her designee hereby constitutes a certification that funds are available in an appropriation to pay for work performed under this contract amendment through May 31, 2014. Availability of funds to pay for work performed from June 1, 2014 through April 30, 2015 is contingent upon appropriation of funds for the next fiscal year. If, in the judgment of the Executive Director of the Legislative Affairs Agency, sufficient funds are not appropriated for the appropriate fiscal year, the contract amendment will be terminated under Clause II (B) or amended.

All other provisions of the contract remain the same.

**IN WITNESS WHEREOF**, the parties have executed this contract amendment on the dates indicated below:

CONTRACTOR:

ARROWDYNE SECURITY LLC  
dba AMERICAN GUARD SERVICES

\_\_\_\_\_  
Robert Sherman Date  
Managing Member  
Tax Identification No.: EIN900427887

ACCEPTED:

\_\_\_\_\_  
Mike Warena Date  
Legislative Information Officer  
Project Director

CERTIFYING AUTHORITY:

\_\_\_\_\_  
Pamela A. Varni Date  
Executive Director  
Legislative Affairs Agency

AGENCY:

ALASKA LEGISLATIVE COUNCIL

\_\_\_\_\_  
Rep. Mike Hawker, Chair Date  
Alaska Legislative Council  
Procurement Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Legal Counsel Date

## EXHIBIT B

### Sec. 040(a)(1) Exemptions Justification

The purpose of the contract between Arrowdyne Security LLC, dba American Guard Services, and the Alaska Legislative Council is to provide uniformed armed security services at our leased office space in Anchorage, Alaska.

Since 1993, the Alaska State Legislature Building in Anchorage has been staffed by four different security companies with varying degrees of success; the landlord provided nighttime walk-through security and had a number of problems with ensuring quality services. Due to increased security concerns, in 2005 Legislative Council contracted with American Guard Services to provide a daytime security presence in the lobby in addition to the nightly walk-through provided by the landlord. American Guard Services has provided quality guard services consistently and effectively since 2005.

The current contract with American Guard expires on May 31, 2014. At the time the contract was executed (May 22, 2013), it was unknown what decision Legislative Council would make regarding the Anchorage Legislative Information Office and legislators' district offices after the lease expired in May 31, 2014. In September of 2013, Legislative Council signed a lease at 716 W. 4<sup>th</sup> Avenue to remodel the building and the offices were subsequently relocated to temporary space at three different locations in downtown Anchorage until the building renovations are completed and the legislature reoccupies the building in January 2015.

With the number of changes, multiple locations, and short timeframe until the security needs of the Anchorage offices will need to be reassessed, it is in Legislative Council's best interest to have continuity with American Guard Services through a contract amendment until April 30, 2015. American Guard is fully trained, knows our legislators and legislative staff, and is familiar with our current temporary space and the duties required by this contract. It would be impracticable to do a competitive bid for armed security at this time.

A new Legislative Council will convene in late January or early February 2015. The 11-month contract will allow continuity of service until the incoming Council has an opportunity to assess the services necessary for security of the newly designed building and determine whether continued contract services or directly hiring security personnel would be most appropriate, while providing ample time to execute a competitive bid or a hiring process based on that determination.

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Representative Mike Hawker, Chair  
Legislative Council & Procurement Officer