

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: January 5, 2009

**SUBJECT: APPROVING AN AMENDMENT TO THE AGREEMENT WITH GERALD MECKLER IN THE AMOUNT OF \$4,500 TO CONDUCT ADDITIONAL BACKGROUND INVESTIGATIONS OF INFORMATION TECHNOLOGY DEPARTMENT STAFF**

**Report in Brief**

The City of Concord has utilized the services of Gerald Meckler since approximately 1998 to conduct complete background investigations on prospective sworn and non-sworn police employees, and for prospective employees for other City departments when requested. The Police Department retains control of the background check process. Compensation needs to be increased to provide background investigations for Information Technology staff supporting the Police department systems. Staff recommends the Council approve an amendment to the agreement with Gerald Meckler to increase the compensation by \$4,500 for Fiscal Year 2008/09.

**Background**

The Concord Police Department requires that background investigations be completed on all staff with potential access to Police department systems. The purpose of the background investigation is to ensure that the candidate possesses the integrity that is expected of a member of the agency.

Historically, the Police Department utilized current or retired police officers to conduct the background investigations. In 1998, the agency decided to employ a background investigator who had additional experience in the human resources field. Mr. Gerald Meckler was hired as the agency's investigator and has provided thorough investigative services through June, 2008.

Information Technology staff has access to law enforcement data and background investigations are required by the Police Department. Although the majority of IT staff have been processed through the background checks, the original contract will not allow the remaining staff to be processed without authorization for additional compensation.

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**Discussion**

Information Technology Department has staff members that support the Police Department's technology systems waiting for background checks. In order for them to complete the background process additional funds must be allocated to the Meckler contract. The funds are available within the current IT budget.

Mr. Meckler has set a scale of charges for conducting background investigations which include \$900 for full-time – non-sworn including those done for other City departments. These fees are within the current market rate.

It is anticipated that there will be a need to complete a minimum of five (5) backgrounds to complete background investigations on Information Technology staff. Information Technology funds IT background checks. The costs for those backgrounds will not exceed \$4,500 for the remainder of 2008/09 fiscal year.

**Fiscal Impact**

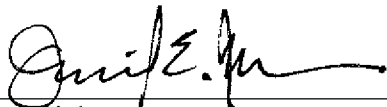
Funds are available for these background investigations of Information Technology staff in the IT Fiscal Year 2008/09 operating budget.

**Public Contact**

The Council agenda has been properly posted.

**Recommendation for Action**

Staff recommends the City Council approve an amendment to the agreement with Gerald Meckler in an amount not to exceed \$4,500, which increases the total contract to \$29,500, to complete background investigations on prospective candidates that will be needed to complete Information Technology staffing during Fiscal Year 2008/09 and authorize the City Manager to execute the amendment to the agreement.



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**AMENDMENT TO AGREEMENT**

**This Amendment to Agreement** entered into on January 5, 2009 by and between the CITY OF CONCORD, a municipal corporation, (“CITY”) and Gerald Meckler, (“CONSULTANT”)

**WHEREAS**, the CITY and CONSULTANT entered into an agreement dated September 8, 2008 for the basic background investigative services, and

**WHEREAS**, the parties hereto desire to amend the agreement to provide for additional compensation therefore.

**NOW, THEREFORE**, in consideration of the promises and conditions set forth herein, the parties mutually agree as follows:

**Section 1.** Section 3, COMPENSATION, is hereby amended by adding the following paragraph to read as follows:

**SECTION 3- COMPENSATION**

In consideration for the additional services to be provided by CONSULTANT, CITY agrees to pay CONSULTANT, not to exceed Forty Five Hundred Dollars (\$4,500). The rate for such services shall not exceed \$900 per candidate.

The total amount of compensation under this agreement as amended shall not exceed Twenty Nine Thousand Five Hundred Dollars (\$29,500) per fiscal year.

Except as expressly amended herein all terms and conditions of the Agreement dated September 8, 2008 shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have executed this Amendment to Agreement the day and year written above.

**CONSULTANT**

\_\_\_\_\_  
Dated

By: \_\_\_\_\_  
Gerald Meckler, Owner

**CITY OF CONCORD**

\_\_\_\_\_  
Dated

By: \_\_\_\_\_  
Daniel E. Keen, City Manager

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Clerk