

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

---

**MEETING DATE:** 4/8/2020

**Staff Report No.** 20-146

---

**TO:** AC Transit Board of Directors  
**FROM:** Jill Sprague, General Counsel  
**SUBJECT:** Contract Assignment

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider approving assignment of contract for independent risk bearing analysis from Bickmore to Albert Risk Management Consultants.

#### **STRATEGIC IMPORTANCE:**

The act of assigning a contract to Albert Risk Management Consultants has no strategic importance.

#### **BUDGETARY/FISCAL IMPACT:**

There is no budgetary or fiscal impact associated with this report.

#### **BACKGROUND/RATIONALE:**

Bickmore and AC Transit entered into the Independent Risk Bearing Capacity Analysis Contract No. 2020-1453 on December 9, 2019. The term of the contract is from December 2019 to May 2020. On February 3, 2020, the District's Claims & Liability and Procurement Departments were informed that "Bickmore" had been acquired by Albert Risk Management Consultants on February 1, 2020 and would be operating as "Albert Risk" going forward. Accordingly, the parties desire to amend the contract to reflect this name change and formally name Albert Risk Management Consultants as the "Contractor" under existing Contracts. Albert Risk Management Consultants is one of the largest independent risk management consulting firms in the U.S. and provides risk management audits, ongoing risk management advice and services, insurance procurement assistance, and claims management services to clients worldwide and across a wide range of fields and industries.

Albert Risk agrees to be bound by, and will perform all terms, covenants, and conditions contained in the Contracts. Albert Risk assumes all obligations and liabilities of, and all claims and demands against Bickmore under the contract as if Albert Risk were the original party to the Contract.

#### **ADVANTAGES/DISADVANTAGES:**

Albert Risk will continue to provide independent risk bearing capacity analysis services to the District under Contract 2020-1453.

Staff has not identified any disadvantages to the Contract Assignment from Bickmore to Albert Risk.

#### **ALTERNATIVES ANALYSIS:**

The District Board could deny the Contract Assignment. This is not recommended as the risk bearing capacity analysis was initiated at the request of the Board, the analysis results are critical to the Board's review and consideration of the District's 2020-2021 insurance renewal proposal, and there is an Assignment Clause in the original Contract.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 465 - Procurement Policy

Staff Report 18-232 - Consider authorizing the release of a Request for Proposals for an Independent Risk Retention and Transfer Analysis.

**ATTACHMENTS:**

None

**Prepared by:**

Jean Paul Popoff, Claims & Liability Manager

**Approved/Reviewed by:**

Gene Clark, Director of Procurement and Materials

Claudia L. Allen, Chief Financial Officer

Jill A. Sprague, General Counsel

Michael A. Hursh, General Manager