

APPROVED
JUN 27 2013

REPORT OF GENERAL MANAGER

NO. 13-172

DATE June 27, 2013

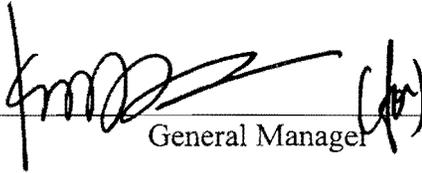
BOARD OF RECREATION
AND PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PERSHING SQUARE – WINTER THEMED LIGHTING - AMENDMENT TO CONTRACT NO. 3331 WITH MOBILE ILLUMINATION, INC., TO EXTEND THE TERM AND INCREASE THE CONTRACT AMOUNT

R. Adams _____	K. Regan _____
H. Fujita _____	M. Shull _____
V. Israel _____	*N. Williams <u>now</u>



 General Manager

Approved Disapproved Withdrawn

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Amendment to Contract No. 3331, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and Mobile Illumination, Inc., for the design, rental, installation, maintenance and removal of winter-themed exterior lighting at Pershing Square Park, to extend the term by one (1) year to September 30, 2014, and increase the contract amount by \$75,000.00 for a contract total of \$300,000.00 subject to the approval of the Mayor and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ with sufficient time and expertise to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;
3. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that the services to be provided by the contractor are special services of a temporary character for which competitive bidding is not practicable and advantageous;
4. Find, in accordance with Administrative Code Section 10.5, that this contract amendment does not require approval by the Council, as annual payments to or by the City do not

REPORT OF GENERAL MANAGER

PAGE 2

NO. 13-172

exceed the current annual Consumer Price Index (CPI) adjusted Contract Exemption Limit of \$137,319.00;

5. Direct the Board Secretary to transmit forthwith the proposed Amendment to the Mayor in accordance with Executive Directive No. 3 and, concurrently, to the City Attorney for approval as to form; and,
6. Authorize the Board President and Secretary to execute the Amendment upon receipt of the necessary approvals.

SUMMARY:

Pershing Square is an outdoor concert and event center located in the heart of downtown Los Angeles. Pershing Square hosts an array of free programs for the downtown community. From mid-November to mid-January, Pershing Square is transformed into a festive environment for the enjoyment of residents, businesses and visitors, hosting a seven (7) week event with an ice-rink, which is known as "Downtown on Ice." Winter-themed exterior lighting has been an integral part of creating this festive and inviting environment at Downtown on Ice.

The most recent winter-themed exterior lighting contract (Professional Services Contract No.3331) was awarded to Mobile Illumination, Inc. on Sept. 1, 2010 (Board Report 10-239), after the Request for Proposal RFP) process was approved for release on April 7, 2010 (Board Report No.10-082).

On November 5, 2010, the contract with Mobile Illumination, Inc. was executed for a term of one (1) year, with two (2) one-year options to renew, exercisable at the sole discretion of the General Manager, in an amount not to exceed \$75,000.00 per year. These options were exercised and, the contract is set to expire September 30, 2013.

The department will be conducting a formal RFP process, for Winter Theme Lighting, after it is determined how best to incorporate the lighting services with the proposed changes to the Downtown on Ice rink operations for this year. To ensure that the need for winter-themed exterior lighting at Pershing Square Park is met for the 2013-2014 season, staff recommends increasing the contract ceiling for Professional Services Contract No. 3331 from \$225,000.00 to \$300,000.00 and extending the term an additional twelve (12) months, making the total term of the contract forty-eight (48) months, through September 30, 2014. Mr. Jason Zdenek of Mobile Illumination, Inc., is in agreement for the not-to-exceed yearly compensation to remain the same for the proposed fourth (4th) year of the contract.

REPORT OF GENERAL MANAGER

PAGE 3

NO. 13-172

Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), are applicable since the services to be provided by the contractor are special services of a temporary character for which competitive bidding is not practicable or advantageous.

In accordance with Section 10.5(b)(2) of the Los Angeles Administrative Code (LAAC), Council approval is not required as annual payments will not exceed \$100,000.00 plus increases to the consumer price index, currently set at a maximum of \$137,319.00.

Charter Section 1022 Determination

City of Los Angeles Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical or more feasible to contract out the service.

On December 29, 2008, as part of the initial award process, the Personnel Department completed a Charter Section 1022 review (Attachment) and determined that City employees can perform some of the work, however due to the limited duration of work, and Contractor responsibility for the entire project, contracting out the entire service is more feasible.

FISCAL IMPACT:

Funding for this contract amendment will be provided from Fund 302, Department 89, Account 810M, Pershing Square Parking Operations. There is no impact to the Department's General Fund.

This report was prepared by Nancy Jeffers, Management Analyst II, Finance Division, Service Contracts Group.

PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Department of Recreation and Parks

2. Contacts

Department: Raymond Chang Phone No. (818) 243-6488 Fax No. 818-243-6451

CAO: Veronica Salumbides Phone No. (213) 473-7561 Fax No. 213-473-7514

3. Work to be performed:

Department of Recreation and Parks is seeking a contractor for the design, installation, maintenance, and removal of contractor provided winter-themed exterior lighting décor for Pershing Square Park. The contractor will provide a design proposal to include pictures, diagrams of products, product sizes/dimensions materials. The contractor will be required to provide requested maintenance within 48 hours, and provide other service guarantees as required by design and entertainment schedules. Approximate eight workdays are allowed for installation and removal of holiday lights and other ornaments provided by the contractor.

4. Is this a contract renewal? Yes No

5. Proposed length of contract: One year (two, one-year renewal options)
Proposed Start Date: November 1, 2009

6. Proposed cost of contract (if known): \$85,000

7. Name of proposed contractor: Unknown.

8. Unique or special qualifications required to perform the work:

The contractor must have exterior holiday lighting equipment in stock and the expertise to design, incorporate new and/or incorporate existing structures and landscape to meet an approved thematic holiday design.

9. Are there City employees that can perform **some of** the work being proposed for contracting?
Yes No

Classification	Departments	List Expires
Maintenance Laborer	Public Works, Airports, other	Continuous Exam
Maintenance and Construction Helper	Public Works, Airports, other	Continuous Exam
Mechanical Helper	Various	Continuous Exam
Electrical Craft Helper	Various	Continuous Exam

If yes,

- Which class(es) and Department(s): See above.
- Is there sufficient Department staff available to perform the work? Yes No
- Is there a current eligible list for the class(es)? Yes No Expiration Date: See above.

- d. Estimated time to fill position(s) through CSC process? 2 to 8 months depending on the class.
- e. Can the requesting department continue to employ staff hired for the project after project completion? Yes No
- f. Are there City employees currently performing the **some of** the work? Yes No

10. Findings

- City employees DO NOT have the expertise to perform the work
- City employees DO have the expertise to perform **some of** the work

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

SUMMARY:

Cathy J. Tanaka
Submitted by

Shirley D. Nese
Approved by

12-29-08
Date