

REPORT OF GENERAL MANAGER

NO. 01-40

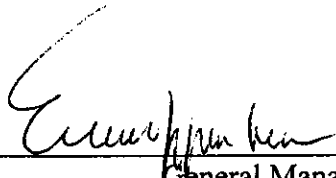
DATE February 7, 2001

CD _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 1 TO CONTRACT NO. 2937 BETWEEN DEPARTMENT OF RECREATION AND PARKS AND EXPOSITION PARK INTERGENERATIONAL COMMUNITY CENTER INC.

M. Tamuri _____	J. Duggan _____
S. Klippel _____	K. Regan _____
J. Kolb _____	G. Lum _____
M. Matthews _____	H. Fujita _____
J. Combs _____	T. Coroalles _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve the Amendment No. 1 to Contract No. 2937; and,
2. Instruct the Board Secretary to expedite the forwarding of the Amendment to the Mayor in accordance with Executive Directive 16 and concurrently to the City Attorney

SUMMARY:

On January 5, 2000, the Board approved (Board Report 00-29) the Renovation, Rehabilitation and Construction Agreement with Exposition Park Intergenerational Community Center, Inc. ("EPICC"), a California non-profit public benefit corporation for the development of a community center to be located in Exposition Park.

This first part of the amendment adds language (section 2.2(d)-new) relating to the competitive bid process that will be followed. The second part of the amendment clarifies language (section 9) to require the general contractor retained by EPICC to deliver bonds with respect to (i) labor and materials and (ii) performance, covering 100% of the project costs. The original agreement contained language requiring both the general contractor and sub-contractors to deliver 100% each (totaling 200% bonding for the project). It also eliminates the bid bond requirement of the sub-contractors.

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EPICC, their contractor and department staff believe these amendments clarify minor inconsistencies and will allow for greater participation from local businesses, potential MBE/WBE contractors and other businesses identified through City outreach programs. There has been a strong interest from local contractors and businesses regarding this project. These provisions will continue to promote involvement by local and community businesses and foster competition by increasing the number of bidders, thereby leading to the most cost effective delivery of the project.

This report was prepared by Mark Mariscal, Executive Director-EPICC

AMENDMENT NO. 1 TO CONTRACT NO. 2937 BETWEEN
THE CITY OF LOS ANGELES, DEPARTMENT OF RECREATION AND PARKS
AND EXPOSITION PARK INTERGENERATIONAL COMMUNITY CENTER, INC.

THIS AMENDMENT NO. 1 TO CONTRACT NO. 2937 is made and entered into this _____ day of _____, 2001, by and between the City of Los Angeles, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners ("CITY") and the Exposition Park Intergenerational Community Center, Inc., a California non-profit public benefit corporation ("EPICC").

WITNESSETH

WHEREAS, on January 5, 2000, the Board of Recreation and Park Commissioners in Report No. 00-29, authorized CONTRACT No. 2937 between CITY and EPICC to facilitate the renovation and rehabilitation of existing facilities and the construction of a community center on property owned by the CITY in Exposition Park; and,

WHEREAS, CITY and EPICC wish to clarify certain provisions of CONTRACT No. 2937 regarding the process of competitive selection of sub-contractors for the Project.

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties thereto, IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. A new section 2.2 (d) shall be added to the agreement and reads as follows:

"(d) The following procedures shall be deemed compliance with the competitive bidding requirements contemplated by paragraph 2.2(c) of the Renovation Agreement: (i) pre-bid advertisement of subcontractor bids for the project, (ii) the establishment of a published deadline including the date and time for the receipt of subcontractor bids, (iii) public announcement on bid date of the names and amounts of all subcontractor bids that are timely received on bid date, and (iv) the award of subcontracts to the lowest responsive bid from responsible bidders, based upon the evaluation of criteria established prior to bid date."

2. Section 9 is deleted and replaced in its entirety to read as follows:

"Section 9. Bonding

EPICC and CITY hereby acknowledge and agree that the general contractor will deliver to EPPIC bonds with respect to (i) labor and materials and (ii) performance, covering 100%

of the Project costs. The cost of said bonds shall be a cost of the Project and shall be included in the Budget.”

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, parties hereto have caused this amendment No. 1 to Contract No. 2937 to be executed by their duly authorized representatives.

THE CITY OF LOS ANGELES, a municipal corporation acting by and through the Board of Recreation and Park Commissioners

Date: _____

By: _____
Its: President

Date: _____

By: _____
Its: Secretary

Approved as to Form:
JAMES K. HAHN
Los Angeles City Attorney

By: _____

Dated: _____

E X P O S I T I O N P A R K
INTERGENERATIONAL COMMUNITY
CENTER, INC., a California non-profit public
benefit corporation

By: _____

Dated: _____

Its: _____