

REPORT OF GENERAL MANAGER

NO. 04-106

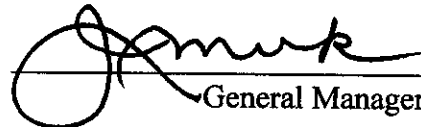
DATE April 7, 2004

C.D. \_\_\_\_\_

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 1 TO CONTRACT NO. 3029 – CHANGING NAME OF ARCHITECTURAL DESIGN SERVICES CONSULTANT WITHERS, SANDGREN, & SMITH, LTD.

* K. Chan	<u>hc</u>	J. Combs	_____
H. Fujita	_____	J. Kolb	_____
M. Mariscal	_____	F. Mok	_____
K. Regan	_____	G. Stigile	_____

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve Amendment No. 1 to Contract No. 3029 changing the name of the as-needed Architectural Design Services Consultant from Withers, Sandgren, & Smith, Ltd., to Withers & Sandgren Ltd.; and
2. Direct the Board Secretary to transmit the proposed Amendment to the Mayor in accordance with Executive Directive No. 16, concurrently to the City Attorney for review as to form, and upon the Mayor's and City Attorney's approval, authorize the President and Secretary of the Board to execute the Agreement; and
3. Request the Mayor to waive the City Administrative Officer's (CAO) review and report.

SUMMARY:

On September 5, 2001, the Department entered into as-needed consulting Contact No. 3029 for architectural design services with Withers, Sandgren, & Smith Ltd. The contract is for a duration of six (6) years, expiring September 5, 2007, and for an amount not-to-exceed \$600,000.00.

The firm is currently completing designs for Taylor Yard and the Elysian Park Master Plan. The Department has been pleased with the services of the firm and will continue to use them in the future to the contract limit.

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On November 8, 2001, the Secretary of State of the State of California approved a name change for the corporation to Withers & Sandgren Ltd. (document attached). Mr. Stephen Smith voluntarily resigned as a partner in the firm. The principals of the firm remain the same, Jan Sandgren and Lacey Withers.

The name change is required by the Office of the Controller before they will approve any new purchase orders for payment to the consultant.

This amendment does not increase the amount, extend the term, or change the contract in any material way; therefore, staff is recommending that the Board request the Mayor waive CAO review of the Amendment.

The firm is already in compliance with the policies and ordinances listed below, as outlined in the CAO "Analysis of Proposed Contract" form:

- Childcare and Child support Declaration Statements
- Affirmative Action Program
- Business Tax Registration Certificate
- Equal Benefits Ordinance
- MBE/WBE Policy
- Living Wage, Service Worker Retention Ordinance
- Insurance Requirements

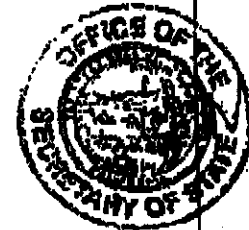
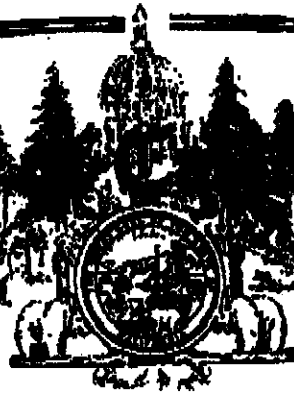
The amendment is recommended in compliance with all Department and City procedures, policies and laws applicable to the award of contracts. Principals of the firm are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contracts.

All compensation to the consultant is provided in the funding of each individual project that the firm works on; therefore, there will be no decrease in revenue or increase in costs to the City.

This report was prepared by Kathleen Chan, Acting Superintendent.

A0572491

# State of California



## SECRETARY OF STATE

I, **BILL JONES**, Secretary of State of the State of California, hereby certify:

That the attached transcript of  1  page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 08 2001



*Bill Jones*

Secretary of State

A0572491

**CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF INCORPORATION  
OF  
WITHERS, SANDGREN & SMITH, LTD.,  
a California Corporation**

ENDORSED - FILED  
in the office of the Secretary of State  
of the State of California

NOV 05 2001

BILL JONES, Secretary of State

Lacey Withers and Jan Sandgren hereby certify that:

1. They are the president and secretary, respectively, of Withers, Sandgren & Smith, Ltd., a California corporation (the "Corporation").

2. Article I of the Articles of Incorporation of this Corporation is amended to read as follows:

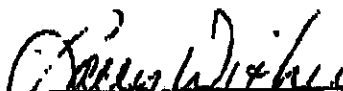
"The name of this corporation shall be Withers & Sandgren Ltd."

3. The foregoing Amendment of Articles of Incorporation has been duly approved by the Board of Directors.

4. The foregoing Amendment of Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Section 902 of the Corporations Code. The total number of outstanding shares of the Corporation is 1,050. The number of shares voting in favor of the Amendment equaled or exceeded the vote required. The percentage vote required was more than 50%.

The undersigned declare under penalty of perjury under the laws of the State of California that the matters set forth in this Certificate are true and correct of their own knowledge.

Date: November 01, 2001

  
\_\_\_\_\_  
Lacey Withers, President

  
\_\_\_\_\_  
Jan Sandgren, Secretary

Standardized Corporation, Certificate of Amendment Form 990-2001

