

APPROVED  
07-13-2016

BOARD OF RECREATION  
& PARK COMMISSIONERS

**BOARD REPORT**

NO. 16-159

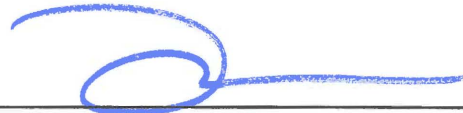
DATE July 13, 2016

C.D. ALL

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: AS-NEEDED PARK FACILITY CONSTRUCTION – SUPPLEMENTAL AGREEMENTS TO VARIOUS CONTRACTS

AP Diaz	_____	V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	*N. Williams	<u>NDW</u>



General Manager

Approved

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS

1. Approve a proposed Supplemental Agreement to each of the seven contracts listed in Attachment 1, herein included as Attachment 2, between the City of Los Angeles Department of Recreation and Parks (RAP) and each of the listed contractors for as-needed park facility construction services, to extend the term of each contract from three years to six years, subject to approval of the Mayor in accordance with Executive Directive No. 3, of the City Council, and of the City Attorney as to form; and
2. Find, in accordance with Charter Section 1022, that RAP does not have personnel available in its employ with sufficient time and expertise to undertake these specialized professional tasks and that it is more economical and feasible to secure these services by contract; and
3. Direct the Board Secretary to transmit forthwith each proposed Supplemental Agreement to the Mayor in accordance with Executive Directive No. 3 and, concurrently to the City Attorney, for review and approval as to form; and
4. Authorize the Board President and Secretary to execute each Supplemental Agreement upon receipt of the necessary approvals.

SUMMARY

RAP continues to have a need for park facilities construction services that staff cannot provide; therefore, one or more park facility contractors are required. Currently, RAP has seven contracts in place for park facility construction.

On April 3, 2013, the Board approved a Request for Qualifications (RFQ), which was released April 5, 2013 (Report No. 13-089). On May 14, 2013, RAP received five proposals in response to the

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RFQ for Park Facility Construction. Of those eight proposals, only five were deemed responsive to the RFP. Award of contracts to each of the five contractors was approved by the Board on June 5, 2013 (Report No. 13-146).

Although, RAP has awarded each of the five contractors a contract, RAP desired to have more than five Park Facility Construction contractors on the pre-qualified list. On September 13, 2013, the Board approved the re-release of the RFQ for Park Facility Construction (Report No. 13-229), which was released on November 1, 2013. On January 14, 2014, RAP received thirteen (13) proposals. Only two of the thirteen (13) contractors were deemed responsive to the RFQ. On April 23, 2014, the Board approved the award to the responsive contractors (Report No. 14-087) which makes the total of seven contractors on the As-Needed Park Facility Construction pre-qualified list.

The current contracts for the firms listed on Attachment 1 are set to expire on August 15, 2016. RAP requests that the Board approve the proposed Supplemental Agreements to extend the term of the contracts by three years to lengthen the total contract term to six years with the expiration date of August 15, 2019. The contract amount will remain a not-to-exceed annual expenditure of ten million dollars (\$10,000,000) per contract, and will permit the City of Los Angeles Public Works/Bureau of Engineering to piggyback.

Amending the term of these contracts will allow RAP to continue using the contractors' expertise and resources that otherwise cannot be performed by City staff for 1) asphalt paving, 2) flatwork concrete, 3) athletic field construction-renovation, and 4) new park construction. There are several projects that are currently encumbered and will not be completed if all seven contracts expire.

Because the contracts are set to expire August 15, 2016, RAP does not have sufficient time to complete Level I and Level II evaluation for the contract award of the Request for Qualifications (RFQ). The As-Needed Park Facilities Construction RFQ closed on June 7, 2016, and Level I review is currently being conducted by RAP staff.

RAP is seeking authorization to prepare Supplemental Agreements for each of the seven contracts, and authorize the Board President and Secretary to execute these contracts, subject to approval of the Mayor, City Council, and City Attorney. Because the three-year extension increases the total term of each contract to six years, City Council approval is required. All other terms and conditions of the contracts remain unchanged.

Funding for projects will be provided from various funding sources including, but not limited to, Proposition K, Quimby, Community Development Block Grant, and Proposition 84.

### FISCAL IMPACT STATEMENT

Executing these Amendments has no impact to RAP's General Fund.

This Report was prepared by Kai Wong, Management Analyst II, Finance Division.

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LIST OF ATTACHMENTS/EXHIBITS

- 1) Park Facility Construction Contract List
- 2) Supplemental Agreements for:
  - a. California Landscape and Design dba California Skateparks
  - b. Chris Kelley Inc., dba Childs Play
  - c. Commercial Paving and Coating
  - d. Evergreen Environment Inc.
  - e. Ohno Construction Company
  - f. Ross Trama dba R. Trama Construction
  - g. United Riggers & Erectors, Inc.

**CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
FINANCE DIVISION  
PARK FACILITY CONSTRUCTION CONTRACT LIST**

ATTACHMENT 1

<b>CONTRACTOR</b>	<b>ADDRESS</b>	<b>CONTRACT NO.</b>	<b>START DATE</b>	<b>END DATE</b>
California Landscape and Design dba California Skateparks	273 N. Benson Avenue Upland, CA 91786	3468	8/16/2013	8/15/2016
Chris Kelley Inc., dba Childs Play	1852 Langley Ave Irvine, CA 92614	3466	8/16/2013	8/15/2016
Commercial Paving and Coating	2809 W. Avenue 37 Los Angeles, CA 90065	3467	8/16/2013	8/15/2016
Evergreen Environment Inc.	8609 Mission Blvd. Riverside, CA 92509	3500	8/16/2013	8/15/2016
Ohno Construction Company	16398 Boyle Avenue Fontana, CA 92337	3469	8/16/2013	8/15/2016
Ross Trama dba R. Trama Construction	742 Legary Place San Pedro, CA 90732	3501	8/16/2013	8/15/2016
United Riggers & Erectors, Inc.	4188 Valley Boulevard Walnut, CA 91789	3470	8/16/2013	8/15/2016

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3468  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
CALIFORNIA LANDSCAPE & DESIGN DBA CALIFORNIA SKATEPARKS  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3468 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and CALIFORNIA LANDSCAPE & DESIGN DBA CALIFORNIA SKATEPARKS, a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3468 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3468 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.
2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3468 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

CALIFORNIA LANDSCAPE & DESIGN DBA CALIFORNIA SKATEPARKS, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3466  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
CHRIS KELLEY INC. DBA CHILDS PLAY  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3466 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and CHRIS KELLEY INC. DBA CHILDS PLAY, a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3466 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3466 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.
2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:



"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3466 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

CHRIS KELLEY INC. DBA CHILDS PLAY, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3467  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
COMMERCIAL PAVING & COATING  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3467 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and COMMERCIAL PAVING & COATING, a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3467 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3467 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.
2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3467 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

COMMERCIAL PAVING & COATING, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3500  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
EVERGREEN ENVIRONMENT, INC.  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3500 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and EVERGREEN ENVIRONMENT, INC., a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3500 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3500 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.
  
2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3500 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

EVERGREEN ENVIRONMENTAL, INC., a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_



**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3469  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
OHNO CONSTRUCTION COMPANY  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3469 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and OHNO CONSTRUCTION COMPANY, a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3469 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3469 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.

2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3469 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

OHNO CONSTRUCTION COMPANY, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3501  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
ROSS TRAMA DBA R. TRAMA CONSTRUCTION  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3501 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and ROSS TRAMA DBA R. TRAMA CONSTRUCTION, a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3501 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3501 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.
  
2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3501 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

ROSS TRAMA DBA R. TRAMA CONSTRUCTION, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_

**SUPPLEMENTAL AGREEMENT TO CONTRACT NO. 3470  
BETWEEN  
THE CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS  
AND  
UNITED RIGGERS & ERECTORS, INC.  
FOR  
PARK FACILITY CONSTRUCTION**

This SUPPLEMENTAL AGREEMENT to Contract No. 3470 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners, hereinafter referred to as "CITY", and UNITED RIGGERS & ERECTORS, INC., a corporation, hereinafter referred to as "CONTRACTOR".

RECITALS

WHEREAS, on August 16, 2013, CITY and CONTRACTOR entered into Contract No. 3470 ("CONTRACT") for Park Facility Construction services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on August 15, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Park Facility Construction services; and,

WHEREAS, the principal purpose of CITY entering into this SUPPLEMENTAL AGREEMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. **FULL FORCE AND EFFECT:** Except as specifically modified by this Supplemental Agreement, the terms and conditions contained in Contract No. 3470 between the CITY and CONTRACTOR, executed on August 16, 2013, are incorporated herein by this reference and shall remain in effect.

2. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be six (6) years from August 16, 2013 through August 15, 2019, subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

3. SECTION 8. RATIFICATION

Add Section 8, "Ratification," as follows:

"At the request of the DEPARTMENT, and because of the need therefor, CONTRACTOR began performance of the services required hereunder prior to the execution hereof. By its execution hereof, City hereby accepts such service subject to all the terms, covenants, and conditions of this agreement, and ratifies its agreement with CONTRACTOR for such services."

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

*(Signature Page to Follow)*



IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to CONTRACT No. 3470 to be executed by their duly authorized representatives.

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

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

UNITED RIGGERS & ERECTORS, INC, a Corporation

BY: \_\_\_\_\_  
President

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL N. FEUER, City Attorney

BY: \_\_\_\_\_  
Deputy City Attorney

DATE: \_\_\_\_\_