

APPROVED
OCT 09 2009

REPORT OF GENERAL MANAGER

NO. 09-239

DATE October 9, 2009

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 2 TO CONTRACT NO. 3225 WITH T ENTERPRISES, INC.,
DBA CONCRETE CUTTING COMPANY FOR CONCRETE GROOVING AND
TEXTURING OF TENNIS COURTS AND OTHER SPORT COURT SURFACES

| | | | |
|------------|-------|-----------|-----------|
| R. Adams | _____ | J. Koib | _____ |
| H. Fujita | _____ | F. Mok | _____ |
| S. Huntley | _____ | K. Regan | _____ |
| V. Israel | _____ | *M. Shull | <i>MS</i> |

[Signature]

General Manager

Approved /

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Amendment No. 2 to Contract No. 3225 with T Enterprises, Inc., substantially in the form on file in the Board Office, extending the term of the contract by one (1) year for a new total of four (4) years, subject to approval of the Mayor, the City Council, and the City Attorney as to form;
2. Find that in accordance with Charter Section 1022, the Department does not have personnel available in its employ with sufficient time or the necessary expertise to undertake these specialized professional tasks in a timely manner, and it is more feasible, economical and in the Department's best interest to secure these services by contract;
3. Direct the Board Secretary to transmit forthwith the proposed Amendment No. 2 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. Upon receipt of necessary approvals, authorize the Board President and Secretary to execute the Amendment.

REPORT OF GENERAL MANAGER

PG. 2 NO. 09-239

SUMMARY:

The Department of Recreation and Park's (RAP) Citywide Facility Repair Section oversees the Department's multi-year refurbishment program for tennis courts. The Department's objectives in the program are to resurface courts in pay-for-reservation courts every three years and non-pay courts every four years. Annually, the Department anticipates resurfacing 20 to 30 tennis courts and, on occasion, some basketball courts. The Department requires the services of an outside contractor to remove tennis court coatings and provide subsequent grooving or other surface preparation to enable Department forces to re-apply new coatings.

On September 8, 2006, the Department released a Request for Bid. One bid was received by the bid deadline of September 29, 2006 from T Enterprises, Inc., dba Concrete Cutting Company. The firm utilizes proprietary machinery which allows for the concrete work to be done quietly, with very small dust and debris radius, so that play on the adjoining courts is not interrupted. The firm's bid was responsive having met all the specifications and including all required documents in compliance with the bid request. The Department has been satisfied with the firm's prior record of service and responsibility as a contractor.

On June 8, 2007, the RAP entered into a contract with T Enterprises, Inc., dba Concrete Cutting Company for concrete grooving and texturing services. The term was for one year with two one-year renewal options upon written agreement between the contractor and Department, which will expire on November 30, 2009, and the amount was not to exceed \$90,000. On January 23, 2008, an Amendment to Contract No. 3225 was executed, which increased the contract amount from \$90,000 to \$270,000.

At this time, there are planned refurbishment projects on these tennis courts that will extend beyond the current term of the contract. The Department does not have available personnel to perform these specialized professional tasks in a timely manner due to the existing staff workloads. Staff has been satisfied with the contractor's performance, and therefore wishes to extend the term for one additional year. The price adjustments of not to exceed 5% from the current T Enterprises, Inc., rates conform to normal cost of living adjustments. The remaining funds should be adequate for the planned projects.

This proposed Amendment No. 2 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 proposed Amendment.

REPORT OF GENERAL MANAGER

PG. 3

NO. 09-239

FISCAL IMPACT STATEMENT:

Funding will be provided by various Department funds, depending on the facility requesting these services. There is no additional impact to the Department's General Fund.

This report was prepared by Gino Ogtong, Management Analyst II, Planning and Construction Division.