

REPORT OF GENERAL MANAGER

APPROVED
JUN 02 2010

NO. 10-143

DATE June 2, 2010

C.D. Various

BOARD OF RECREATION
and PARK COMMISSIONERS

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT TO PERSONAL SERVICES CONTRACT
NO. 3209 WITH ARTHUR M. MANASK & ASSOCIATES, INC. TO
EXTEND THE TERM

R. Adams _____	*F. Mok <u><i>F.M.</i></u>
H. Fujita _____	K. Regan _____
S. Huntley _____	M. Shull _____
V. Israel _____	

[Signature]
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve a proposed Supplemental Agreement to Personal Services Contract No. 3209, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and Arthur M. Manask & Associates, Inc., to extend the term of the contract from 36 months to 48 months, subject to 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 expertise to provide these professional services and that it is more feasible to secure these services by contract;
3. Find, in accordance with Charter Section 372 and Los Angeles Administrative Code Section 10.15(a)(2), that for the temporary continuation of professional services for the concessions program, a competitive bidding process is not practical or advantageous;
4. Direct the Board Secretary to transmit forthwith the 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,
5. Authorize the Board President and Secretary to execute the Supplemental Agreement, upon receipt of the necessary approvals.

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SUMMARY:

On April 5, 2007, the Department executed Personal Services Contract No. 3209, with Arthur M. Manask & Associates, Inc. (Consultant), for a term of 36 months beginning April 5, 2007, to provide as-needed economic consulting services in order to assist the Department with the management, planning, and development of concession operations, including Requests for Proposals.

On October 3, 2007, the Department amended Personal Services Contract No. 3209 with Consultant for a term of 36 months beginning September 27, 2006.

In order to comply with Recommendation No. 2 of the Audit of Concession Contracts of the Department of Recreation and Parks, released on March 28, 2008, the Department utilized the services of the Consultant to process and to provide evaluation services of the concession operations.

As Contract No. 3209 expired September 26, 2009, a supplemental agreement to extend the term of the contract from 36 months to 48 months is necessary in order to provide the time for the Department to process and prepare payment to the Consultant and provide a variety of as-needed economic consulting services should the need arise.

Charter Section 1022 Finding

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

On April 30, 2010, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City classifications that could provide these professional services. It is therefore more feasible to secure these services through an independent contractor.

Charter Section 372 Finding

Los Angeles City Charter Section 372 requires that all contracts valued at over \$25,000 require a competitive bid process. The requirement does not apply to contracts, as determined by the contracting authority, of a temporary and occasional character for which the contracting authority finds that competitive bidding is not practicable or advantageous.

On August 28, 2006, the Department released a Request for Qualifications (RFQ) for As-Needed Economic Consultants. On November 1, 2006, the Board awarded contracts for a term of three years with five economic consultants (Board Report No. 06-327); including Arthur M. Manask & Associates, Inc. This supplemental agreement is to increase the term of that contract in order to pay for services provided by the Consultant. It is neither practicable nor advantageous to bid for this service at this time.

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FISCAL IMPACT STATEMENT:

Funding for this contract is currently provided in Fund 302, Department 89, Account 400K. This supplemental agreement has no impact on the Department's General Fund.

This report was prepared by Raymond Chang, Senior Management Analyst I, Finance Division, Administrative Resources Section, 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:

The contract is to provide as-needed economic consulting services to provide management with information to plan and develop the Department's concession operations. The contract calls for providing market research and analysis, feasibility studies, profitability analysis, product evaluation, business development, facility design, and other technical services related to the development, planning, and maintaining of concessions.

4. Is this a contract renewal? Yes No (Contract No. 3209)

5. Proposed length of contract: Three years with one year extension

Proposed Start Date: Contract began September 27, 2006

6. Proposed cost of contract (if known): \$99,000

7. Name of proposed contractor: Arthur M. Manask & Associates, Inc.

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

The contractor must have expertise in planning and developing concessions, including experience with market research and analyses.

9. Are there City employees that can perform the work being proposed for contracting?

Yes No

If yes,

a. Which class(es) and Department(s):

b. Is there sufficient Department staff available to perform the work? Yes No

c. Is there a current eligible list for the class(es)? Yes No Expiration Date:

d. Estimated time to fill position(s) through CSC process?

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 work? Yes No

10. Findings

City employees DO NOT have the expertise to perform the work

City employees DO have the expertise to perform 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:

The Department of Recreation and Parks is requesting Charter Section 1022 Contract Review for market research, planning, and economic forecasting for concession operations. The request is for an amendment to the original contract which began in September 2006. The amendment calls for extending the contract for an additional 12 months only. The original 1022 Contract review report was not prepared and thus this report was prepared for reference purposes.

Submitted by:

Cathy T. Tanaka
Cathy T. Tanaka

Approved by:

Shelly Del Rosario
Shelly Del Rosario

Date:

4-30-10