

REPORT OF GENERAL MANAGER

APPROVED
NOV 04 2009

NO. 09-283

DATE November 4, 2009

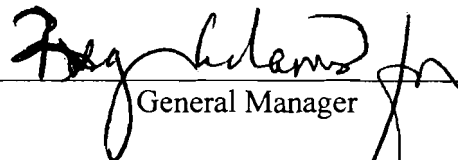
C.D. ALL

BOARD OF RECREATION
and PARK COMMISSIONERS

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SUBJECT: AMENDMENT TO LETTER OF AGREEMENT NO. F-911 WITH JUMBO SHRIMP CIRCUS, INC. TO EXTEND THE TERM AND INCREASE THE CONTRACT AMOUNT

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



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve a proposed Amendment to Letter of Agreement No. F-911, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and Jumbo Shrimp Circus, Inc., for as-needed family oriented entertainment, to extend the term by six months to June 1, 2010, and increase the contract amount from \$20,000 to \$35,000, subject to approval of the Mayor and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the City does not have personnel available in its employ with sufficient expertise to provide professional entertainment services and that it is more feasible to secure these services by contract;
3. Find, in accordance with Charter Section 371 (e)(10) and Los Angeles Administrative Code Section 10.15(a)(10), that the use of competitive bidding would be undesirable, impractical or impossible and because the Department seeks to enhance the recreational experience for the public by providing as-needed family oriented entertainment, it is in the City's best interest to amend the current personal service contract while a formal Request for Proposals (RFP) process is conducted and a multi-year agreement is executed;
4. Find, in accordance with Charter Section 371 (e)(2), that the services to be provided by the contractor are entertainment services of a temporary and occasional character for which

REPORT OF GENERAL MANAGER

PG. 2 NO. 09-283

competitive bidding is not practicable or advantageous while the Department conducts a formal RFP process;

5. Find, in accordance with Charter Section 372, that obtaining competitive proposals or bids for work to be performed pursuant to this agreement is not reasonably practicable or compatible with the Department's interests of having family oriented entertainment services available to the public while the Department conducts a formal RFP process;
6. Direct the Board Secretary to transmit forthwith the proposed Amendment to the Mayor in accordance with Executive Directive No. 3 and, concurrently, to the City Attorney for approval as to form; and,
7. Authorize the Board President and Secretary to execute the Amendment upon receipt of the necessary approvals.

SUMMARY:

On May 26, 2009, Letter of Agreement No. F-911 was executed with Jumbo Shrimp Circus, Inc., for as-needed family oriented entertainment services at Pershing Square Park, for a term of one year, from December 2, 2008 to December 1, 2009, in an amount not to exceed \$20,000. The entertainment services consist of musical bands, stilt-walkers, jugglers, clowns, balloon artists, and similar entertainers.

On May 20, 2009, the Board of Recreation and Park Commissioners approved the release of a Request for Proposals (RFP) in order to select multiple contractors to enter into multi-year contracts to provide as-needed family oriented entertainment and educational services at various Department events and programs (Report No. 09-128). The RFP was released on June 15, 2009. Should the firm submit a proposal in response to the RFP, a new multi-year service contract with Jumbo Shrimp Circus, Inc., will not be executed until the RFP process is completed and a contract executed. Staff recommends that the current letter of agreement be amended to extend the term by six months to June 1, 2010, and increase the contract amount from \$20,000 to \$35,000.

The services for Jumbo Shrimp Circus, Inc. are paid from funds in a Pershing Square account for the purpose of providing family oriented entertainment as a part of events to enhance the recreational experience of the public.

Charter Section 1022 Finding

On July 6, 2009, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City classifications with sufficient expertise to provide the as-needed family oriented entertainment services provided by the contractor. It is therefore more feasible to secure these services through an independent contractor.

REPORT OF GENERAL MANAGER

PG. 3 NO. 09-283

FISCAL IMPACT STATEMENT:

Funding for the term of the amended agreement is available in the Municipal Recreation Program, Fund 301, Department 88, Account 012M. There is no impact on the Department's General Fund.

This report was prepared by Nancy Jeffers, Management Analyst II, Service Contracts Group, Administrative Resources Section, Finance Division.