



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: JUNE 16, 2021**

**FROM: WATERFRONT & COMMERCIAL REAL ESTATE**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVE SECOND AMENDMENT TO AGREEMENT NO. E6975 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND CALIFORNIA DINING SERVICES**

**SUMMARY:**

Staff requests approval of the Second Amendment to Agreement No. E6975 with California Dining Services (Cal Dining) to extend the length of the current three-year agreement by one year, with an option to renew for an additional year, for a total term of five years. The Second Amendment will increase the contract amount by \$265,800 to cover the additional two year's expenses, for a total contract amount of \$664,500. Cal Dining operates the Port Pantry Café (Port Pantry) at the Harbor Administration Building (HAB) and provides vending machine, catering, and coffee services. Cal Dining was chosen from a Request for Proposals (RFP) for Port Pantry Operator published by the City of Los Angeles Harbor Department (Harbor Department) in April 2018.

The Harbor Department will continue to be financially responsible for the payment of expenses incurred under the Agreement

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(14) of the Los Angeles City CEQA Guidelines;
2. Approve the Second Amendment to Agreement No. E6975 with California Dining Services;
3. Authorize the Executive Director to execute and Board Secretary to attest to the Second Amendment; and
4. Adopt Resolution No. \_\_\_\_\_.

**SUBJECT: SECOND AMENDMENT TO AGREEMENT NO. E6975**

**DISCUSSION:**

Background – An RFP for food service was published by the Harbor Department on April 2, 2018, to ensure uninterrupted food service at Port Pantry, and to supersede the existing Agreement No. 14-3462 with Cal Dining which was expiring on August 6, 2018. Two responsive proposers submitted proposals, and Cal Dining was selected as the successful proposer by a selection panel that consisted of five Harbor Department employees. The Executive Director awarded Agreement No. E6975 to Cal Dining on July 26, 2018 for a one-year term, with a total contract amount of \$132,900 per year.

On June 20, 2019, the Board approved the First Amendment to Agreement No. E6975 to extend the agreement for an additional two years, for a total term of three years, which is set to expire on July 25, 2021. The First Amendment also increased the contract amount by \$265,800, for a total contract amount of \$398,700. As a result of the ongoing Covid-19 Pandemic, it was not feasible to conduct a new, in-person RFP process while maintaining uninterrupted service.

Staff requests Board approval of the Second Amendment (Transmittal 1) to Agreement No. E-6975 with Cal Dining to extend the length of the current three-year agreement by one year with one option to renew for an additional year, for a total potential term of five years, expiring on July 25, 2023. In addition, staff is also requesting to increase the contract amount by \$265,800, for a total contract amount of \$664,500.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a proposed Second Amendment to Agreement No. E6975 with Cal Dining for the extension of a current three-year agreement by one year with an option to renew for an additional year, which is an activity involving the amendment of a permit to use an existing facility involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 1(14) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the Second Amendment to Agreement No. E6975 will extend the term of the existing three-year contract by one year, with an option to renew for an additional year, for a total potential term of five years. In addition, the proposed Second Amendment will increase the contract authority by \$265,800 from \$398,700 currently to \$664,500 as proposed.

SUBJECT: SECOND AMENDMENT TO AGREEMENT NO. E6975

Fiscal Year 2022 funding in the amount of \$132,900 is available within Account Number 54290 (Misc. Professional Services), Center 0429, and Program 000, with spending anticipated to occur as follows:

<u>Fiscal Year (FY)</u>	<u>Amount</u>
Prior Years	\$398,700
FY 2022	\$132,900
FY 2023	\$132,900
<b>Total</b>	<b>\$664,500</b>

Funding in future fiscal years will be requested under the annual budget process, subject to Board approval. A funding out clause is included in the Agreement.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved the Second Amendment to Agreement No. E6975 as to form and legality.

**TRANSMITTAL:**

1. Second Amendment to Agreement No. E-6975

FIS Approval: MB  
CA Approval: JS

*Michael J. Galvin*  
MICHAEL J. GALVIN  
Director of Waterfront & Commercial Real Estate

*Michael DiBernardo*  
MICHAEL DIBERNARDO  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director