



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: NOVEMBER 20, 2023

FROM: INFORMATION TECHNOLOGY

SUBJECT: RESOLUTION NO. _____ - FIRST AMENDMENT TO AGREEMENT NO. 20-3764 AND CONSENT TO ASSIGNMENT AND ASSUMPTION FROM SAAB TECHNOLOGIES LTD. TO TIDALIS AMERICAS LTD.

SUMMARY:

The City of Los Angeles Harbor Department (Harbor Department) is requesting approval of the First Amendment to Agreement No. 20-3764 and Consent to Assignment and Assumption from Saab Technologies Ltd. (Saab) to Tidalis Americas Ltd. (Tidalis). The requested First Amendment would allow a one-time transfer to reflect the vendor's name change due to Saab being acquired by Agilitas 2020 Private Equity GP Sarl which is now Tidalis. All other terms and conditions of the Agreement remain unchanged.

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 administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve the First Amendment to Agreement No. 20-3764 with Saab Technologies Ltd. to allow a one-time assignment to Tidalis Americas Ltd., effective March 31, 2023;
3. Approve the Assignment and Assumption of Agreement No. 20-3764 and Consent Thereto, effective March 31, 2023;
4. Direct the Board Secretary to transmit the First Amendment to Agreement No. 20-3764 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code;
5. Direct the Board Secretary to transmit the Assignment and Assumption of Agreement 20-3764 and Consent Thereto to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code;

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6. Authorize the Executive Director to execute and the Board Secretary to attest to said First Amendment and Assignment and Assumption of Agreement for and on behalf of the Board; and
7. Adopt Resolution No. _____.

DISCUSSION:

Background and Context – Agreement No. 20-3764 (“Agreement”), which the Board approved at its July 23, 2020 meeting and the City Council approved at its December 9, 2020 meeting, is for software license and maintenance fee to use the Saab software, and professional technical support services for the Harbor Department Billing, Port Pilot and Property Management Systems. These services are needed to continue to use these systems and to improve their capabilities to support current and future operations. Services include software development due to tariff changes, reports, integrations with other systems, and future enhancements and requirements from the Wharfinger, Port Pilots, Waterfront-Commercial Real Estate, and Information Technology Divisions. The Agreement has a not-to-exceed compensation amount of \$3,000,000 and a term of five (5) years ending on December 16, 2025.

On March 31, 2023, Saab was acquired by Agilitas 2020 Private Equity GP Sarl and changed its name to Tidalis Americas Ltd. The proposed First Amendment (Transmittal 1) will amend Section 12(B) of the Agreement to allow for this one-time assignment of the Agreement to Tidalis. The Assignment and Assumption Agreement is attached as Transmittal 2. Tidalis has confirmed that the services and personnel fulfilling the Agreement has not changed and will continue without gaps or compromise in quality. All other terms and conditions of the Agreement remain unchanged.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of the First Amendment to Agreement No. 20-3764 to change the vendor’s name from Saab to Tidalis, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed Amendment will assign Agreement No. 20-3764 to Tidalis following its acquisition of Saab. Staff does not anticipate a financial impact to arise if the proposed Amendment is approved because key personnel who have been fulfilling the Agreement since its

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2020 inception will continue without gaps or compromise in quality. The Harbor Department will continue to be financially responsible for the payment of expenses incurred under the Agreement.

CITY ATTORNEY:


The Office of the City Attorney has prepared and approved the proposed First Amendment and Consent to Assignment and Assumption as to form and Legality.

TRANSMITTAL(S):

1. First Amendment to Agreement No. 20-3764
2. Assignment and Assumption and Consent Thereof

FIS Approval: mp

CA Approval: SO


Sheeba Varughese
dc=pola, dc=lahd, ou=HQ,
ou=ITD, ou=USERS,
ou=EMP, cn=Sheeba
Varughese,
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SHEEBA VARUGHESE
Chief Information Officer


Digitally signed
by Thomas E.
Gazsi
Date: 2023.11.21
08:57:43 -08'00'

THOMAS GAZSI
Chief of Public Safety and Emergency
Management

APPROVED:


EUGENE D. SEROKA ^{FOR}
Executive Director

SV:HN

