COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: AS-0

December 16, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

AMENDMENT OF CONTRACT FOR
OPERATION OF A COMBINED INFANT AND CHILD CARE CENTER
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)

SUBJECT

This action is to amend Contract No. 74331 for the Operation of a Combined Infant and Child Care Center to continue on a month-to-month basis for up to six months until a replacement contract is awarded.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve amending Contract No. 74331 with Knowledge Learning Corporation, located in Portland, Oregon, for the Operation of a Combined Infant and Child Care Center, specifically, the Discovery Time Child Care Center, located in the City of Alhambra, to enable this contract to continue on a month-to-month basis for up to six months starting January 7, 2009, for a total not-to-exceed amount of $30,000.

2. Authorize the Director of Public Works or her designee to increase the contract amount up to an additional 25 percent of the total sum for unforeseen, additional work within the scope of the contract, if required.

3. Authorize the Director of Public Works or her designee to approve and execute any future amendments to incorporate necessary changes within the agreement; and to suspend the agreement if, in the opinion of the Director of Public Works, it is in the best interest of the County of Los Angeles to do so.

4. Direct the Chairman to execute this amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to amend Contract No. 74331 with the Knowledge Learning Corporation for the Operation of a Combined Infant and Child Care Center to extend this contract on a month-to-month basis starting January 7, 2009, for up to six months while the Department of Public Works (Public Works) completes the solicitation process for a replacement contract to incorporate updated mandates by the California Code of Regulations and California Education Code Title into our scope of work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Service Excellence (Goal 1), Children and Families' Well-Being (Goal 5), and Community Services (Goal 6). The contractor who has the specialized expertise to provide this service accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

The Child Care Center's operation is supported by user-parent fees. The requested not-to-exceed amount of $30,000 for the six-month period is required for maintenance costs and utilities, which are not reimbursed by user-parent fees. The contractor pays for these costs and sends documentation and invoices to Public Works on a quarterly basis. These invoices have ranged from $3,500 to $7,000.

Responsibility for these costs is shared equally between the Superior Court and Public Works. In accordance with the cooperative agreement between the County and the Superior Court, shared costs consist of custodial services (not covered by the contractor), landscaping services, utilities, etc., as deemed appropriate by the Advisory Board of the Center consisting of Public Works, Superior Court, and the Chief Executive Office. The Superior Court is utilizing the County General Fund monies to pay for their half of the maintenance and utilities cost for the Child Care Center. Public Works pays for its half of the cost from its Internal Service Fund. Public Works

receives a departmental service order from the Superior Court to pay for their portion of the cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The amendment has been executed by the Knowledge Learning Corporation and has been approved as to form by County Counsel.

The amendment will continue the agreements' current terms, specifications, and conditions as amended.

Your Board approved Contract No. 74331 on January 7, 2003, Synopsis No. 30. The contract was for an initial three-year period with three 1-year renewal options for a total contract period of six years.

Superior Court and Public Works are cosponsors of the Child Care Center. The Child Care Center is primarily intended for use by Public Works, County, and Superior Court employees. All of these employees receive the same discounted rate. The public pays a different rate. Below is the table listing the tuition rates for County and Superior Court employees:

INFANTS	5 DAYS	4 DAYS	3 DAYS	2 DAYS	Drop In-Rate
Full Day	$171	n/a	n/a	n/a	$45
TODDLER	5 DAYS	4 DAYS	3 DAYS	2 DAYS	1 DAY
Full Day	$161	n/a	n/a	n/a	$45
PRESCHOOL	5 DAYS	4 DAYS	3 DAYS	2 DAYS	1 DAY
Full Day	$127	$127	$83	$59	$42
PRE-KINDERGARTEN	5 DAYS	4 DAYS	3 DAYS	2 DAYS	1 DAY
Full Day	$127	$127	$83	$59	$42

ENVIRONMENTAL DOCUMENTATION

In accordance with Section 15378 of the California Environmental Quality Act Guidelines (CEQA), approval of the recommended action does not constitute a project and, hence, is not subject to the requirements of CEQA.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will not result in the displacement of any County employees as this service is presently contracted with the private sector.

CONCLUSION

Please return one adopted copy of this letter, along with the Contractor Execute and Department Conform copies, to the Department of Public Works, Administrative Services Division. The original Board Execute should be retained for your files.

Respectfully submitted,

for GAIL FARBER
Director of Public Works

GF:GZ:er

Attachment

c: Chief Executive Office (Lari Sheehan)
County Counsel

BOARD EXECUTE

AMENDMENT 2 TO CONTRACT NO. 74331

OPERATION OF A COMBINED INFANT AND CHILD CARE CENTER

THIS AMENDMENT, made and entered into this ____ day of _____, 2008, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and KNOWLEDGE LEARNING CORPORATION, a Delaware corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 74331 was entered into between the COUNTY and Knowledge Beginnings Corporate Solutions, Inc., on January 7, 2003, to provide the operation of a combined infant and child care center services, for a period of three years with three 1-year renewal options; and

WHEREAS, this Contract was amended on October 30, 2007, to reflect an Assignment from Knowledge Beginnings Corporate Solutions, Inc., to the CONTRACTOR; and

WHEREAS, the COUNTY has exercised all three renewal options, with the term of the Contract set to expire on January 6, 2009; and

WHEREAS, the parties desire to extend the contract on a month-to-month basis for up to six months, while completing the solicitation process for a new contract for this service; and

WHEREAS, the CONTRACTOR is willing to continue to provide the service, under the Contract's existing terms and conditions, during the period as extended under this AMENDMENT; and

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 74331 between them shall be amended as follows:

FIRST: Paragraph 6.0, Contract Period, of the Contract is hereby amended and modified to include the following paragraph to extend the expiration of the term of the Contract on a month-to-month basis for a period of up to six months, beginning January 7, 2009, as follows:

- CONTRACTOR shall provide continuous performance of this Contract from month to month, commencing on January 7, 2009, up to the maximum period of six months, through and including July 6, 2009, unless the COUNTY provides written notice of nonrenewal at least thirty days before the last day of any month, in which case this Contract shall expire as of midnight on the last day of that month.

SECOND: Paragraph 21, Changes and Amendments of Terms, of the Contract is hereby amended and modified to include the following paragraph:

21.4.6 COUNTY may, at its sole discretion, authorize extensions of time to this CONTRACT'S amended term. CONTRACTOR agrees that such extensions of time shall not change any other term or condition of this CONTRACT during the period of such extensions. To implement an extension of time, an amendment or change notice to this CONTRACT shall be prepared and executed by CONTRACTOR and the Board of Supervisors of the County of Los Angeles or if delegated by the Board, the Acting Director of Public Works or his designee and CONTRACTOR. To the extent that extensions of time for CONTRACTOR performance do not impact either scope or amount of this CONTRACT, Public Works may, at its sole discretion, grant CONTRACTOR extensions of time, provided the aggregate of all such extensions during the life of this CONTRACT shall not exceed 30 days.

THIRD: Except as modified in the AMENDMENT, all terms, conditions, requirements, specifications of the Contract, and any and all previous amendments thereto, shall remain in full force and effect.

//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By_____
Chairman, Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By Carole Suzuki
Deputy

KNOWLEDGE LEARNING CORPORATION

By Bill Robards
~~Its President~~
Sr. VP Real Estate Development

Bill Robards
Type or Print Name

By _____
~~Its Secretary~~
VP Facilities & Development

Wayne Pipes
Type or Print Name

APPROVED BY LEGAL DEPARTMENT
DATE: 11/5/08
SIGNATURE: LSHorn

P:\aspub\CONTRACT\Jeanette\CHILD CARE CENTER\2008\Amendments\Amendment 2_74331.doc

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me this 7th day of November, 2008, by Bill Robards, Senior Vice President – Real Estate Development, and Wayne Pipes, Vice President – Facilities and Development, both of Knowledge Learning Corporation, a Delaware corporation, on behalf of the corporation.

OFFICIAL SEAL
TRACEI SHOBE
NOTARY PUBLIC-OREGON
COMMISSION NO. 424800
MY COMMISSION EXPIRES JANUARY 9, 2012

Notary Public for the State of Oregon
Commission Expires: 1-9-2012