

EXECUTIVE OFFICE – BOARD OF SUPERVISORS

**AGENDA ENTRY**

DATE OF MEETING:	04/07/2009
DEPARTMENT NAME:	DEPARTMENT OF BEACHES AND HARBORS
BOARD LETTERHEAD	BEACHES AND HARBORS
SUPERVISORIAL DISTRICT AFFECTED	4TH DISTRICT
VOTES REQUIRED	3 VOTES
CHIEF INFORMATION OFFICER'S RECOMMENDATION	APPROVE ( ) APPROVE WITH MODIFICATION ( ) DISAPPROVE ( )

**\*\*\*\* ENTRY MUST BE IN MICROSOFT WORD \*\*\*\***

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Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Recommendation: Terminate for convenience Contract No. 75682 with Pacific Adventure Cruises, Inc., for water bus services in Marina del Rey, effective ten days from Board approval; authorize the Director of Beaches and Harbors to provide the ten-day notice required by the Contract and to take all other actions necessary to terminate the Contract.



*To enrich lives through effective and caring service*



April 7, 2009

**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

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:

**TERMINATE FOR CONVENIENCE  
WATER BUS SERVICE CONTRACT IN MARINA DEL REY  
CONTRACT NO. 75682  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

**SUBJECT**

This action will terminate for convenience a contract previously awarded by the Board of Supervisors to Pacific Adventure Cruises, Inc. for water bus service in Marina del Rey.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Terminate for convenience Contract No. 75682 with Pacific Adventure Cruises, Inc., for water bus service in Marina del Rey, effective ten days from Board of Supervisors approval.
2. Authorize the Director of Beaches and Harbors to provide the ten-day notice required by the Contract and to take all other actions necessary to terminate the Contract.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On May 30, 2006, your Board awarded Pacific Adventure Cruises, Inc. (Contractor) a one-year contract with two two-year extension options at an annual cost not to exceed \$261,000. Your Board also gave the Director of Beaches and Harbors delegated authority to increase the annual contract cost by 30 percent if needed to cover additional services.

The Department of Beaches and Harbors (Department) has determined that it is in the best interest of the County to terminate this contract for convenience and begin the solicitation process to secure another contractor.

### **Implementation of Strategic Plan Goals**

This action is consistent with the advancement of the County's Strategic Plan Goal of Operational Effectiveness (Goal 1) as it enables the Department to secure a new contractor to provide quality services to the public at a cost that would be lower than the County's cost.

### **FISCAL IMPACT/FINANCING**

The cost to resolicit the service will be minimal. The actual cost of the contract will be known when the bids are received.

#### **Operating Budget Impact**

The operating budget impact will be known when the bids are received.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Section 3.18 of the contract provides that the County may terminate the contract for convenience if it is deemed that such action is in the County's best interest upon giving the Contractor a ten-day advance notice of termination.

A courtesy notice informing the Contractor about the Department's intent to terminate the contract and the date of the Board agenda was mailed to the Contractor on March 25, 2009. The actual ten-day termination notice will be mailed to the Contractor upon your Board's approval of this action.

This service is seasonal commencing this summer season on June 27, 2009. The Department expects to have the new contract in place by that date.

All documents related to this termination have been approved as to form by County Counsel.

### **ENVIRONMENTAL DOCUMENTATION**

This action is not subject to the California Environmental Quality Act (CEQA), because it

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does not constitute a project according to Section 15378 of CEQA.

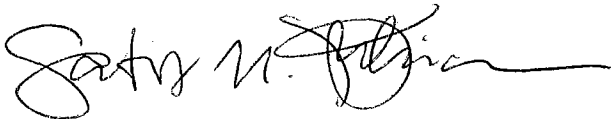
**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no impact on current services or projects.

**CONCLUSION**

Authorize the Executive Officer of the Board to send three approved copies of this letter to the Department of Beaches and Harbors.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Santos H. Kreimann", with a long horizontal flourish extending to the right.

SANTOS H. KREIMANN  
Director

SHK:SDP:sdp

c: County Counsel  
Chief Executive Officer