Council Meeting of
July 18, 2006

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Recommendation to approve a second amendment to extend the term of service with Peterson Hydraulics, Inc. (Contract # 2005-228) for removal and replacement of two stationary vehicle hoists.

Expenditure: Not applicable

RECOMMENDATION

The General Services Director recommends that Council approve the second amendment to extend the term of service with Peterson Hydraulics, Inc. (Contract # 2005-228) from July 31, 2006 to December 31, 2006.

Funding

Not applicable.

BACKGROUND/ANALYSIS

This contract was originally approved by Council on November 15, 2005. The contract amount is not to exceed $69,290.76. The term of service for this contract was originally set to expire on January 31, 2006. Council subsequently approved a six-month extension of the term of service, through July 31, 2006 due to delays that were encountered in dealing with soil remediation. Staff now requests a second extension of six (6) months, to expire December 31, 2006 for reasons as set forth herein.

Per the terms of the contract with Peterson Hydraulics, Inc., the defective hoists were removed during January 2006. Following removal of the hoists it became necessary to drill and analyze soil core samples in the areas immediately surrounding where the leaking hoists had been located.

Soil sampling and analysis has been completed by CERES and Associates of Torrance, CA. However, until a determination is made as to the most appropriate and cost-effective method of remediation, installation of the new hoists has been delayed.

Considering the need to involve Los Angeles County authorities in approving the City's soil remediation plans, as well as the need to involve yet another contractor in the actual soil remediation process, staff recommends the approval of the second amendment for the extension of the Peterson Hydraulics contract for an additional six (6) months, which in the worst-case scenario will provide ample time for soil remediation and installation of the new hoists.

Respectfully Submitted,

SHERYL BALLEW
GENERAL SERVICES DIRECTOR

By _____
David K. Winnett, Jr.
Fleet Services Manager

CONCUR:

Sheryl Ballew
General Services Director

LeRoy J. Jackson
City Manager

Attachment: Second Amendment to Agreement

Attachment A

SECOND AMENDMENT TO AGREEMENT

This Amendment to Agreement is made and entered into as of _____, 2006 by and between the CITY OF TORRANCE, a municipal corporation ("CITY"), and Peterson Hydraulics, a California Corporation ("CONTRACTOR").

RECITALS:

A. The CITY OF TORRANCE and CONTRACTOR entered into an Agreement on November 15, 2005, whereby CONTRACTOR agreed to remove and replace two stationary hoists in the City of Torrance Fleet Services shop.

B. The original Agreement was for a two and one-half months term, effective November 15, 2005 through January 31, 2006.

C. On March 28, 2006 the Agreement was amended to extend the term of the Agreement until July 31, 2006.

D. The CITY OF TORRANCE is satisfied with the level of service provided by the CONTRACTOR.

E. Due to circumstances which have prevented the install of the hoists, both parties wish to extend the term of the contract for another five months.

AGREEMENT:

1. Paragraph 2 entitled "TERM" is amended to read in its entirety as follows:

   "2. TERM
   Unless earlier terminated in accordance with Paragraph 4 below, this Agreement will continue in full force and effect until December 31, 2006."

2. In all other respects, the Agreement dated November 15, 2005 and the amendment dated March 28, 2006 between CITY OF TORRANCE and CONTRACTOR are ratified and reaffirmed and are in full force and effect.

CITY OF TORRANCE,
a Municipal Corporation

_____
Frank Scotto, Mayor

ATTEST:

_____
Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By:_____

Peterson Hydraulics, Inc.
a California corporation

By:_____
Dan Peterson
President