



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Housing Development Bureau
1200 West 7th Street, Los Angeles, CA 90017
tel 213.808.8638 | fax 213.808.8610
hcidla.lacity.org

October 21, 2014

Holly L. Wolcott
City Clerk, City of Los Angeles
200 North Spring Street, Suite 360
Los Angeles, CA 90012

Attention: Richard Williams
Legislative Assistant

As referenced in the Los Angeles Housing and Community Investment Department (HCIDLA) transmittal to the Mayor and City Council dated September 19, 2014, *Request for Approval to Execute First Amendments to Two Contracts with Keyser Marston Associates in Relation to the Proposed Redevelopment of the Wyvernwood Garden Apartments* (C.F. 14-0197), attached are the two draft amendments for the Keyser Marston Associates/Wyvernwood contracts, which contain all pertinent project-specific information. As indicated in the transmittal, the contract amendments are concurrently under review by the City Attorney as to form. A summary of each of the amendments is as follows:

1. A First Amendment to the Peer Review and Feasibility Study contract, to increase the contract amount by \$17,500, from \$50,000 to \$67,500; and
2. A First Amendment to the Value Capture Analysis contract, to increase the contract amount by \$5,000, from \$25,000 to \$30,000.

The transmittal was released on October 3, 2014 and has been placed on the Council agenda for the meeting of October 24, 2014. It is requested that the draft amendments be incorporated into Council File 14-0197.

Should you have any questions or require additional information, please contact Lisa Shinsato of the Housing Development Bureau's Administrative Services Division at (213) 808-8985.

Sincerely,

A handwritten signature in blue ink, appearing to read "RDC", is written over the word "Sincerely,".

RUSHMORE D. CERVANTES
General Manager

cc: Mandy Morales, Legislative Coordinator
Office of the Mayor

RDC/lr
Attachments

FIRST AMENDMENT
TO AGREEMENT NUMBER C-124599 OF CITY OF LOS ANGELES CONTRACT
BETWEEN
THE CITY OF LOS ANGELES
AND
KEYSER MARSTON ASSOCIATES, INC.

THIS FIRST AMENDMENT to Agreement Number C-124599 of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, hereinafter referred to as the City, and Keyser Marston Associates, Inc., a California For Profit Corporation, hereinafter referred to as the Contractor.

WITNESSETH

WHEREAS, the City and the Contractor have entered into an Agreement wherein Contractor shall provide certain services, said Agreement effective March 12, 2014 and subsequently amended, which together with all amendments thereto shall hereinafter be referred to as the Agreement; and

WHEREAS, Section 505 of the Agreement provides for amendments to the Agreement; and

WHEREAS, The Agreement contemplated that modifications and closeout activities may be required after the time set forth in "§201. Time of Performance" of the Agreement; and

WHEREAS, the City and the Contractor are desirous of amending the Agreement as authorized by the City Council and the Mayor (refer to Council File Number XX-XXXX dated DATE) which authorizes the General Manager of the Los Angeles Housing and Community Investment Department (HCIDLA), formerly known as the Los Angeles Housing Department (LAHD), to prepare and execute an amendment to the Agreement for the purpose of: (a) adding additional funds in the amount of Seventeen Thousand Five Hundred Dollars (\$17,500) for a new total of Sixty-Seven Thousand Five Hundred Dollars (\$67,500); and (b) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Amendment; and

WHEREAS, this Amendment is necessary and proper to continue and/or complete certain activities authorized under the Agreement.

NOW, THEREFORE, the City and the Contractor agree that the Agreement be amended effective DATE as follows:

AMENDMENT

§1. Amend Section 202 Services to be Provided by the Contractor by adding:

"Contractor shall provide a supplemental analysis of the Peer Review and Feasibility Analysis, to reflect rents at various Average Median Income levels and provide an analysis using a partial preservation scenario."

§2. Amend Section 301A Compensation and Method of Payment by deleting the total dollar amount of Fifty Thousand Dollars (\$50,000) and replacing with the new total dollar amount of Sixty-Seven Thousand Five Hundred Dollars (\$67,500).

This amendment adds an additional Seventeen Thousand Five Hundred Dollars (\$17,500) for a new total of Sixty-Seven Thousand Five Hundred Dollars (\$67,500).

§3. Except as herein amended, all terms and conditions of the Agreement shall remain in full force and effect.

§4. This Amendment is executed in three (3) duplicate originals, each of which is deemed to be an original. This Amendment includes four (4) pages which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City of Los Angeles and the Contractor have caused this Agreement to be executed by their duly authorized representatives.

APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney

Executed this _____ day of _____, 2014

By _____
Deputy/Assistant City Attorney

For: THE CITY OF LOS ANGELES

RUSHMORE D. CERVANTES
General Manager
Los Angeles Housing and Community
Investment Department

Date _____

ATTEST:

HOLLY L. WOLCOTT,
City Clerk

By _____

By _____
Deputy City Clerk

Executed this _____ day of _____, 2014

Date _____

For: KEYSER MARSTON ASSOCIATES, INC.

(Contractor's Corporate
Seal or Notary)

By _____
KATHLEEN H. HEAD
Vice-President

By _____
JAMES A. RABE
Assistant Secretary

City Business License Number: 118582-0001-8
Internal Revenue Service Number: 94-2363741
Council File/CAO File Number: XX-XXXX Date of Approval DATE
Said Agreement is Number C-124599 of City Contracts Amendment 1

FIRST AMENDMENT
TO AGREEMENT NUMBER C-XXXXXX OF CITY OF LOS ANGELES CONTRACT
BETWEEN
THE CITY OF LOS ANGELES
AND
KEYSER MARSTON ASSOCIATES, INC.

THIS FIRST AMENDMENT to Agreement Number C-XXXXXX of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, hereinafter referred to as the City, and Keyser Marston Associates, Inc., a California For Profit Corporation, hereinafter referred to as the Contractor.

WITNESSETH

WHEREAS, the City and the Contractor have entered into an Agreement wherein Contractor shall provide certain services, said Agreement effective March 12, 2014 and subsequently amended, which together with all amendments thereto shall hereinafter be referred to as the Agreement; and

WHEREAS, Section 505 of the Agreement provides for amendments to the Agreement; and

WHEREAS, The Agreement contemplated that modifications and closeout activities may be required after the time set forth in "§201. Time of Performance" of the Agreement; and

WHEREAS, the City and the Contractor are desirous of amending the Agreement as authorized by the City Council and the Mayor (refer to Council File Number XX-XXXX dated DATE) which authorizes the General Manager of the Los Angeles Housing and Community Investment Department (HCIDLA), formerly known as the Los Angeles Housing Department (LAHD), to prepare and execute an amendment to the Agreement for the purpose of: (a) adding additional funds in the amount of Five Thousand Dollars (\$5,000) for a new total of Thirty Thousand Dollars (\$30,000); and (b) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Amendment; and

WHEREAS, this Amendment is necessary and proper to continue and/or complete certain activities authorized under the Agreement.

NOW, THEREFORE, the City and the Contractor agree that the Agreement be amended effective DATE as follows:

AMENDMENT

§1. Amend Section 202 Services to be Provided by the Contractor by adding:

"Contractor shall provide a supplemental analysis of the Value Capture Analysis, including the community benefits derived from the increased affordability scenario as agreed upon by the parties of this Agreement."

§2. Amend Section 301A Compensation and Method of Payment by deleting the total dollar amount of Twenty-five Thousand Dollars (\$25,000) and replacing with the new total dollar amount of Thirty Thousand Dollars (\$30,000).

This amendment adds an additional Five Thousand Dollars (\$5,000) for a new total of Thirty Thousand Dollars (\$30,000).

§3. Except as herein amended, all terms and conditions of the Agreement shall remain in full force and effect.

§4. This Amendment is executed in three (3) duplicate originals, each of which is deemed to be an original. This Amendment includes four (4) pages which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City of Los Angeles and the Contractor have caused this Agreement to be executed by their duly authorized representatives.

APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney

Executed this _____ day of _____, 2014

By _____
Deputy/Assistant City Attorney

For: THE CITY OF LOS ANGELES

RUSHMORE D. CERVANTES
General Manager
Los Angeles Housing and Community
Investment Department

Date _____

ATTEST:

HOLLY L. WOLCOTT,
City Clerk

By _____

By _____
Deputy City Clerk

Executed this _____ day of _____, 2014

Date _____

For: KEYSER MARSTON ASSOCIATES, INC.

(Contractor's Corporate
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By _____
KATHLEEN H. HEAD
Vice-President

By _____
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Said Agreement is Number C-XXXXXX of City Contracts Amendment 1