



## AGENDA REPORT

**Meeting Date:** December 1, 2015  
**Item Number:** D-9  
**To:** Honorable Mayor & City Council  
**From:** Aaron Kunz, AICP, Deputy Director for Transportation *ak*  
**Subject:**  
AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND RIGHT OF WAY, INC. FOR EQUIPMENT RENTAL SERVICES; AND  
  
APPROVAL TO ISSUE A CHANGE ORDER TO A PURCHASE ORDER FOR AN ADDITIONAL \$25,000 FOR A NOT-TO-EXCEED AMOUNT OF \$75,000 FOR SERVICES DESCRIBED

**Attachments:** 1) Agreement

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### **RECOMMENDATION**

Staff recommends that the City Council approve Amendment No. 1 between the City of Beverly Hills and Right of Way, Inc. for equipment rental services to increase consideration amount of the agreement and purchase order by \$25,000 for a total not-to-exceed amount of \$75,000 to fund the cost of these services.

### **INTRODUCTION**

In May 2014, under Council direction, staff implemented the Trousdale Estates Traffic Management Program to enhance the safety of residents and workers in the Trousdale Estates area with its increased level of construction-related activities. Under this program, Council approved the "Transportation-Related Interim Measures for Trousdale Estates Construction" which included the implementation of additional warning and speed limit signs. Since then, changeable message sign boards have been rented by the City and placed in key locations in the Trousdale area.

### **DISCUSSION**

In January 1, 2015, an agreement with Right-of-Way, Inc. was established to allow Right of Way Inc, to provide and deliver changeable message signage boards in the Trousdale Estates area. Currently, the City has four message boards at entrances to the Trousdale Estates area, three are rented from Right-of-Way Inc. and one is City-owned.

They are located at both entrances on Loma Vista Drive, Hillcrest Road and Schuyler Road.

Staff is requesting the City Council approve this amendment to allow Right of Way, Inc. to continue providing the message board rental services by increasing the consideration amount and existing purchase order by \$25,000 from a total not-to-exceed amount of \$50,000 to \$75,000.

The changeable message boards, which are placed within the public right-of-way are provided to bring attention to the Trousdale Estates construction vehicle requirements. Fehr & Peers, Inc. is developing a plan for a permanent signage system that will potentially replace these mobile message boards.

**FISCAL IMPACT**

Funds for this purchase have been appropriated for Trousdale Traffic Monitoring and Mitigation and are available in account 00104610-87000-00100.

Susan Healy Keene, AICP

Approved by:



# **Attachment 1**

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN  
THE CITY OF BEVERLY HILLS AND RIGHT OF WAY, INC.  
FOR EQUIPMENT RENTAL SERVICES

NAME OF CONTRACTOR: RIGHT OF WAY, INC.

RESPONSIBLE PRINCIPAL  
OF CONTRACTOR: STEVE OSBORN, Vice President

CONTRACTOR'S ADDRESS: 150 E. Arrow Highway  
San Dimas, CA 91773  
Attention: Steve Osborn,  
Vice President and Secretary

CITY'S ADDRESS: City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attention: Susan Healy Keene, AICP  
Director, Community Development

COMMENCEMENT DATE: January 1, 2015

TERMINATION DATE: June 30, 2016

CONSIDERATION: Original Agreement: Not to exceed \$50,000.00  
Amendment No. 1: Not to exceed \$25,000.00  
Total Not to Exceed: \$75,000.00

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN  
THE CITY OF BEVERLY HILLS AND RIGHT OF WAY, INC.  
FOR EQUIPMENT RENTAL SERVICES

This Amendment No. 1 is to that certain Agreement between the City of Beverly Hills (hereinafter called "CITY"), and RIGHT OF WAY, INC. (hereinafter called "CONTRACTOR") dated July 8, 2015 and identified as Contract No. 318-15 ("Agreement").

RECITALS

A. CITY entered into a written agreement with CONTRACTOR to provide and deliver changeable message signage rental equipment for the Trousdale Estates Area.

B. CITY and CONTRACTOR desire to amend the Agreement to extend the Termination Date and increase the Consideration to accommodate the additional need of CITY to rent message boards from CONTRACTOR for a longer period of time as part of the Trousdale Area traffic safety plan.

NOW, THEREFORE, the parties agree as follows:

Section 1. The TERMINATION DATE shall be amended as set forth on the cover page.

Section 2. The CONSIDERATION shall be amended as set forth on the cover page.

Section 3. Except as specifically amended by this Amendment No. 1, the remaining provisions of the Agreement shall remain in full force and effect.

EXECUTED the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at Beverly Hills, California.

CITY OF BEVERLY HILLS,  
a municipal corporation

\_\_\_\_\_  
JULIAN A. GOLD, M.D.  
Mayor of the City of Beverly Hills, California

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

CONTRACTOR: RIGHT OF WAY, INC.

\_\_\_\_\_  
WESLEY J. MOLLNO  
President

\_\_\_\_\_  
STEVE OSBORN  
Vice President and Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
DAVID M. SNOW  
Interim City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
MAHDI ALUZRI  
City Manager

\_\_\_\_\_  
SUSAN HEALY KEENE, AICP  
Director of Community Development

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KARL KIRKMAN  
Risk Manager