

APPROVED

REPORT OF GENERAL MANAGER

NO. 08-43

FEB 06 2008

DATE February 6, 2008

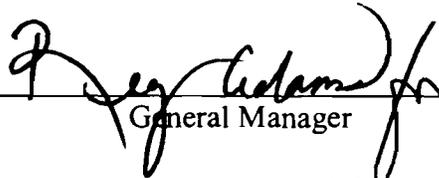
**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO MARINE AQUARIUM – PROFESSIONAL SERVICES AGREEMENT WITH ROYAL POLARIS SPORTFISHING, INC. TO RETAIN THE ROYAL POLARIS VESSEL FOR A WHALE-WATCHING AND ECOLOGICAL TOUR EXCURSION TO BAJA CALIFORNIA, MEXICO

R. Adams _____	J. Kolb _____
H. Fujita _____	F. Mok _____
S. Huntley _____	K. Regan _____
*V. Israel  _____	M. Shull _____



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Professional Services Agreement with Royal Polaris Sportfishing, Inc., substantially in the form on file in the Board Office commencing on December 12, 2007 and ending on March 4, 2008 allowing Cabrillo Marine Aquarium to charter the Royal Polaris vessel for the 34th annual whale-watching and ecological tour excursion to Baja California, Mexico; subject to the approval of the Mayor and City Attorney as to form;
2. Appropriate \$56,930 from Fund 301, Department 88, Municipal Recreation Program (MRP) 035M for chartering the Royal Polaris vessel from February 25, through March 4, 2008;
3. Find, that in accordance with Charter Section 1022, the Department does not have available in its employ personnel with the expertise to undertake these specialized professional tasks and that it is more feasible to secure the services by contract;
4. Direct the Board Secretary to transmit forthwith the proposed Professional Service Agreement to the Mayor's Office for expedited review in accordance with Executive Directive No. 3 and concurrently to the City Attorney for review and approval as to form; and,

REPORT OF GENERAL MANAGER

PG. 2 NO. 08-43

5. Authorize the Board President and Secretary to expeditiously execute the subject Agreement subsequent to the necessary approvals.

SUMMARY:

The Department of Recreation and Parks Cabrillo Marine Aquarium is a non-profit public aquarium that engages all visitors in education, recreation, and research of the marine life of Southern California and has sponsored the annual whale-watching and ecological tour excursion, known as the "Meet the Friendly Whales of Baja" trip for the past 33 years. The Cabrillo Marine Aquarium Baja trip attracts passengers from across the country and furthers its international reputation as one of the finest teaching aquariums in the United States. The goal in sponsoring the trip is to further Cabrillo Marine Aquarium's mission of promoting knowledge, appreciation, and conservation of the marine life of Southern California. Staff recommends continuing the sponsorship of this year's trip which is scheduled for February 25 through March 4, 2008.

In accordance with Los Angeles Administrative Code Section 10.15 (a)(2), competitive bidding for this agreement is not practical or advantageous to the Department. Staff contacted other vendors that could provide similar services and had the necessary permits from the Mexican government to allow access to San Ignacio Lagoon; however, the vessels were smaller and had a limited passenger load that would have prevented the Cabrillo Marine Aquarium from conducting an adequate program. The Royal Polaris is the only sports fishing boat of adequate size and quality to comfortably accommodate the 39 passengers for the excursion and that had the necessary permits issued by the Mexican government to allow access to San Ignacio Lagoon.

The excursion starts from the Cabrillo Marine Aquarium. At a cost of \$2,295 per person, passengers will be transported to San Diego to board the Royal Polaris vessel and begin their nine-day whale-watching and ecological tour. Passengers will explore the pristine coastal environments, diverse geological formation, and native vegetation of Baja. During the course of the trip, passengers may catch a glimpse of elephant seals, sea lions, dolphins, marine birds, and whales within camera range on board small motorized boats (skiffs) in San Ignacio Lagoon.

The 39 passengers include three Cabrillo Marine Aquarium staff and three volunteers who possess expertise in the fields of geology, botany, ornithology, and marine biology. The Team Leader for this trip is the Cabrillo Marine Aquarium Program Director who will be assisted by the Aquarium's Education Curator. Cabrillo Marine Aquarium employees will be paid their normal salary and will be provided with food and accommodations throughout the nine-day trip. The volunteer experts will not receive financial remuneration, but will be provided room and board. In the event of last minute cancellations that cannot be filled from a waiting list of paying passengers, Cabrillo Marine

REPORT OF GENERAL MANAGER

PG. 3 NO. 08-43

A request for a Charter Section 1022 determination was submitted to the Personnel Department on October 26, 2007. It was determined that although the Department utilizes the classifications of Deck Hand, Boat Captain, and Port Pilot, the Department classifications do not require its incumbents to be Cardio Pulmonary Resuscitation (CPR) certified. Furthermore, the crew must have the ability to communicate in English and Spanish, have knowledge and expertise of the natural history of the areas that will be visited in Mexico, navigational experience in the San Ignacio Lagoon, United States Coast Guard Standards of Training Certification and Watchkeeping, and possess the excursion permit issued by the Mexican government. Based on the qualifications the Department is requesting of the crew, the City does not currently have any classifications that can perform the work.

The Department will pay Royal Polaris Sportfishing, Inc., an amount not to exceed \$56,930 for the nine-day whale-watching and ecological tour excursion. Additional expenses would be incurred if the Department was to provide the Deck Hand, Boat Captain, and Port Pilot services: boat rental, maintenance, and operation, accommodation, food and beverages for passengers, all vessel-related charges and small motorized boats for loading and unloading passengers, permits, and insurance coverage for the entire trip. Also, due to the temporary nature of the event, it would be necessary upon its conclusion to layoff staff hired specifically for the event.

Royal Polaris Sportfishing, Inc., currently employs staff with the experience and expertise to provide the equipment and staff to perform the necessary services. Therefore, it is more feasible to contract out the services in order to ensure the needs of the public are met.

FISCAL IMPACT STATEMENT:

Funds to pay for the charter are advanced and reimbursed to Fund 301, Department 88, Municipal Recreation Program Account 035M. This program is self sustaining in that the cost per passenger offsets the expense of the program. Cabrillo Marine Aquarium expects to net approximately \$4,000 from this program that will be used throughout the year to help offset the other free and low-cost programs that are offered.

Report was prepared by Mike Schaadt, Acting Director of the Cabrillo Marine Aquarium.