



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 22, 2024
FROM: PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT WARD: 1

SUBJECT: FIRST AMENDMENT TO SERVICE AGREEMENT WITH ICE COLD ENTERTAINMENT, INC., OF NEWPORT BEACH, CALIFORNIA, TO DESIGN, INSTALL AND MANAGE ICE RINK FOR ANNUAL FESTIVAL OF LIGHTS, TO EXTEND THE AGREEMENT TO JANUARY 31, 2025, IN THE AMOUNT OF \$421,665.78, PLUS A 10% CHANGE ORDER AUTHORITY IN THE AMOUNT OF \$42,167, FOR AN AMENDMENT AMOUNT NOT TO EXCEED \$463,832.78

ISSUE:

Approve a First Amendment to Services Agreement with Ice Cold Entertainment, Inc., of Newport Beach, California to design, install, and manage an ice rink for the 2024 Festival of Lights, to extend the agreement term to January 31, 2025, in the amount of \$421,665.78, plus a 10% change order authority in the amount of \$42,167, for a total amendment amount of \$463,832.78.

RECOMMENDATIONS:

That the City Council:

1. Approve the First Amendment to Services Agreement with Ice Cold Entertainment, Inc., of Newport Beach, California to design, install, and manage an ice rink for the 2024 Festival of Lights, to extend the agreement term to January 31, 2025, in the amount of \$421,665.78;
2. Authorize a 10% change order authority in the amount of \$42,167, for changes including but not limited to, visitor safety, repairs, or unforeseen conditions; and
3. Authorize the City Manager, or his designee, to execute the First Amendment to the Services Agreement with Ice Cold Entertainment, Inc., including the optional extensions and making minor and non-substantive changes.

BACKGROUND:

The City of Riverside will host the 32nd Annual Festival of Lights Switch-On Ceremony on Saturday, November 23, 2024, and the 2024 Festival of Lights (Festival) from Sunday, November 24, 2024, through Tuesday, December 31, 2024.

In 2006, the Festival offered an outdoor ice skating rink. The ice rink was a major attraction from 2006 to 2015 adding a unique feature to the event and programming. In 2016, construction on Main Street changed the space available for the required equipment for the ice rink. In 2023, the ice rink returned to a new location at The Cheech parking lot.

DISCUSSION:

Ice Cold Entertainment, Inc. provides logistics, construction and management of the ice rink. Ice Cold Entertainment, Inc. worked with city staff to ensure our unique venue met requirements and provided a memorable experience for visitors. Ice Cold Entertainment, Inc. has experience working with a variety of large corporations and venues and have experience working with the community in Riverside. The ice rink will open daily from 5-10 pm with three (3) one-hour sessions available. The price to skate is \$20 per skater for one session including skate rental. With approximately 12,000 skaters over the duration of the event, there is a potential revenue of \$240,000.

On July 20, 2023, RFP No. 2301 was issued for ice rink equipment and management services. One proposal was received and qualified through the City's Purchasing procedures. Ice Cold Entertainment, Inc., of Newport Beach, California was selected as the most responsive bidder. On November 7th, 2023, Council awarded and approved RFP No. 2303 to Ice Cold Entertainment, Inc., of Newport Beach in accordance with Purchasing Resolution 23914. RFP No. 2303 Section 19 Contract Term states; The initial term of the Agreement shall be from November 1, 2023 through January 30, 2026 with the option to extend for two (2) additional 2-year terms not to exceed seven (7) years based upon acceptable performance by the Company, acceptable fees and subject to the same terms and conditions of the Agreement. Pricing is to remain firm for the initial contract term. Should the option to renew for additional years be exercised, City and Company may negotiate any and all price modifications. This allows the for the term of the agreement to be extended.

Purchasing Resolution 24101 section 702 (h) which states "Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required in any of the following circumstances: When Services, except for Professional Services, can be Procured from a Contractor who offers the same or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement or negotiations conducted by the City or another public agency, provided that, in the opinion of the Manager, it is in the best interests of the City to do so."

The Purchasing Manager concurs that the recommendation is in accordance with Purchasing Resolution 24101.

STRATEGIC PLAN ALIGNMENT:

This item contributes to Strategic Priority No. 1 and Goal No. 1.2 Enhance equitable access to arts, culture and recreational service offerings and facilities.

The item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Ice Cold Entertainment, Inc. participated in an open RFP for Festival of Lights ice rink and won the bid based on the ability to provide the requested service, pricing, and overall selection process.

2. **Equity** – The Festival of Lights is a free community event. Programing for the event includes opportunities for free experiences and participation by all the community.
3. **Fiscal Responsibility** – Competitive procurement was used to secure the lowest cost for services related to the Festival of Lights ice rink.
4. **Innovation** – The ice rink is an enhancement to Festival of Lights in a new location that was not included in programming in past years prior to 2023.
5. **Sustainability & Resiliency** – The planning of the event considers practices that reduce waste, purchase and use of materials and products that will have an extended life, and programs that generate revenue to sustain the event for coming years.

FISCAL IMPACT:

The total fiscal impact of the action is not to exceed \$463,832.78, which includes a 10% change order authority of \$42,167. Funds for the agreement are budgeted and available in the General Fund, Arts & Cultural Affairs, Festival of Lights expenditure account number 5240000-453225. In addition, revenue generated from sales will be used to offset some of the expenses, which is anticipated to be approximately \$240,000. All revenue from ice rink sales will be recorded in the General Fund, Parks, Arts & Cultural Affairs, Festival of Lights revenue account number 5240000-374225.

Prepared by:	Margery Haupt, Parks, Recreation and Community Services Deputy Director
Approved by:	Pamela Galera, Parks, Recreation and Community Services Director
Certified as to availability of funds:	Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by:	Kris Martinez, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachments: Amendment to Services Agreement with Ice Cold Entertainment, Inc.