

Resolution No. 2025-OPS-001  
Resolution of the Lottery Commission  
of the State of California to  
Ratify Amendment to Add Funds to LPAS, Inc. Agreement to  
Support Architectural and Engineering Services

WHEREAS, the Lottery Commission of the State of California operates and administers the California Lottery in conformance with the California State Lottery Act; and

WHEREAS, on March 16, 2023, the Lottery entered into Agreement 100597 with LPAS for architectural and engineering services, for the term of March 21, 2023, to November 14, 2024, with options to extend for two (2) additional one (1) year periods; and

WHEREAS, the Agreement was a Non-Competitive solicitation, because LPAS was the Lottery's Architect of Record (AOR) for three (3) pending high profile facilities projects under a former Agreement (50008), which expired on March 20, 2023. Keeping the same AOR was necessary to ensure the integrity of the permitted drawings, to protect the Lottery's financial investment in the design work, and to maintain professional liability insurance protection through the completion of these projects; and

WHEREAS, the scope of Agreement 100597 included construction administration and observation services for the Lottery Headquarters Perimeter Security Fence, the NDC Remodel Project, and the Richmond District Office (RDO) Remodel Project. The maximum amount of the Agreement was \$242,053.15; and

WHEREAS, on December 15, 2023, the Lottery executed Amendment 1 to the Agreement. This amendment added services to address fire sprinkler work required by the State Fire Marshal (SFM) at the RDO. It included \$5,402 for completion of the work, bringing the maximum amount payable to \$247,455.15; and

WHEREAS, on October 29, 2024, the Lottery executed Amendment 2, which exercised the first one-year option, extending the contract term through November 14, 2025. The purpose of this extension was to address unexpected issues identified by the SFM during its October 2024 inspection of the NDC; and

WHEREAS, the SFM inspected the NDC in October of 2024, in connection with the NDC Remodel Project, and identified multiple fire life safety issues that will need to be addressed. These include items such as additional interior and exterior exit lighting and signage; a commodities report to ensure the proper fire suppression systems are in place; reinstallation of the drop ceiling; and installation of additional lighting in the old pick and pack area. None of these issues were previously identified by the Project's Inspector of Record or the SFM in its prior visits; and

WHEREAS, the NDC Remodel project, which was projected to be completed by the end of October 2024, will not be signed off by the SFM until the fire life safety issues are resolved. If these issues are not resolved, the SFM could shut down the building and its operations, which would severely impact the Lottery's ability to distribute products and provide supplemental funding to education; and

WHEREAS, additional architectural and engineering work is required to address these issues. LPAS proposed an amended Task Order to complete this additional design and reporting work, at a not-to-exceed cost of \$38,556. Since this amount exceeds the current funding allocated to the contract, the Operations Division initiated Amendment 3 to add \$42,411.60, bringing the maximum contract amount to \$289,866.75. This amendment includes \$38,556 for performance of the amended Task Order, plus a 10% contingency in the amount of \$3,855.60 for any unforeseen circumstances related to this work. A scope revision is also included to allow for the performance of this work; and

WHEREAS, to minimize cost and delay in connection with the NDC Remodel Project, it was necessary to begin work under the amended Contract and Task Order prior to the January Commission meeting. Therefore, the Director executed Amendment 3 in December 2024, as permitted under Lottery Regulation 8.6.6.A. The Director is now requesting that the Commission ratify the Amendment, pursuant to Lottery Regulations; and

WHEREAS, we note that it is currently anticipated that a future amendment to add funds will be needed to support additional work related to the NDC's fire suppression system. The specifics of this work are yet to be determined, as the necessity and type of fire suppression system required will be determined by a commodities classification study. This study is required for fulfillment of the SFM's commodities report requirement referenced above and is included in the amended Task Order.


WHEREAS, the Operations Division recommends ratification of Amendment 3 to Agreement 100597, adding funds in the amount of \$42,411.60 and bringing the total maximum agreement amount to \$289,866.75.

NOW, THEREFORE, the Lottery Commission of the State of California does

RESOLVE as follows:

1. The Amendment to Agreement 100597 is approved adding additional funding in the amount of \$42,411.60. This brings the total maximum agreement amount to \$289,866.75.

APPROVAL RECOMMENDED

  
Jean Cooper, Deputy Director, Operations Division

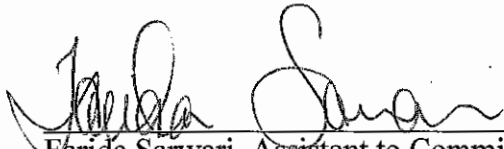
INTRODUCED AND PASSED: January 23, 2025

AYES: K. Mills, T. Alvidrez, A. Rasouli  
A. Garrison-Engbrecht

NOES:

ABSENT:

ABSTENTIONS:

  
Farida Sarwari, Assistant to Commission

APPROVED AS TO FORM AND PROCEDURE:

  
Fernando Aceves, Chief Counsel

THIS IS TO CERTIFY that the foregoing Resolution was duly passed by the California State Lottery Commission at its meeting regularly called and held on 23<sup>rd</sup> day of January, 2025, in the City of Sacramento, California, and that the foregoing is a full and correct copy of the original Resolution.

Dated this 23<sup>rd</sup> day of January, 2025.

  
Anthony Garrison-Engbrecht, Commissioner  
CALIFORNIA STATE LOTTERY COMMISSION