

**FIRST AMENDMENT TO DECORATIVE LIGHTING AGREEMENT FOR
PROVISION OF HOLIDAY DÉCOR IN DOWNTOWN SANTA ANA**

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on November 7, 2022, by and between Brightlife Designs, LLC, a California limited liability company (“Contractor”), and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California (“City”).

RECITALS

- A. On September 1, 2022, the City and Contractor entered into Agreement No. N-2022-271 (“Agreement”) for Contractor to install and store decorative lighting in Downtown Santa Ana. The Agreement runs through September 30, 2025 and is current and in-effect.
- B. The City, as part of its yearly celebration of the Winter Holiday season, submitted a Request for Proposal No. 20-119 (“RFP”) for qualified and experienced contractors for the installation, removal, and storage of holiday decorations for up to four (4) years. In 2020, Contractor’s proposal to this RFP was selected by the City, however, due to budgetary issues, the City only engaged with Contractor on a yearly basis in 2020 and 2021. Consistent with City Purchasing Rules and Regulations, the City’s Purchasing Manager approved the use of the RFP to further engage the Contractor for installation and storage of holiday decorations in Downtown Santa Ana.
- C. In accordance with the terms and conditions of the Agreement, the Parties desire to amend the Agreement to expand the scope of services, increase the compensation for said additional services to provide Winter Holiday decorations for 2022 and 2023, and clarify the term of the Agreement.

The Parties therefore agree:

1. **Section 1, Scope of Work**, is amended to include the following services:
 - **Downtown Holiday Lighting:** Scope of Work is amended to include services detailed in the attached proposal dated September 22, 2022, and is attached hereto as **Exhibit A-1** to this First Amendment. Contractor agrees to provide a similar proposal for 2023 Holiday decorations no later than October 1, 2023. City will provide, in writing, its approval of the 2023 proposal. Any services not related to the Winter Holiday decorations may be subject to further amendment, which will require approval by the City Council for the City of Santa Ana.
 - **City Hall Holiday Décor:** Scope of Work is amended per the attached proposal dated November 3, 2022, and attached hereto as **Exhibit B-1** to this First Amendment.
 - **Tree Lighting:** Scope of Work is amended per the attached proposal dated October 28, 2022, and attached hereto as **Exhibit C-1** to this First Amendment.
 - **On-Call Services:** Contractor agrees to provide proposals, as directed by the City, for

additional services as provided in RFP 20-119. City will provide, in writing, its approval of said proposal. Any services not related to those defined by the RFP may be subject to further amendment, which will require approval by the City Council for the City of Santa Ana.

- 2. **Section 2, Compensation**, is amended to increase the compensation for services provided by **\$370,000**. This amount includes an annual not-to-exceed amount of \$60,000 for services related to **Exhibit A-1** for 2022 and 2023. Compensation, in an amount not-to-exceed \$250,000 shall cover costs related to **Exhibits B-1, C-1**, and any on-call services, as detailed above. Any increase to agreement, for the services detailed here, will require approval by the City Council for the City of Santa Ana.
- 3. **Section 3, Term**, is hereby amended to memorialize that services related to the Winter Holiday decoration detailed in this First Amendment shall be completed by October 31, 2024. The term of the Agreement, as detailed in Recital A, shall not be changed or modified by this First Amendment.
- 4. Except as modified by this First Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first written above.

ATTEST

CITY OF SANTA ANA

Clerk of the Council

KRISTINE RIDGE
City Manager

APPROVED AS TO FORM
SONIA R. CARVALHO,
City Attorney

CONTRACTOR

By: 
Brandon Salvatierra
Deputy City Attorney

Name:
Title:

RECOMMENDED FOR APPROVAL

Michael Garcia
Executive Director
Community Development Agency

EXHIBIT A-1



September 22, 2022

Contact Name: Julie Castro
Title: Economic Development Specialist II
Client Name: City of Santa Ana
Email: JCastro5@santa-ana.org
Phone: (714) 647-6585

City of Santa Ana Holiday Proposal 2022 V4

“PROPOSAL”

Installation, Removal & Storage of Customer Owned Decorations
Labor for all rental decorations included

SUMMARY REPORT:

- Bow and Garland Décor on Lamp Posts
- Lighted Elements, Enhancement options (see separate - Spec Sheet).
- City Wide Décor
- New Additional Items Proposed

DETAILED REPORT:

Existing Lamp Post Décor – on 4th Street (from French St. to Ross St.)

-
- Installation of seventy-nine (79) Light Posts with 10’ sections of decorated garland two (2qty) per pole.
- Customer owned decorations. Price includes Labor for installation, removal & storage of customers décor.
- (158) total of 24” Red Bows with gold trim. Each Light Post will have a bow on either side, (2) bows per pole.
- Labor Cost Per kit is \$160 each.

Labor Installation, Removal Cost \$12,640.00
Storage Cost \$3,800.00
Total \$16,440.00

Purchase of New Light Pole Kits

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- Five (5) New 24” Double Bow Accent Kit with Red Bows, 10’ of Mountain Pine Garland with Red and Gold Décor. Unlit.
- Labor & storage for Five (5) New 24” Double Bow Accent Kit (2) Gold bows, 10’ of Mountain Pine Garland with Red and gold décor. Unlit.

Purchase of New Kits Price Per Each \$495.00
Labor Installation, Removal & Storage Per Each \$160.00
Total \$3,275.00

10’ Lighted Seating Teddy Bear

- One (1) 10’ Lighted Giant Teddy Bear, installation, and removal at Plaza Calle Cuatro.

Lease Price \$11,995.00



Holiday Café/Patio Lights S4 Lights- Plaza Calle Cuatro

- Installation and Removal of LED RGB color changing patio lights. Lights will be strung from lamp post to lamp post. There is six lamp posts in Plaza Calle Cuatro, approximately 150' of string cables and lights. RGB Lights are S4 color changing lights. Lights will be hung over head to enhance the plaza.

Rental Price \$2,225.00

8' Red Lighted Bow

- One (1) 3D 8' Lighted LED red bow installed at Plaza Calle Cuatro.
- Installation of a Large Lighted Red Bow that will be installed above the Giant Teddy Bear in front of the Santa ana sign. The bow is lighted with Red glitter fabric for day and nighttime appeal. The bow has an 8' button top and two 8' tails along either side.
- *Install Logistics to be discussed with City prior to installation.
- Please see sample photos for reference.

Rental Price \$5,900.00

IPS LED Projector Systems

- IPS LED light projected on Cinema building or the side of the city parking structure. with a custom gobo with verbiage. Snowflakes projected on the building walls. Use of a several LED Leko projectors and pipe and base.
- We recommend two locations; price is per location.

Rental Price Per Location \$4,950.00

Total Rental for Two (2) \$9,900.00

Snowflake Ribbon Overstreet Decor- on 4th Street (French St. to Ross St.)

- Installation of One (1) Overstreet Snowflake Ribbon Overstreet Element per existing Guide cables between buildings down 4th street. Snowflake Skylines have one (1) 48" snowflakes and two (2) snowflake ribbon LED lighted mounts per each design.
- Eight possible locations at Eight Guide cables down 4th street. Power availability at each cable to be discussed with city.
- At least Two (2) Skylines Recommended.
- V Please see reference photo.

Rental Price Per Skyline \$2,900.00

Total Rental for Two (2) \$5,800.00

Total Rental Cost \$55,535.00

Amount Due upon Acceptance of Proposal **\$27,767.50**

Amount Due Prior to Installation Commencing **\$27,767.50**

Total \$55,535.00

**Timing and Agreement:**

This Agreement shall commence on October 30, 2022, the date first written above for a **Two (2) year term** with the option for the City to grant up to a **two-year** renewal, exercisable in writing by the City Manager and the City Attorney, unless terminated earlier in accordance with Section 15, below. ***3% CPI Increase implemented annually.**

Rental: Yes, Installation & Removal Services, Holiday Decor
Purchase: N/A
Installation Date: First week of Nov. 1st 2022-
Working Hours: Business Hours & Night Hours
Strike Date: First Week of January 2023
Installation Address: Downtown, Santa Ana, CA 90745
City Permits: * Price does not include city permits, additional cost for required permits.
Insurance: Fee of \$200.00 if Additionally Insured Certificate is required.

To execute this agreement, sign this proposal and the Terms and Conditions. Please note the payment schedule above, in addition any delinquent accounts with a past due balances are subject to a \$90.00 late fee. Upon receipt of initial payment, the dates of installation & removal will be secured. This quote is valid for **15 days**. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Castro".

Joe Castro

A handwritten signature in black ink, appearing to read "Will Gugerty".

Will Gugerty

Confirmed By and on Behalf of
 City of Santa Ana

Authorized Signer

Printed Name

Date

EXHIBIT B-1



November 3, 2022

Michael Ortiz
Parks and Recreation
City of Santa Ana
20 Civic Center Plaza
(714) 615-0892

City of Santa Ana City Hall Holiday Décor Proposal

Installation of Rental Lighting and Decorations

SUMMARY REPORT:

- Tree Lighting and Holiday Decor
- Proposal is menu Style, please select all that you wish to apply.
- Please refer to site map for location of proposed elements.

DETAILED REPORT:

Public Library

Large Palm Trees

- Six (6) Palm Trees to be wrapped with BrightLife Designs commercial grade Warm White Mini Lights located at the Public Library Roundabout. Tree wrap will start ground level going up to the nut of the tree. Approximately Fourteen - Sixteen (14-16) light strands will be used on each tree.
- Outlet Is located 10ft up on one palm.
- Power ran overhead between each palm.

Rental and Installation Price: \$3,600.00

City Hall Plaza

Palm Trees

- Ten (10) Palm Trees to be wrapped with BrightLife Designs commercial grade Warm White Mini Lights located in the planter of the City Hall Building. Tree wrap will start ground level going up to the nut of the tree. Approximately Ten to Twelve (10-12) light strands will be used on each tree.
- Three (3) Small Palms in the center wrapped with lights. **Addition**
- Three (3) Lighted Reindeer placed throughout the planter between the trees. **Addition**
- Outlet Is located 10ft up on one palm.
- Power ran on the ground between each palm.

Rental and Installation Price: \$5,600.00

Olive Trees

- Twenty-Four (24) Olive Trees to be wrapped with commercial grade BrightLife Designs Warm White Mini Lights located behind Santa Ana City Hall. Tree wrap will start at base level going up to the foliage of the tree. Height of wrap could vary from tree to tree based on what the foliage allows for. Approximately Six to Eight (6-8) light strands will be used on each tree.
- Power will be supplied by the city.
- BrightLife Designs will have to run Power overhead between each planter.
- Each Tree gets their own power cord to allow for client owned system.

Rental and Installation Price: \$10,800.00



Overhead Lighting (Olive Trees)

- Approximately Six Hundred and Twenty-Five (625) Feet of Warm White Faceted S14 ‘Bistro Style’ Lighting Ran overhead between each tree/planter.
- The lights will be installed in a crisscross pattern.
- Power will be supplied by the city.
- Two separate power lines.
- BrightLife Designs will have to run Power overhead between each planter.

Rental and Installation Price: \$9,375.00

One (1) Large Lighted Ornament Walkthrough Photo Op Element

- One (1) Large Lighted Walk-through Ornament Photo Op positioned near the fountain and large tree.
- The element is 14.76ft L x 14.76ft W x 13.28ft H.
- Power will be run to a city installed outlet near the fountain.
- Please see map for proposed location of element.

Rental and Installation Price: \$11,975.00

Japanese Garden Area - Addition

- Ten (10) Trees to be wrapped with BrightLife Designs commercial grade Warm White Mini Lights located throughout the Japanese Garden Area.
- Every other outer pillar of the structure be wrapped with lights. Approximately 11 pillars to be wrapped with lights.
- Other areas
- Outlet Is located in the ground next to main front walkway.

Rental and Installation Price: \$9,150.00

Total: \$50,500.00

Amount Due Acceptance of Proposal 50%: \$25,250.00

Amount Due Upon Installation 50% \$25,250.00

Total: \$50,500.00

Timing and Agreement:

- One year agreement starting **Nov 1 2022 through Oct 31, 2023**, with two (2) one-year optional extensions at City of Santa Ana discretion and based on BrightLife’s performance and mutual agreement. Original Price will remain in effect for the remainder of the contract years two (2023) and three (2024).

Rental:	Yes, Installation and Removal of Rental Décor.
Purchase:	N/A
Installation Date:	Dec 4th-8th 2022
Working Hours:	Business Hours
Strike Date:	N/A
Installation Address:	26 Civic Center Plaza
Optional Insurance:	Insurance Certificates, Fee of \$200 Accepted Or Denied (please circle one)



To execute this agreement, CIRCLE ALL THAT APPLY, sign this proposal and the Terms and Conditions. Please note the payment schedule above, in addition any delinquent accounts with a past due balances are subject to a \$90.00 late fee. Upon receipt of initial payment, the dates of installation & removal will be secured. This quote is valid for **10 days**. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Joe Castro".

Joe Castro

A handwritten signature in black ink that reads "Will Gugerty".

Will Gugerty

Confirmed By and on Behalf of
City of Santa Ana

Authorized Signer

Printed Name

Date

EXHIBIT C-1



October 28th, 2022

Cesar Rodriguez
Senior Civil Engineer
City of Santa Ana
20 Civic Center Plaza
(714) 647-5626

City of Santa Ana Bristol & 1st Tree Lighting

V2

Installation of Rental Lighting Decorations

SUMMARY REPORT:

- Palm Tree Lighting.

DETAILED REPORT:

Palm Trees

- Nineteen (19) Palm Trees to be wrapped with commercial grade Warm White Mini Lights located on Bristol & 1st. Tree wrap will start eight (8) feet above ground level going approximately 15-18 feet up in the tree. Approximately Sixteen (16) light strands will be used on each tree.
- City will run power from closest street pole. From there power can be run overhead between each tree.
- Rental Price Per Palm \$475.00

Amount Due Prior to Installation Commenting 50%: \$4,512.50

Amount Due Upon Installation 50% \$4,512.50

Total: \$9,025.00

Pricing Schedule

Year 1 (2022)	Year 2 (2023)	Year 3 (2024)
\$ 9,025.00	\$ 9,386.00	\$ 9,761.44

Timing and Agreement:

- Multi-year agreement starting **Nov 1 2022 through Oct 31, 2025**, with two (2) one-year optional extensions at City of Santa Ana discretion and based on BrightLife's performance and mutual agreement. Original Price will remain in effect for the remainder of the contract years two (2023) and three (2024). ***Excluding an annual 4% annual CPI Increase.**

Rental: Yes, Installation and Removal of Rental Décor.
Purchase: TBD
Installation Date: Nov 2022 or Dec 3rd-10th
Working Hours: Business Hours
Strike Date: N/A
Installation Address: S Bristol St & W 1st St
Insurance: Fee of \$200.00 if Additionally Insured Certificate is required



To execute this agreement, CIRCLE ALL THAT APPLY, sign this proposal and the Terms and Conditions. Please note the payment schedule above, in addition any delinquent accounts with a past due balances are subject to a \$90.00 late fee. Upon receipt of initial payment, the dates of installation & removal will be secured. This quote is valid for **5 days**. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Joe Castro". The signature is fluid and cursive.

Joe Castro
Confirmed By and on Behalf of
City of Santa Ana

A handwritten signature in black ink that reads "Will Gugerty". The signature is fluid and cursive.

Will Gugerty

Authorized Signer

Printed Name

Date