

Re: LAUSD PSA Sections 2.4, 9.4 and 9.5
Warranty Work Exclusions to the PSA

Article 2 of the Project Stabilization Agreement ("PSA") covers the scope of the PSA. Specifically, Section 2.4 lists specific exclusions from the PSA, including subpart (g), which states:

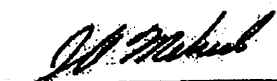
"Work by employees of a manufacturer or vendor necessary to maintain such manufacturer's or vendor's warranties or guaranty."

This covers situations where a manufacturer or vendor will only issue a warranty if the necessary work is performed by its own trained or certified personnel because of the highly technical or specialized nature of its equipment or product. This exclusion applies to "pre-completion" Project Work as well as "post-completion" warranty work.

This exclusion is intended to be interpreted narrowly.


In order to be excluded from the PSA, the equipment or ¹product should be a highly technical or specialty item which requires specialized manufacturer or vendor training and/or experience to handle. Additionally, the manufacturer's and/or vendor's ²standard warranty for the equipment or product, as opposed to an ad hoc change, should contain a provision that the warranty will be void unless the work is performed by the manufacturer's or vendor's own employees.

This exclusion shall not apply to catalogue components, parts and equipment which are installed and maintained by contractors and their craft employees regularly engaged in the building and construction industry.



Guy Mehula
Chief Facilities Executive
LOS ANGELES UNIFIED SCHOOL DISTRICT

1 OCT 2008
Date



Richard Slawson
Executive Secretary
LOS ANGELES/ORANGE COUNTIES BUILDING
AND CONSTRUCTION TRADES COUNCIL

October 1, 2008
Date