

APPROVED

REPORT OF GENERAL MANAGER

NO. 07-90

DATE April 19, 2007

APR 19 2007
BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ORCUTT RANCH – REFURBISHMENT OF BUILDINGS AND GROUNDS,
AMERICANS WITH DISABILITIES ACT ACCESS IMPROVEMENTS
RE - BID (W.O. #E170211F) - REVIEW OF BIDS AND AWARD OF CONTRACT

| | | | |
|------------|-------|-----------|-----------|
| R. Adams | _____ | J. Kolb | _____ |
| J. Combs | _____ | F. Mok | _____ |
| H. Fujita | _____ | K. Regan | _____ |
| S. Huntley | _____ | *M. Shull | <i>MS</i> |

Ray Adams

General Manager

Approved as amended Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Find L.A. Builders, Inc., with a base bid of \$1,649,155, to be the lowest responsive and responsible bidder for the Orcutt Ranch – Refurbishment of Buildings and Grounds, American with Disabilities Act (ADA) Access Improvements Re-Bid (W.O. #E170211F) project;
2. Award the contract to L.A. Builders, Inc., exercising Additive Alternate No. 5, in the amount of \$47,000, resulting in a total contract amount of \$1,696,155, all according to the plans and specifications;
3. Authorize the Department’s Chief Accounting Employee to encumber funds in an amount not to exceed \$1,696,155 from the following fund and account numbers under the awarding authority of this Board Report; and

| <u>Fund Source</u> | <u>Fund/Dept/Acct</u> | <u>Available Balance</u> | <u>Encumbrance Amount</u> |
|--------------------|-----------------------|--------------------------|---------------------------|
| Prop K YR 8 | 43K/10/W469 | \$ 121,000 | \$ 121,000 |
| Prop K YR 9 | 43K/10/Y469 | \$1,785,725 | \$1,575,155 |
| Total | | 3 | \$1,696,155 |

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4. Authorize the Board President and Secretary to execute the contract subject to City Attorney approval as to form.

SUMMARY:

On December 16, 2006, the Board of Recreation and Park Commissioners approved final plans and call for bids for the Orcutt Ranch – Refurbishment of Buildings and Grounds, ADA Access Improvements Re-bid (W.O. #E170211F) project, located at 23600 Roscoe Boulevard, West Hills, CA 91304 (Board Report #06-369). Plans for this project were prepared by the Bureau of Engineering, Architectural Division. Their estimate for the base bid construction cost of this project is \$1,523,060. The plans provide for refurbishment and improvements to existing buildings and grounds of the Orcutt Ranch Park.

On May 23, 2006, four bids were received; however, the apparent lowest bid contractor, C-1 Construction, did not hold a valid State Contractor's license at the time of bid, while the second low bidder did not meet the Good Faith Efforts requirements, and the third and fourth bids received were approximately \$1 million and \$2 million respectively over the City Engineer's estimate. All bids; therefore, were rejected, and a Memorandum of Understanding (MOU) between RAP, BOE, and GSD was established to provide the construction service for the project (Report No. 06-172). After reviewing the construction documents; however, GSD has indicated that they would not be able to provide the construction services at the cost of low bid price. Therefore, it was recommended that the MOU be terminated in accordance with its terms, and, that subsequent to the execution of a Mutual Termination Agreement to terminate the executed MOU by the parties thereof, that the project be advertised for bids again.

On February 13, 2007, six bids were received for this project. The lowest responsive and responsible bidder is L.A. Builders, Inc., with a base bid amount of \$1,649,155, which is \$126,095 above the City Engineer's base bid estimate. The bid documents state that the lowest bid shall be determined based upon the base bid amount, regardless of the amount of any additive or deductive alternates. Four deductive alternates, and eight additive alternates, were included in the bid package. The description and bid amounts received are as follows:

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| <u>Bidders</u> | <u>Base Bid</u> | <u>Ded. Alt.#1</u> | <u>Ded. Alt. #2</u> | <u>Ded. Alt. #3</u> | <u>Ded. Alt. #4</u> |
|--|-----------------|--------------------|---------------------|---------------------|---------------------|
| L. A. Builders, Inc. | \$1,649,155 | \$ 35,000 | \$15,200 | \$25,000 | \$46,360 |
| C-1 Construction Corp. | \$1,690,607 | \$ 57,000 | \$ 2,745 | \$16,575 | \$41,490 |
| General Construction Services, Inc. | \$1,925,000 | \$130,000 | \$ 8,000 | \$ 6,000 | \$42,000 |
| G Coast Construction, Inc. | \$2,130,000 | \$150,000 | \$ 8,000 | \$70,000 | \$60,000 |
| Trimax Construction Corp. | \$2,276,000 | \$ 12,000 | \$30,000 | \$ 5,000 | \$16,000 |
| Delmac Construction & Development Inc. | \$2,290,000 | \$ 15,000 | \$ 5,000 | \$ 5,000 | \$ 4,500 |

| <u>Bidders</u> | <u>Add. Alt. #1</u> | <u>Add. Alt. #2</u> | <u>Add. Alt. #3</u> | <u>Add. Alt. #4</u> | <u>Add. Alt. #5</u> | <u>Add. Alt. #6</u> | <u>Add. Alt. #7</u> | <u>Add. Alt. #8</u> |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| L. A. Builders, Inc. | \$376,000 | \$ 7,300 | \$28,000 | \$13,000 | \$47,000 | \$21,890 | \$38,200 | \$32,000 |
| C-1 Construction Corp. | \$171,676 | \$ 3,600 | \$38,750 | \$25,600 | \$24,535 | \$17,313 | \$20,300 | \$ 7,450 |
| General Construction Services, Inc. | \$295,000 | \$ 6,000 | \$30,000 | \$16,000 | \$18,000 | \$ 6,000 | \$15,000 | \$10,000 |
| G Coast Construction, Inc. | \$365,000 | \$10,000 | \$10,000 | \$12,000 | \$24,000 | \$15,000 | * | \$18,000 |
| Trimax Construction Corp. | \$390,000 | \$95,000 | \$24,500 | \$48,000 | \$34,000 | \$25,000 | \$58,000 | \$30,000 |
| Delmac Construction & Development, Inc. | \$380,000 | \$110,000 | \$49,000 | \$49,000 | \$98,000 | \$45,000 | \$35,000 | \$27,000 |

*G Coast Construction did not submit cost for Additive Alternate No. 7.

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There are sufficient funds to award the base bid and Additive Alternate No. 5, and to allow for contingencies during construction. It is recommended that the project be awarded with none of the Deductive Alternates being exercised and with the inclusion of Additive Alternate No. 5.

On March 29, 2007, the L.A. for Kids Steering Committee approved the recommendation to award the base bid and Additive Alternate No. 5, in the amount of \$1,649,155.

Staff has reviewed the outreach effort made by L.A. Builders, Inc., and based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 35% and satisfied 100% of the 100-point requirements outlined by the Board's Outreach Program. The complete Outreach Document Package is on file in the Board Office and a synopsis of the package is attached to this report.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements will not have a significant impact on the environment. A Notice of Determination was filed with the Los Angeles City and County Clerks on June 23, 2004. Mitigation measures were made a condition of the project approval. The Mitigated Negative Declaration prepared for this project may be examined at the office of the City Engineer.

The City Attorney and staff have reviewed the bid submitted by L. A. Builders, Inc., and found it to be in order and recommend that the Board find L.A. Builders, Inc., to be the lowest responsive and responsible bidder and award the contract to them.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget as the project's construction costs will be fully funded by Proposition K. The assessments of the future operations and maintenance costs have yet to be determined and would be addressed in future budget requests.

This report was prepared by Marlon Calderon, Project Manager, Recreation and Cultural Facilities Program, Bureau of Engineering, and was reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; Bradley M. Smith, P.E., Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Development, Department of Recreation and Parks.

GOOD FAITH EFFORT CHECKLIST- EVALUATION RESULTS

Bidder: L.A. BUILDERS, INC.

Bid Date: 02/13/2007

PROJECT: ORCUTT RANCH – REFURBISHMENT OF BUILDING AND GROUNDS, ADA ACCESS IMPROVEMENTS - RE-BID (W.O.#E170211F)

| Indicator | Required Documentation | Description of Submitted or Missing Documentation | Points | |
|--------------------------------|---|---|------------|----|
| 1 | The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE. | | 0 | 0 |
| 2 Pre-Bid Meeting | a) Attend pre-bid meeting and be listed on the attendance sheet; or b) Submit a letter prior to the pre-bid meeting either by fax to (213) 847-0703, or by mail to the Bureau of Engineering, Project Award and Control Division, 1149 S. Broadway, 1 st Floor, Los Angeles, Ca. 90015. | | 10 | 10 |
| 3 Work Areas | Proof of this must be demonstrated in either Indicator 4 or 5. | | 13 | 13 |
| 4 Ad | A copy of the advertisement or a proof of publication statement or other verification which confirms the date the advertisement was published. The advertisement must be specific to the project, not generic, and may not be a planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents. | | 9 | 9 |
| 5 Letters to Potential Subs | A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. | | 10 | 10 |
| 6 Follow-up to Letters | A copy of telephone logs. These logs must include the name of the company called, telephone number, contact person, who did the calling, time, date, and the result of the conversation. Bidder must follow-up with all subcontractors to whom they sent letters. | | 10 | 10 |
| 7 Plans | Include in Indicator 4 or 5, information detailing how, where and when the bidder will make the required information available to interested subcontractors. | | 5 | 5 |
| 8 Outreach Letters | A copy of each letter sent to outreach agencies requesting assistance in recruiting MBEs, WBEs and OBEs. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelopes or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. | | 10 | 10 |
| 9 Negotiate in Good Faith | a) Copies of all MBE/WBE/OBE bids or quotes received; and b) Summary sheet organized by work area, listing bids received and the subcontractor selected for that work area. If the bidder elects to perform a listed work area with its own forces, they must include a bid that shows their own costs for the work. | | 26 | 26 |
| 10 Bonds | Include in Indicator 4 or 5, information about the bidder's efforts to assist with bonds, lines of credit and insurance. | | 7 | 7 |
| TOTAL POINTS ACHIEVED | | | 100 | |
| MBE/WBE % ACHIEVED: | | | 35% | |

MBE= 35% WBE=0% OBE=0% PRIME=52%

RESPONSIVE!