

APPROVED

REPORT OF GENERAL MANAGER

NO. 07-241

DATE October 17, 2007

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BOARD OF RECREATION
and PARK COMMISSIONERS

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HUBERT HUMPHREY RECREATION CENTER - CHILDCARE CENTER
ADDITION (W.O. #E170284F) - CONTRACT NO. 3159 - PARTIAL
ACCEPTANCE AND PARTIAL RELEASE OF RETENTION MONIES

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	_____

Completed

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the partial acceptance of work and the release of 75% of the retention monies on 100% of the work on Hubert Humphrey Recreation Center - Childcare Center Addition (W.O. #E170284F) performed under Contract No. 3159 with Abeam Construction, Inc., as outlined in the body of this report subject to the satisfaction of conditions listed under Article 48 of the General Conditions of the contract;
2. Authorize the Department's Chief Accounting Employee to release 75% of the retention monies held under Contract No. 3159 to Abeam Construction, Inc., five calendar days after partial acceptance; and
3. Authorize the Board Secretary to furnish Abeam Construction, Inc., Contract No. 3159, with a letter of partial completion indicating the release of 75% of the retention monies held under said contract, subject to the satisfaction of conditions listed under Article 48 of the General Conditions of the Contract.

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SUMMARY:

The construction contract for the Hubert Humphrey Recreation Center - Childcare Center Addition (W.O. #E170284F) project was awarded to Abeam Construction, Inc., on June 1, 2005 (Board Report No. 05-139), in the amount of \$898,800. The project, which is located at 12560 Filmore Street, Pacoima, CA, 91331, provided for the addition to, and interior improvements of, the childcare center.

Abeam Construction, Inc., started construction on December 5, 2005, approximately three months after the anticipated start date of September 1, 2005, as indicated in the bid package, due to the licensing issues experienced in relocating the existing childcare program at Hubert Humphrey Recreation Center to the Roger Jessup Recreation Center facility. Abeam Construction, Inc., completed the contract work on July 31, 2007. To date, the contract amount is \$1,124,487.31, which includes the base bid amount of \$898,800, plus fourteen change orders totaling \$225,687.31 which equals 25.11% of the base bid for unforeseen conditions and project betterments at the request of Department staff. Department of Public Works, Bureau of Engineering (BOE) is currently negotiating with Abeam Construction regarding the impacts due to the delayed start of construction and extended overhead costs incurred, which were not the fault of the contractor.

The project was funded entirely by Proposition K, as outlined in Board Report No. 05-139.

BOE, Recreation and Cultural Facilities Group recommends payment of 75% of the construction payment retention monies to the contractor who, as a first time contractor with the City, completed the contract work in a satisfactorily manner and has been negatively impacted due to the delayed project construction start as a result of delays in relocating the childcare center from Hubert Humphrey Child Care Center to Roger Jessup Recreation Center, subject to the satisfaction of conditions listed under Article 48 of the General Conditions of the Contract.

Once the final change order is negotiated, a recommendation for Final Acceptance will be presented to the Board to close out the Contract.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department. The costs for operation of the facility are already included in the Department's 2007-2008 operating budget for Child Care facilities, as services are currently being provided at the temporary child care facility.

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