

APPROVED
MAR 23 2011

REPORT OF GENERAL MANAGER

NO. 11-081

DATE March 23, 2011

BOARD OF RECREATION
and PARK COMMISS

C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: NORTH ATWATER PARK – EXPANSION (W.O. #E1907211) AND CREEK RESTORATION (W.O. #SZW00031) PROJECTS – CHANGE ORDER TO CONTRACT NO. 3327

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u><i>M. Shull</i></u>
V. Israel	_____		

[Signature]
General Manager

Approved *[Signature]*

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board authorize the City Engineer, or his designee, to negotiate and execute a Change Order, in an amount not to exceed \$350,000, to Contract No. 3327 with C.S. Legacy Construction, Inc., for the work described in the Summary of this Report.

SUMMARY:

On October 6, 2010, the Board awarded a construction contract in the amount of \$2,170,632, to C.S. Legacy Construction, Inc., under Board Report No. 10-262.

The plans call for the construction of a new park of approximately 4.17 acres in size, located at 3900 W. Chevy Chase Drive Los Angeles, California 90230, including the restoration of an existing degraded remnant seasonal riparian stream tributary to the Los Angeles River, with the project scope outlined as follows:

1. Structural Best Management Practice (BMP's) elements including reshaping the existing stream bed to provide flood protection by slowing down storm flows to the Los Angeles River. Landscaping which will include native plants to prevent erosion and decomposed granite walkways to allow public access. A trash capture device at the beginning of the stream bed, at Chevy Chase Drive and another one at the concrete channel at Verdant Street, along the equestrian arena;

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2. Perimeter security gates and fences;
3. Parking lot with permeable pavers in the parking spaces;
4. Benches, trash receptacles, boulder/broken concrete retaining walls and seating areas, interpretive signage, picnic tables, a concrete play tunnel, a sand play yard and a drinking fountain; and,
5. Site utilities and service connections, grading, and an on-grade and underground site drainage system.

During clearing and excavation work, unforeseen site conditions were encountered with the discovery of buried rip rap and highly organic/peat materials. Based on the Geotechnical Investigation Report (dated November 7, 2007, and with minor revisions made on March 4, 2008) prepared by Diaz-Yourman & Associates, a sub-consultant hired by the City's Department of Public Works, Bureau of Sanitation's (BOS) consultant CH2M Hill, Inc., the five borings taken at the site did not reveal the rip rap or soil contamination. Due to the uncovering of the highly organic materials, a biologist was hired by the BOS, and upon further soil sampling and testing, the biologist confirmed the presence of lead contamination in the soil. The finding was reviewed and concurred with by the Bureau of Engineering's (BOE) Geotechnical Engineering Division. Approximately 2,000 cubic yards of contaminated soils must be removed and exported to an approved "Class-I" landfill, the closest of which is located in Buttonwillow, California.

The project is currently at 15% construction completion. To date, two Change Orders have been executed. Change Order No. 1, \$26,500 for the implementation of E20/20 (a web-based program/services for construction management information system) and Change Order No. 2, \$9,660 for the additional/expanded clearing at the river channel area, for a total value of \$36,160 or 1.7% of the award amount. To address the current unforeseen construction issues, an Emergency Change Order (ECO) was issued in an amount not to exceed \$99,000, to allow the Contractor to proceed with the removal of rip rap to minimize delays. The proposal submitted by the Contractor to perform all necessary work for complete removal and disposal of rip rap and contaminated soils has been reviewed by staff and found to be acceptable. Staff recommends approval of an additional Change Order, inclusive of the Emergency Change Order, for an amount not to exceed \$350,000, for the construction contract. This will result in an additional Change Order total of 17.8% of the award amount.

Funding for this Change Order is available in the BOS Sewer Capital Fund in the amounts shown below:

<u>Funding Source</u>	<u>Fund No. /Dept. No./Acct. No.</u>	<u>Amount</u>
BOS Sewer Capital Fund	761/50/GGB2	\$ 100,000
BOS Sewer Capital Fund	761/50/GGC3	<u>\$ 250,000</u>
Total:		\$ 350,000

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FISCAL IMPACT STATEMENT:

There are sufficient funds in the BOS accounts indicated above to cover the cost of this Change Order. Therefore, there is no impact to the Department's General Fund. The future budget required for the operations and maintenance of the new facility will be assessed upon the completion of the project, for inclusion in the Department's General Fund annual budget appropriation.

This report was prepared by Renee Curtis, Project Manager, BOE Architectural Division. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.