

APPROVED

REPORT OF GENERAL MANAGER

NO. 13-200

DATE August 14, 2013

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 109TH STREET RECREATION CENTER – POOL AND BATHHOUSE REPLACEMENT (PRJ1501P) (W.O. #E1906494) PROJECT – RE-BID – REVIEW OF BIDS AND AWARD OF CONTRACT

| | | | |
|-----------|-------|-------------|------------------------|
| R. Adams | _____ | K. Regan | _____ |
| H. Fujita | _____ | *M. Shull | <u><i>M. Shull</i></u> |
| V. Israel | _____ | N. Williams | _____ |

[Signature]
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Find Simgel Co., Inc., with a base bid of \$3,920,000.00, to be the lowest responsive and responsible bidder for the 109th Street Recreation Center - Pool and Bathhouse Replacement (PRJ1501P) (W.O. #E1906494) project – Re-bid;
2. Award the contract to Simgel Co., Inc., for a total award amount of \$3,920,000.00, all according to the plans and specifications;
3. Authorize the Department’s Chief Accounting Employee to encumber funds in the amount of \$3,920,000.00 from the following fund and account numbers under the awarding authority of this Board Report; and,

| <u>FUNDING SOURCE</u> | <u>FUND/DEPT/ACCT. NO.</u> | <u>ENCUMBRANCE AMOUNT</u> |
|-----------------------|----------------------------|-------------------------------|
| RAP General Capital | 302/89/89270KCM | \$3,420,000.00 |
| Proposition K | 43K/10/10F028 | <u>\$ 500,000.00</u> |
| TOTAL: | | \$3,920,000.00 |

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

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SUMMARY:

On May 13, 2013, the Board approved final plans and specifications for the 109th Street Recreation Center – Pool and Bathhouse Replacement (PRJ1501P) (W.O. #E1906494) project Re-bid, located at 1431 East 110th Street, Los Angeles, California 90059 (Board Report No. 13-125). The plans and specifications were prepared by the Department of Public Works, Bureau of Engineering (BOE), Architectural Division, in conjunction with the design consultant, Sparano + Mooney Architecture, Inc., under the direction of the BOE, Architectural Division.

The proposed scope for this project includes the following:

1. Demolition of the existing swimming pool and bathhouse.
2. Construction of:
 - a) New 3,400 square-foot swimming pool.
 - b) New 860 square-foot kidney-shaped splash pad.
 - c) New 2,500 square-foot bathhouse.
 - d) New parking lot with connecting pathway to the swimming pool facility.

Previously, the Board had approved the final plans and called for bids for the project on July 8, 2009 (Board Report No. 09-185), and subsequently bids were received on September 15, 2009. However, due to the lack of construction funds, the project was placed on hold. On September 5, 2012, the project was re-activated as sufficient construction funds were identified (Board Report No. 12-241). BOE and the design consultant completed all necessary plan revisions and approvals to ensure the project complies with the most current codes.

On June 11, 2013, the Board received a total of six (6) bids as follows:

| <u>Bidders</u> | <u>Base Bid</u> |
|-------------------------------------|-----------------|
| Simgel Co., Inc. | \$3,920,000.00 |
| AMG & Associates, Inc. | \$3,943,000.00 |
| Morillo Construction, Inc. | \$4,460,000.00 |
| Dreyfuss Construction | \$4,475,637.15 |
| Sanders Construction Services, Inc. | \$4,550,000.00 |
| Mallcraft, Inc. | \$4,598,000.00 |

The bid specifications stated that the low bidder would be determined to be the responsible and responsive bidder submitting the lowest base bid. Simgel Co., Inc., submitted the lowest base bid, as shown above. It is recommended that the project be awarded to Simgel Co., Inc., for a total construction contract of \$3,920,000.00.

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Sufficient funds are available to award the contract and for the construction and project contingencies from the following accounts:

| <u>FUNDING SOURCE</u> | <u>DEPT./FUND/ACCT NO.</u> |
|--------------------------------------|-----------------------------------|
| RAP General Capital Proposition K | 89/302//89270KCM 10/43K/10F028 |

The project is subject to the City's new Business Inclusion Program (BIP), in compliance with the Mayor's Directive No. 14, which replaces the former Minority Business Enterprise, Women Business Enterprise, and Other Business Enterprise (MBE/WBE/OBE) Good Faith Effort Subcontractor Outreach Program. Simgel Co., Inc., has successfully posted all the required BIP outreach documentation on the Los Angeles Business Virtual Assistance Network (LABAVN) that demonstrated satisfactory effort in its outreach to Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE), Disabled Veteran Business Enterprise (DVBE), and Other Business Enterprise (OBE) for sub-bid or subcontracting businesses. Staff has evaluated the outreach documentation submitted by SIMGEL Co., Inc. and determined that they have passed all six indicators as required for the effort to obtain sub-bid/subcontracting participation by MBE, WBE, SBE, EBE, DVBE and OBE businesses, and is in compliance with the BIP outreach requirements. The outreach documentation package is on file in the Board Office, and a synopsis of the said package is attached to this Report.

Staff reviewed the responsiveness and work performance of SIMGEL Co., Inc. on past Department of Recreation and Parks (RAP) projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance (OCC) indicated that there have been no labor compliance violations and that all other legal requirements have been complied with by the bidder.

The City Attorney and staff have reviewed the bid submitted by Simgel Co., Inc., and found it to be in order. Staff recommends that the Board find Simgel Co., Inc., to be the lowest responsive and responsible bidder.

The proposed project has been previously evaluated and approved in compliance with the California Environmental Quality Act (CEQA). A Final Environmental Impact Report (FEIR) was certified, and a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Plan adopted, on July 8, 2009 (Board Report No. 09-185). A Notice of Determination was filed with the Los Angeles County Clerk on July 9, 2009. The scope of the project and the environmental setting has not substantially changed since the CEQA approval that would result in additional environmental impacts or an increase in the intensity of the projected impacts to require any new or modified mitigation. Therefore, no additional CEQA documentation is required.

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FISCAL IMPACT STATEMENT:

The project will be funded by a combination of the aforementioned funding sources. There is no immediate fiscal impact to the RAP's General Fund. However, operations and maintenance costs will be evaluated and included in future RAP budget requests.

This report was prepared by Willis Yip, Project Manager, Architectural Division, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program, BOE Recreational and Cultural facilities Program; Deborah Weintraub, Chief Deputy City Engineer; and Cathie Santo Domingo, Superintendent, Planning, Construction, and Maintenance Branch, Department of Recreation and Parks.

**CITY OF LOS ANGELES
GUIDELINES FOR EVALUATION OF THE BUSINESS INCLUSION PROGRAM
(BIP) OUTREACH CHECKLIST**

Bidder: SIMGEL Co. Inc. Bid Date: 06/11/13

Project Name: 109TH ST. REC. CTR. POOL & BATHHOUSE REPLACEMENT (RE-BID) W.O. #: E1906494

| Indicator | Required Documentation | Description of Submitted or Missing Documentation | Credit |
|---|--|--|--------|
| 2 Pre-Bid Meeting | a) Attend pre-bid meeting and be listed on the attendance sheet, or b) Submit a letter either by e-mail, mail, or fax to the Bureau of Engineering, Project Award and Control (PAC) on certifying it is informed of the BIP project requirements and has participated in a City-sponsored or City approved matchmaking event in the past 12 months. Note: If the RFB states that the pre-bid meeting is mandatory, then attendance at the pre-bid meeting is the only way to pass this indicator. | | ✓ |
| 3 Work Areas | Proof of this must be demonstrated in Indicator 4. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ |
| 4 Written Notice to Sub-contractors | E-mail or fax notification in each of the selected potential work areas to available MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs for each anticipated work area to be performed. The notification must be performed using the BAVN's BIP Outreach Reports system. The notification may be to potential sub-bidders/ subcontractors either currently registered on the BAVN or added to the BAVN by the bidder. Letters must contain areas of work selected to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. Bidders are required to send notifications to a sufficient number of firms in each potential sub work area as determined by the City. Typically, the sufficient number of firms is determined by the total number of potential sub-bidders/ subcontractors in each sub work area. | | ✓ |
| 5 Plans, specifications and requirements | Include, in Indicator 4, information detailing how, where, and when the bidder will make the required information available to interested potential sub-bidders/ subcontractors. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ |
| 6 Negotiate in Good Faith | a) Copies of all potential MBE/WBE/SBE/EBE/DVBE/OBE bids or quotes received must be submitted prior to award of a contract; and b) Online Summary Sheet must be completed, listing the bids or quotes received, the name of the sub-bidder/ subcontractor who submitted the bid or quote, and a brief reason given for selection/ non-selection of each subcontractor. The reasons for selection/non-selection should be included in the Notes section of the online Summary Sheet. If the bidder elects to perform a listed work area with its own forces, they must include a bid/ quote for comparison purposes and an explanation must be provided and included on the Summary Sheet. All bids/ quotes received, regardless of whether or not the bidder outreached to the sub-bidder/ subcontractor, must be submitted. To this extent, the City expects the bidder to submit a bid/ quote from each sub-bidder/ subcontractor listed on the Summary Sheet. The Summary Sheet must be performed using the BAVN's BIP Outreach Reports system and must be submitted by 4:30 p.m. the following City working day after the date bids are received by the Board of Public Works. If a bid/quote is submitted by a sub-bidder/subcontractor that is not registered on the BAVN, the contractor is required to add that firm to their Summary Sheet. | | ✓ |
| 7 Bonds | Include, in Indicator 4, information about the bidder's efforts to assist with bonds, lines of credit, and insurance. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ |

Prime % = 55%

MBE%= 0% WBE%= 0% SBE%= 21% EBE%= 0% DVBE%= 0.07% OBE%= 23%

RESPONSIVE