

APPROVED
JUL 10 2013
BOARD OF RECREATION
AND PARK COMMISSIONERS

REPORT OF GENERAL MANAGER

NO. 13-189

DATE July 10, 2013

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ORO VISTA PARK – PARK DEVELOPMENT (W.O. #E170480F) PROJECT – RESCISSION OF THE AWARD OF CONSTRUCTION PROJECT AND TERMINATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF ENGINEERING AND THE DEPARTMENT OF GENERAL SERVICES, CONSTRUCTION FORCES; PROJECT CONSTRUCTION BY THE DEPARTMENT OF RECREATION AND PARKS

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

[Signature]
General Manager

Approved *[Signature]*

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Rescind the award of construction project to the Department of General Services, Construction Forces (GSD), for the Oro Vista Park – Park Development (W.O. #E170480F) project, in accordance with the terms of the Memorandum of Understanding (MOU) between the Department of Recreation and Parks (RAP), the Department of Public Works, Bureau of Engineering (BOE) and GSD, approved by the Board of Recreation and Park Commissioners (Board) on June 16, 2010 (Board Report No. 10-152);
2. Approve a proposed Mutual Termination Agreement (Agreement), substantially in the form on file in the Board Office, for the Oro Vista Park – Park Development (W.O. #E170480F) project, in accordance with the terms of the MOU between RAP, BOE, and GSD, to provide construction services for this project, subject to review and approval by City Attorney as to form;

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3. Direct the General Manager of GSD to take the necessary actions to revert all unspent funds in budgetary account 43K-10-10H140 to the original project account 43K-10-10E478;
4. Approve the construction of the subject project by RAP, as recommended by the LA for Kids Program Steering Committee; and,
5. Direct the Department's Chief Accounting Employee, subject to City Council and Mayor approval, to request the City Administrative Office (CAO) to include in the CAO report to the City Council a recommendation that the following appropriations, in the amount of \$322,000.00 including contingency, be approved for the construction of the Oro Vista Park - Park Development (W.O. #E170480F) project; and to establish the appropriate accounts for the purpose of reimbursing the construction expenses incurred by RAP.

SUMMARY:

The Oro Vista Park - Park Development (W.O. #E170480F) project was originally bid out competitively and awarded on June 2, 2010 (Board Report No. 10-135). Subsequent to this award, it was discovered that the lowest responsible, responsive bidder did not have the minimum Good Faith Effort (GFE) score required for award. Due to time constraints, it was decided to reject all bids and to approve and award the project to GSD on June 16, 2010 (Board Report No. 10-152), with an appropriation of \$322,000.00. This action met the requirement to obligate Proposition K funds prior to the end of the then current Fiscal Year 2009-2010 (ending on June 30, 2010).

The following is a general list of the improvements that are to be completed:

1. Construction of an equestrian and trail staging area with permeable surface parking for cars and horse trailers.
2. Landscape with native plants appropriate to the location, including a demonstration garden.
3. Picnic tables.
4. Amenities for equestrians.
5. Trails linking to existing hiking and riding trails.
6. Planting and irrigation in the demonstration garden.
7. Information signs in the demonstration garden.
8. Shade Structure.
9. Entry Pilaster.
10. Grubbing and clearing of the natural paths.

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At the time of the award to GSD (June 16, 2010), GSD had not prepared a construction cost estimate for the project. GSD proceeded with the demolition of an existing structure, meanwhile working on the cost estimate for the project. GSD completed hazardous materials abatement and demolition for the amount of \$34,715.88 from separate funding provided by Council District 2. GSD was subsequently unable to provide a cost estimate within the project budget.

BOE then requested an estimate from RAP. RAP provided an estimate for construction in the amount of \$292,000.00. Therefore, BOE recommends the rescission of the award of construction to the GSD for the Oro Vista Park – Park Development (W.O. #E170480F) project and the award of construction to RAP. Additionally, BOE recommends that a 10.2% contingency or \$30,000.00 be added to cover any unforeseen conditions for a total not to exceed construction amount of \$322,000. No contingency funds shall be spent without the written authorization of the Project Manager.

It is recommended that the Board direct the General Manager of GSD take the necessary actions to revert all unspent funds in budgetary account from Dept No. 10, Fund No. 43K, Account No. 10H140 to the original project account of Dept. No. 10, Fund No. 43K, Account No. 10E478.

<u>Description</u>	GSD Holding Account Dept. No./Fund No./ <u>Account No.</u>	Amount to be transferred from GSD to Project Account Dept. No./Fund No./ <u>Account No</u>	Amount to be transferred to RAP <u>Construction Account</u>
Original Appropriation	10/43K/10H140	10/43K/10E478	\$322,000.00

Sufficient funds are available for construction and project contingencies from the following account. Funding will be transferred to RAP construction accounts once the Quarterly Construction Project Report (CPR) process is complete:

<u>FUND SOURCE</u> Proposition K - Year 12	<u>DEPT NO./FUND NO. /ACCT NO.</u> 10/43K/10E478
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The proposed project has been previously evaluated for environmental impacts and determined to be Categorically Exempt per City CEQA Guidelines Article III, Section 1a, Class 1(11) (existing facilities) and Class 11(2,3) (accessory structures). A Notice of exemption was filed with the Los Angeles City Clerk’s Office on July 11, 2008, and posted by the County Clerk’s Office on July 11, 2008. The project scope and environmental setting has not substantially changed since the exemption was approved and is still valid for the action before the Board. No additional environmental documentation is required.

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FISCAL IMPACT STATEMENT:

The assessments of the future operations and maintenance costs have yet to be determined and will be addressed in future budget requests.

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