

**APPROVED**  
**JUN 05 2013**

REPORT OF GENERAL MANAGER

NO. 13-145

DATE June 5, 2013

**BOARD OF RECREATION  
& PARK COMMISSIONERS**

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED GENERAL PARK BUILDING CONSTRUCTION – AWARD OF CONTRACTS

R. Adams  
H. Fujita  
V. Israel

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

K. Regan  
\*M. Shull  
N. Williams

\_\_\_\_\_  
*USD for*  
\_\_\_\_\_

\_\_\_\_\_  
*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Find, in accordance with Charter Section 1022, that the Department of Recreation and Parks (Department) does not have, available in its employ, personnel with sufficient time or necessary expertise to undertake all of the general park building construction projects in a timely manner, and it is more feasible, economical and in the Department's best interest, to secure these services by contract with several contractors to perform this work as-needed and on an occasional, but frequent basis, without engaging in a new competitive bidding process for each individual project to be performed;
2. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that competitive bidding is not practicable or advantageous as it is necessary for the Department to be able to call on contractors to perform this work as-needed and on an occasional, but frequent, basis without engaging in a new competitive process for each individual project to be performed; however, from among as-needed contractors each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;
3. Find in accordance with Charter Section 371(e)(10), that use of competitive bidding would be undesirable, impractical or impossible or is otherwise excused by the common law and the Charter because, unlike the purchase of a specified product, there is no single criterion, such as price comparison, that will determine which proposer can best provide the services required by the Department to provide general park building construction projects;

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4. Find, in accordance with Charter Section 372, that obtaining competitive proposals or bids for each individual project for which work may be performed pursuant to this agreement is not reasonably practicable or compatible with the Department's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price, and expertise, and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by the Department to perform services;
5. Approve the selection process for the selection of qualified firms;
6. Award a contract (Contract), substantially in the form on file in the Board Office, between the Department and the following three (3) firms for as-needed general park building construction services for a three (3) year contract, specifying the terms and conditions, subject to approval of the Mayor and the City Attorney as to form;

Contractors:

- 1) CXT, Incorporated  
3808 North Sullivan Road, Bldg. 7  
Spokane, Washington 99216
  - 2) United Riggers & Erectors, Inc.  
4188 Valley Boulevard  
Walnut, California 91789
  - 3) USA Shade & Fabric Structures, Inc.  
8505 Chancellor Row  
Dallas, Texas 75247
7. Direct the Board Secretary to transmit the Contracts to the Mayor in accordance with Executive Directive No. 3 and concurrently, to the City Attorney for review and approval as to form; and,
  8. Authorize the Board President and Secretary to execute the Contracts upon receipt of the necessary approvals.

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### SUMMARY:

The Department is in need of general park building construction services, which current staffing can only provide on a limited basis. Therefore, one (1) or more general park building construction contracts are required. Currently, the Department does not have contracts in place to perform general park building construction services that will help supplement our current city forces. With over four hundred twenty (420) park locations under the jurisdiction of the Department, general park building construction services contracts are critical to maintaining and expanding our current park facility infrastructures.

These contracts will provide the Department with additional resources to perform general park building construction services to help supplement current City forces. In addition, these contracts will provide the Department's Planning, Construction and Maintenance Branch with a tool to meet current and future general park building construction projects.

General Park Building Construction includes but is not limited to the construction and renovation of building structures found in public park facilities such as recreation centers, child care facilities, field restrooms, concession buildings, shade structures, bathhouse buildings, pedestrian bridges, multi-purpose buildings, field houses and community centers. It may also provide for the installation of pre-fabricated offices, restrooms, concession buildings, storage buildings and field houses. Work will include, but not be limited to, demolition, wood framing, masonry walls, concrete walls, footings and slabs, ceramic tile work, stucco, drywall, plastering toilet room accessories and partitions, cabinetry, painting, millwork, vinyl, ceramic tile and carpet, associated plumbing, electrical and mechanical work and to bring facilities into compliance with the Americans with Disabilities Act.

On April 3, 2013, the Board approved a Request for Qualifications (RFQ) for General Park Building Construction (Board Report No. 13-088), which was released April 5, 2013. On May 14, 2013, the Department received seven (7) proposals in response to the RFQ. The responders were:

- 1) AZ Home, Inc.
- 2) CXT Inc.
- 3) Ford E.C. Inc.
- 4) Gary L. Barton Corporation
- 5) Morillo Construction, Inc.
- 6) United Riggers & Erectors, Inc.
- 7) USA Shade & Fabric Structures, Inc.

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On May 15, 2013, the Department received a proposal from Hayward Construction in response to the RFQ.

The responders were required to provide evidence of their qualifications by meeting at least one (1) of the four (4) minimum requirements as stated below:

- 1) **General Park Building Construction:** Qualified Responders must have a minimum of ten (10) years of experience constructing park buildings for governmental agencies (Municipal, State or Federal). Responder must have performed twenty percent (20%) of all work submitted under this qualifier. Qualified Responders must provide the following:
  - A. Provide at least five (5) new municipal building structures. All projects provided must have been performed from March 1, 2008 to present day. All projects must have been performed for a governmental agency (i.e. Municipal, State or Federal).
  
- 2) **Pre-Fabricated Concrete Buildings:** Qualified Responders must have a minimum of five (5) years of experience constructing park building for governmental agencies (Municipal, State or Federal). Responder must have performed seventy-five percent (75%) of all work submitted under this qualifier. Qualified Responders must provide the following:
  - A. Provide at least twenty (20) new park building structures that are certified by the State of California/ Department of Housing and Community Development. All projects provided must have been performed from March 1, 2008 to present day. All projects must have been performed for a governmental agency (i.e. Municipal, State or Federal).
  
- 3) **Pre-Fabricated Buildings:** Qualified Responders must have a minimum of ten (10) years of experience constructing park building for governmental agencies (Municipal, State and/or Federal). Responder must have performed seventy-five percent (75%) of all work submitted under this qualifier. Qualified Responders must provide the following:
  - A. Provide at least twenty (20) new park building structures that are certified by the State of California/ Department of Housing and Community Development. All projects provided must have been performed from March 1, 2008 to present day. All projects must have been performed for a governmental agency (i.e. Municipal, State or Federal).

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- 4) **Shade Structures:** Qualified Responders must have a minimum of ten (10) years of experience designing, engineering, fabricating and installing shade structures for governmental agencies (Municipal, State or Federal). Responder must have performed seventy-five percent (75%) of all work submitted under this qualifier. Responder must have a City of Los Angeles approved fabricators license and be accredited by the International Accreditation Service (IAS) for Structural Steel Fabrication under Uniform Building Codes (UBC) 97 & 2000 Section 1701.7 and IBC 2010 Section 1704.2.2 for all projects submitted under this qualification. Qualified Responders must provide the following:
- A. Provide at least ten (10) new shade structure in the City of Los Angeles. All projects provided must have been performed from March 1, 2008 to present day. All projects must have been performed for a governmental agency (i.e. Municipal, State or Federal).

Only three (3) of the eight (8) responders submitted a responsive submittal to this RFQ. Five (5) responders failed to submit a complete submittal and/or failed to qualify, and thus were disqualified from any further review process. The following responders were disqualified because they submitted an incomplete RFQ package submittal response, specific details for the disqualifications can be found on Exhibit A.

- 1) AZ Home, Inc.  
14942 Delano Street  
Van Nuys, California 91411
- 2) Ford E.C., Inc.  
10850 Wilshire Boulevard #380  
Los Angeles, California 90024
- 3) Gary L. Barton Corporation  
4700 Long Beach Boulevard  
Long Beach, California 90805
- 4) Hayward Construction  
1951 S. Myrtle Avenue  
Monrovia, California 91016
- 5) Morillo Construction, Inc.  
227 N. Holliston Avenue  
Pasadena, California 91106

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The following responders met the minimum requirements for the RFQ for General Park Building Construction as specified above and the qualifications thereof:

- 1)      CXT, Incorporated  
3808 North Sullivan Road, Bldg. 7  
Spokane, Washington 99216  
Qualified for: Pre-Fabricated Concrete Buildings
  
- 2)      United Riggers & Erectors, Inc.  
4188 Valley Boulevard  
Walnut, California 91789  
Qualified for: General Park Building Construction
  
- 3)      USA Shade & Fabric Structures, Inc.  
8505 Chancellor Row  
Dallas, Texas 75247  
Qualified for: Shade Structures

RFQ responses were evaluated solely for the minimum qualifications (as stated in the RFQ Document). The minimum qualifications determined the responder's knowledge and experience to perform the terms and specifications of this Contract. It was found through review and verification by Department staff that the above-listed responders met and/or exceeded the minimum qualifications as set forth in the RFQ.

Once it was determined that the responders had met all of the minimum qualifications, staff verified the references provided by the respondents. Questions were posed regarding respondent's ability to produce a quality product that met all necessary standards, in a timely manner. They were also asked whether the respondent was timely and effective in their correspondence with governing agencies. All of the references for the respondents who met our minimum qualifications responded favorably to these questions and highly recommended the respective respondent. It was then determined that the above listed Respondents should be selected as a pre-qualified General Park Building Construction contractors and eligible to bid on future Department projects.

All responders who submitted and qualified performed and passed the City's Business Inclusion Program (BIP) outreach.

The selected pre-qualified contractors are recommended to the Board for a three (3) year contract, in an amount not-to-exceed an annual expenditure of ten million dollars (\$10,000,000.00) per contract. The contract amount is an estimate, and the Department does not guarantee that the contract maximum amount will be reached. The construction services that the Department is requesting shall

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amount of business or compensation. Contracts awarded through this RFQ shall be subject to funding availability and early termination by Department, as provided in the Standard Provisions for City Contracts.

Funding for projects will be provided from various funding sources including to but not limited to Proposition K, Quimby, and Proposition 40.

FISCAL IMPACT STATEMENT:

Executing these as-needed contracts has no impact to the Department's General Fund.

This report was prepared by Jim Newsom, Management Analyst II, Planning, Construction and Maintenance Branch.

**EXHIBIT A**  
**REQUEST FOR QUALIFICATION**  
**GENERAL PARK BUILDING CONSTRUCTION**

<b>"NON RESPONSIVE" RESPONDERS</b>	<b>REASONS FOR 'NON-RESPONSIVENESS"</b>
AZ Home, Inc.	1) Responder did not provide the required information on Question #13 and #14 on page 71 of the CRO. Responder was required to provide additional information on Attachment "B" of CRO. 2) Responder did not complete the Business Inclusion Program (BIP) as required on Exhibit "C", Page 115-126 of the RFQ document.
Ford E.C., Inc.	1) Responder did not complete the BIP on the Business Assistance Virtual Network (BAVN) as required on Exhibit "C", Page 115 – 126 of the Request for Qualifications (RFQ) document.
Gary L. Barton	1) Responder did not provide qualification on the required Form "G" and therefore qualifications could not be verified (Page 10-11 and Page 132 of RFQ); 2) On page 69 of the Contractor Responsibility Ordinance (CRO), Responder answered "Yes" to question # 4 but did not provide the required additional information on Attachment "A" of CRO as required; 3) On page 70 of the CRO, Responder did not provide an answer for question #9; 4) On page 71 of the CRO, Responder answered "Yes" to question #13 but did not provide the required additional information on Attachment "B" of CRO; 5) On page 71 of the CRO, Responder did not provide an answer for question #14 and therefore required the Responder to list additional information on Attachment "B"; and, 6) Responder provided a letter with their RFQ response package stating that they currently did not meet the specified qualifications for this RFQ.
Hayward Construction	1) Responder disqualified due to late submittal of RFQ Response (Response was due on 5/14/13 and the Responder's response was received on 5/15/13 @ 10:50 AM).
Morillo Construction, Inc.	1) Responder did not complete the BIP as required on Exhibit "C", Page 115-126 of RFQ document.