

APPROVED

NOV 06 2013

**BOARD OF RECREATION
& PARK COMMISSIONERS**

REPORT OF GENERAL MANAGER

NO. 13-274

DATE November 6, 2013

C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CENTRAL RECREATION CENTER – BUILDING REFURBISHMENT AND PARK DEVELOPMENT (W.O. #E170304F) PROJECT – AMENDMENT TO 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

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

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve an Amendment (Amendment) to the Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Department of Public Works, Bureau of Engineering (BOE), and the Department of General Services (GSD), Construction Forces to increase the construction funding for Central Recreation Center – Building Refurbishment and Park Development (W.O. #170304F) project by an additional \$278,000.00 for a total of \$828,000.00, and extending the current twenty-four (24) month term by twelve (12) months, to a total term of thirty-six (36) months, subject to the review and approval of the City Attorney as to form;
2. Direct the Board Secretary to transmit the Amendment to the City Attorney for review and approval as to form;
3. Authorize the Department’s General Manager to execute the proposed Amendment, subsequent to the approval of City Attorney as to form; and

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4. Authorize the Department's Chief Accounting Employee, in accordance with the proposed Amendment and upon its execution, with the assistance of the Office of the City Administrative Officer (CAO), to facilitate the necessary Council approval to appropriate \$278,000.00 in construction funds to GSD, as follows:

From:

Funding Source	Fund /Dept./Acct. No.	Encumbrance Amount
Proposition K – Year 15	43K/10/10H020	<u>\$278,000.00</u>
Total:		\$278,000.00

To:

Through GSD Account E140 and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 55,600.00
1101 – Hiring Hall Salaries	\$ 76,689.00
1121 – Hiring Hall Fringe Benefits	\$ 34,511.00
3180 – Construction Materials and Supplies	<u>\$ 111,200.00</u>
Total:	\$ 278,000.00

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the RAP;

SUMMARY:

The Central Recreation Center – Building Refurbishment and Park Development (W.O. #E170304F) project, was awarded to the Department of General Services (GSD) on April 4, 2012 (Board Report No. 12-093). Funds were obligated prior to the end of Fiscal Year 2011-2012 by way of an executed Memorandum of Understanding (MOU) in order to avoid loss of the funds. The MOU amount of \$550,000.00 was a budgetary figure provided to GSD and was not based upon a cost estimate developed by GSD. It was recognized that the MOU would have to be amended to reflect the total construction, at the time of completion of plans and specifications for the project.

The project scope of work upgrades the general building and enhances the outdoor playground of the recreation center. Specifically, the building scope of work includes the renovation of the existing restroom to disabled access compliance, construction of a disabled access path of travel to the building's main entrance, and upgrades of the existing office to provide better visibility for the staff. The park development work includes the installation of a baseball backstop and a shade structure at the playground area.

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GSD has now completed a cost estimate in the amount of \$828,000.00 including a ten percent (10%) contingency in the amount of \$75,334.00. Advanced written approval in the form of an executed change order from the Bureau of Engineering (BOE) Project Manager will be required for any use of the contingency funds by GSD.

BOE therefore recommends that the Board approve the Amendment and upon its execution, with the assistance of the City Administrative Office (CAO) to facilitate the necessary City Council approval to appropriate and transfer funds in the amount of \$278,000.00 into GSD accounts.

The project is currently sixty percent (60%) complete in Construction. GSD has indicated that they can complete all required construction within 365 calendar days after the transfer of funds to GSD or execution of the Amendment, whichever occurs last. The project's funding sources are as follows:

Funding Source	Fund/Dept./Acct. No.	Funding for Original MOU	Funding for Amendment
Proposition K – Year 14	43K/10/10G020	\$150,000.00	\$150,000.00
Proposition K – Year 15	43K/10/10H020	\$400,000.00	\$400,000.00
Proposition K – Year 15	43K/10/10H020	<u>\$ 0.00</u>	<u>\$278,000.00</u>
Total:		\$550,000.00	\$828,000.00

Staff has determined that the underlying project in the proposed amendment to the MOU has been previously evaluated for compliance with the California Environmental Quality Act (CEQA), and a Notice of Exemption was filed on June 8, 2009 (Board Report No. 12-093). The scope of the project and the environmental setting has not substantially changed, and, therefore, no additional environmental documentation is required for the approval of the proposed amendment to the MOU.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's General Fund. All funds are provided by the above-listed funding sources as specifically identified and approved for use on this project. The future operation and maintenance costs as a result of the completion of this project have yet to be determined.

This Report was prepared by Sean H. Phan, Project Manager, Recreational and Cultural Facilities Division, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Division, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Michael A. Shull, Assistant General Manager, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.