

APPROVED
SEP 18 2013

REPORT OF GENERAL MANAGER

NO. 13-239

DATE September 18, 2013

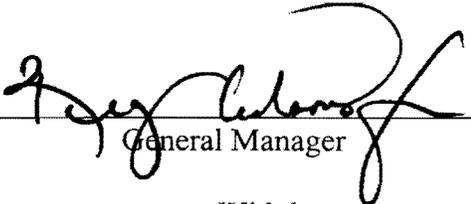
**BOARD OF RECREATION
& PARK COMMISSIONERS**

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ALISO CANYON PARK – DEVELOPMENT (W.O. #E170101F) PROJECT –
CONTRACT NO. 3347 – FINAL ACCEPTANCE

R. Adams _____ K. Regan _____
H. Fujita _____ *M. Shull MS
V. Israel _____ N. Williams _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve the final acceptance of work performed under Contract No. 3347 for the Aliso Canyon Park - Development (W.O. #E170101F) project, as outlined in the Summary of this Report;
2. Authorize the Department's Chief Accounting Employee to withhold \$12,000.00 from retention money for outstanding Office of Contract Compliance violations;
3. Authorize the Department's Chief Accounting Employee to release the remaining monies held under Contract No. 3347 to Landshapes, thirty-five (35) calendar days after acceptance by the Board; and
4. Authorize the Board Secretary to furnish Landshapes with a letter of completion.

SUMMARY:

The construction contract for the Aliso Canyon Park - Development (W.O. #E170101F) project, located at 10841 Rinaldi Street, Los Angeles, California 91344, was awarded to Landshapes on May 4, 2011 (Board Report No. 11-117), in the amount of \$964,390.00. The project was completed on June 3, 2013, and a Notice of Completion has been issued by the Department of Public Works, Bureau of Contract Administration.

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Plans for the project were prepared by the Department of Public Works, Bureau of Engineering (BOE), Architectural Division. The plans provided for the construction of a new asphalt parking lot, paving and access roadways, gravel equestrian staging area, fencing and horse railings, new concrete paving, decomposed granite pathways, picnic shelter, picnic tables and benches, aluminum bleacher, drinking fountain, pedestrian bridge, horse riding ring, drainage and storm water treatment improvements, new irrigation system, new trees, shrubs and hydroseeded areas, new solar security lighting and the prefabricated restroom. In addition, a new sewer extension was constructed on Rinaldi Street to serve the pre-fabricated restroom, and at the request of Council District 12, additional fencing was installed along Rinaldi Street.

The Recreational and Cultural Facilities Program, BOE Program Manager has informed the Department of Recreation and Parks (RAP) that the project is complete and that the contractor has furnished the required permits, drawings, operation and maintenance manuals, warranties, and guarantees. The project has nineteen (19) Change Orders issued in the amount of \$650,982.00 or 67.5% of the base contract amount. The final construction contract amount, including change orders, was \$1,615,372, after the Board authorized BOE to negotiate and execute change orders for the mitigation of saturated soil on November 2, 2011 (Board Report No. 11-295) and the installation of the prefabricated restroom on February 15, 2012 (Board Report No. 12-052).

RAP staff consulted with the Department of Public Works, Office of Contract Compliance concerning the status of the labor compliance requirements and Affirmative Action requirements on the project. The Department of Public Works, Office of Contract Compliance has informed the Project Manager that \$12,000.00 in alleged wage violations and penalties are being assessed to the contractor for alleged underpayments by its sub-contractor, United Landscape & Maintenance, Inc., to its employees. Such allegation now under review, and that therefore, \$12,000.00 in retention should be withheld and not released at this time. This amount should continue to be held in retention until such time as written notice is received by the Office of Contract Compliance that the contractor has either fully complied with such wage and penalty assessment or that such wage and penalty assessment is released by the Office of Contract Compliance, or that all or a portion of such wage and penalty assessment shall be garnished from the final retention release payment to the contractor.

FISCAL IMPACT STATEMENT:

At this time, there is no fiscal impact to RAP's General Fund with the approval of this Board Report. This facility received partial funding for maintenance part-time staff, materials and supplies during fiscal year 2013-2014. A request for further funding may be requested in the future.

This report was prepared by Erick Chang, the Department of Public Works, BOE, Recreational and Cultural Facilities Program. Reviewed by Neil Drucker, Program Manager, BOE, Recreational and Cultural Facilities Program, Deborah Weintraub, Chief Deputy City Engineer, BOE; and Cathie Santo Domingo, Superintendent, Department of Recreation and Parks, Planning, Construction and Maintenance Branch.