

APPROVED  
02-03-2016

BOARD OF RECREATION  
AND PARK COMMISSIONERS

REPORT OF GENERAL MANAGER

NO. 16-040

DATE February 3, 2016

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 109<sup>TH</sup> STREET RECREATION CENTER – POOL AND BATHHOUSE REPLACEMENT (PRJ1501P) (W.O. #E1906494) PROJECT – AUTHORITY TO NEGOTIATE AND ISSUE CHANGE ORDERS, SUPPLEMENTAL AGREEMENT CHANGE ORDER, AND SUBSEQUENT CHANGE ORDERS TO CONTRACT NO. 3462

*for* \*R. Barajas CSD K. Regan \_\_\_\_\_  
H. Fujita \_\_\_\_\_ N. Williams \_\_\_\_\_  
V. Israel \_\_\_\_\_

Raman Barajas FOR  
General Manager

Approved ✓

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Authorize the General Manager to negotiate and issue Change Order No. 23, for an amount not to exceed Two Hundred Thirty Thousand Dollars (\$230,000.00), to Contract No. 3462 with Simgel Co., (Contractor) Inc. for the work outlined in the Summary of this Report;
2. Authorize the General Manager to negotiate and issue Supplemental Agreement by Change Order No. 34 to Contractor to extend the terms and conditions of Contract No. 3462 from the current change order ceiling of Nine Hundred Eighty Thousand Dollars (\$980,000.00), or twenty-five percent (25%) of the contract award amount, to a new ceiling of One Million, Three Hundred Seventy-Two Thousand Dollars (\$1,372,000.00), or thirty-five percent (35%) of the contract award amount; and,
3. Authorize the General Manager to issue subsequent change orders up to not-to-exceed amount of One Million, Three Hundred Seventy-Two Thousand Dollars (\$1,372,000.00), or thirty-five percent (35%) of the contract award amount, to complete the 109<sup>th</sup> Street Recreation Center – Pool and Bathhouse Replacement (PRJ1501P) (W.O. #E1906494) project.

SUMMARY:

On August 14, 2013, the Board awarded Contract No. 3462 to Contractor in the amount of Three Million, Nine Hundred Twenty Thousand Dollars (\$3,920,000.00) for the 109<sup>th</sup> Street Recreation Center – Pool and Bathhouse Replacement (PRJ1501P) (W.O. #E1906494) project,

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located at 1431 East 110th Street, Los Angeles, California 90059 (Report No. 13-200).

The construction is currently ninety-two percent (92%) complete. To date, thirty (30) change orders (Attachment 1) have been executed in the amount of Seven Hundred Thirty-Six Thousand, One Hundred Thirty-Nine Dollars (\$736,139.00) or eighteen point eight percent (18.8%) of the original awarded contract amount.

Change order (Attachment 2) work included the following:

- reconfigured fencing to separate the splash pad from pool;
- an additional trench drain to keep runoff from the splash pad from flooding the existing playground area; upgraded pool equipment; and
- revised Department of Water and Power (DWP) electrical service line to preserve existing mature trees.

Of the change orders issued, four point five percent (4.5%) were the result of Unforeseen or Changed Conditions, three point nine percent (3.9%) were from Errors and Omissions, and ten point three percent (10.3%) were changes in scope.

During construction, the County of Los Angeles (County) Inspector determined that the previously approved pool deck and perimeter tube-steel fence design has to be modified to avoid surcharging an existing County storm drain that runs beneath the property. In order to protect the existing storm drain, a new structural support system for the pool deck and perimeter fence bridging over the storm drain is required. This necessary work requires a change order to issue to the Contractor.

For this change order, the work will include excavation and hauling off-site four hundred sixty (460) cubic-yards of soil above the concrete storm drain, using a small excavator to avoid heavy construction loads on the existing storm drain; the installation of seven (7) twenty (20) foot deep caissons to support the west side perimeter tube-steel fence; a twelve (12) inch deep by thirty-six (36) inch wide grade beam to support the fence and the portion of the pool deck that spans over the storm drain; the installation of two (2) feet of Environmental Product Declaration (EPD) Geofoam beneath the new pool deck and on top of the storm drain box in lieu of dirt; and, installation of a corrugated metal screen on the fence.

The Contractor has submitted a change order proposal in the amount of Three Hundred Twenty Thousand, Fifty-Six Dollars (\$320,056.00) for the change order work described above. Department of Public Works, Bureau of Engineering (BOE) staff has reviewed the change order proposal and prepared a fair and reasonable comparative estimate with an approximate amount of Two Hundred Thirty Thousand Dollars (\$230,000.00). Staff recommends approval of the negotiation of this change order to not to exceed Two Hundred Thirty Thousand Dollars (\$230,000.00).

With the issuance of this change order, the total arithmetic value of change orders issued to date would not exceed Nine Hundred Sixty-Six Thousand, One Hundred Thirty-Nine Dollars

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(\$966,139.00). This brings the total percent of change orders in comparison to the original contract value to twenty-four point six percent (24.6%). BOE staff is reviewing additional change order requests submitted by the Contractor, and anticipates that the total change order exposure will exceed Nine Hundred Eighty Thousand Dollars (\$980,000.00). or twenty-five percent (25%) of the original contract award amount. Therefore, per Article 27 of the General Conditions for construction projects, a Supplemental Agreement to be executed by a Change Order is requested to complete the project.

Executing a Supplemental Agreement to issue change orders over twenty-five percent (25%) of the original contract award amount will surpass the limit of the General Manager's authority to issue change orders, and requires Board approval per Report No. 06-136. Therefore, it is requested that the Board authorize the General Manager to negotiate and execute potential additional change orders for a total cumulative value not to exceed Three Hundred Seventy-Two Thousand Dollars (\$1,372,000.00) or thirty-five percent (35%) of the original contract award amount.

There are sufficient available project funds already approved for use on this project to cover the requested change order authority for this contract. The funds are Recreation and Parks General Capital, Six Million Dollars (\$6,000,000.00), in Department 89 Fund 302, Account 89270KCM, and these funds were allocated to this project per Report No. 12-241, approved September 5, 2012.

### FISCAL IMPACT STATEMENT:

As indicated above, the project, and the change order authority requested in this Report are funded by previously approved funding of Six Million Dollars (\$6,000,000.00), Recreation and Parks General Capital Department 89, Fund 302, Account 89270KCM, per Report No. 12-241. There is no immediate fiscal impact to the Department of Recreation and Parks' (RAP) 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, BOE Architectural Division. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Division; Deborah Weintraub, BOE, Chief Deputy City Engineer; and Cathie Santo Domingo, Superintendent, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.

Attachment 1

Change Order Log

Revised: 01-22-16

## Change Order Log - 109th Street Rec Center-Pool & Bathhouse W.O.# E1906494

CO #	DESCRIPTIONS	Proposal \$	Approved \$	Days Extend	FCO Date	Classification Type
1	Modification of Irrigation at Southeast area	\$ 15,812.00	\$ 15,500.00	7	4/30/14	Unforeseen Conditions
2	Time Extension for DWP Power Connection	\$ -	\$ -	40	5/15/14	Unforeseen Conditions
3	Install Conduits/Jboxes for Security System	\$ 58,008.00	\$ 46,000.00	14	9/15/14	Change in Scope
4	Excavation, Backfill & Compaction	\$ 93,875.00	\$ 78,735.00	23	9/15/14	Unforeseen Conditions
5	Purchase & Install MS, LCP, L1, & P1	\$ 36,983.00	\$ 34,437.00	0	9/22/14	Errors and Omissions
6	Modification to the Surge Chamber Elev. & Access Hatch	\$ 23,695.00	\$ 21,298.00	0	9/23/14	Errors and Omissions
7	DWP Elec Charges	\$ 8,801.82	\$ 7,854.00	0	3/5/15	Change in Scope
8	Rain Delay	\$ -	\$ -	30	2/18/15	Unforeseen Conditions
9	Replacing Windows with Glass Blocks	\$ 26,357.94	\$ 22,000.00	15	7/30/15	Change in Scope
10	Plan Check Fees	\$ 4,321.12	\$ 3,928.00	0	4/2/15	Unforeseen Conditions
11	Certified Deputy Inspector	\$ 5,868.00	\$ 5,868.00	0	4/2/15	Change in Scope
12	Install 3 Extra Elec Pull Boxes	\$ 10,325.00	\$ 25,000.00	0	4/16/15	Unforeseen Conditions
13	Apply Seal Coat Over CMU	\$ 37,323.00	\$ 24,000.00	0	4/27/15	Change in Scope
14	Apply Epoxy Coating & Anti Graffiti	\$ 73,042.00	\$ 34,049.00	0	5/6/15	Change in Scope
15	Modification to High Roof	\$ 57,285.87	\$ 56,287.00	20	5/6/15	Errors and Omissions
16	Install Elec. Weatherhead T&M Work	\$ 102,251.40	\$ 81,439.00	45	11/9/15	Change in Scope
17	Void	Void	Void	0	Void	Void
18	Upgrade Chemical Controllers	\$ 30,668.02	\$ 22,809.00	0	6/23/15	Change in Scope
19	Install Variable Frequency Drive for Pumps	\$ 19,281.74	\$ 18,190.00	0	6/24/15	Change in Scope
21	Tree Trimming	\$ 5,423.54	\$ 5,120.00	0	7/15/15	Errors and Omissions
22	Modifications to Roof Drains and Cabinets	\$ 21,811.07	\$ 20,112.00	7	7/16/15	Unforeseen Conditions
24	Modification to Vegetated Swale	\$ 25,262.71	\$ 24,800.00	20	8/3/15	Unforeseen Conditions
25	Modification to Canopy Pilaster Foundations & Base plates	\$ 11,809.05	\$ 10,532.00	7	8/4/15	Errors & Omissions
26	Modification to Window Grillis	\$ 8,306.69	\$ 8,110.00	0	8/10/15	Errors & Omissions
27	Additional CMU Pilasters	\$ 25,116.50	\$ 18,554.00	20	10/1/15	Errors & Omissions



**Change Order Log - 109th Street Rec Center-Pool & Bathhouse  
W.O.# E1906494**

CO #	DESCRIPTIONS	Proposal \$	Approved \$	Days Extend	FCO Date	Classification Type
28	Additional Ceiling Light	\$ 4,360.67	\$ 4,098.00	5	10/1/15	Change in Scope
29	Shift the Southside Fence at Visitor Parking	\$ 11,857.85	\$ 8,572.00	0	10/1/15	Unforeseen Conditions
30	Upgrade Thermostatic Mixing Valve	\$ 3,030.39	\$ 3,030.00	0	10/1/15	Change in Scope
31	Modification to Picket Fence Installation @ Sprayground	\$ 105,663.02	\$ 79,000.00	30	1/7/16	Change in Scope
32	Relocated Roof Drain @ High Roof	\$ 14,817.00	\$ 14,817.00	10	12/7/15	Change in Scope
33	Additional Gutter Drain	\$ 44,168.22	\$ 42,000.00	18	1/7/16	Change in Scope
<b>Total Executed Change Orders To Date:</b>		<b>\$1,021,342.62</b>	<b>\$ 736,139.00</b>	<b>311</b>		

CO #	DESCRIPTIONS	Proposal \$	Negotiate Not-to-Exceed	Days Extend	FCO Date	Classification Type
23	Modification of Westside Picket Fence	\$ 320,056.00	\$ 230,000.00	55	Pending	Unforeseen Conditions
34	Increase Change Order Ceiling	\$ -	\$ -	0	Pending	Change in Scope
<b>Subtotal:</b>		<b>\$1,341,398.62</b>	<b>\$ 966,139.00</b>	<b>366</b>		

CO #	DESCRIPTIONS	Negotiate Not-to-Exceed	Days Extend	FCO Date	Classification Type
N/A	Potential Change Order Requests	\$ 150,000.00	TBD	TBD	TBD
<b>Total Change Order Exposure To Date:</b>		<b>\$1,116,139.00</b>	<b>366</b>		

**Additional Contingency Requested: \$ 255,861.00**  
**Not-to-Exceed Change Order Ceiling Amount: \$1,372,000.00**

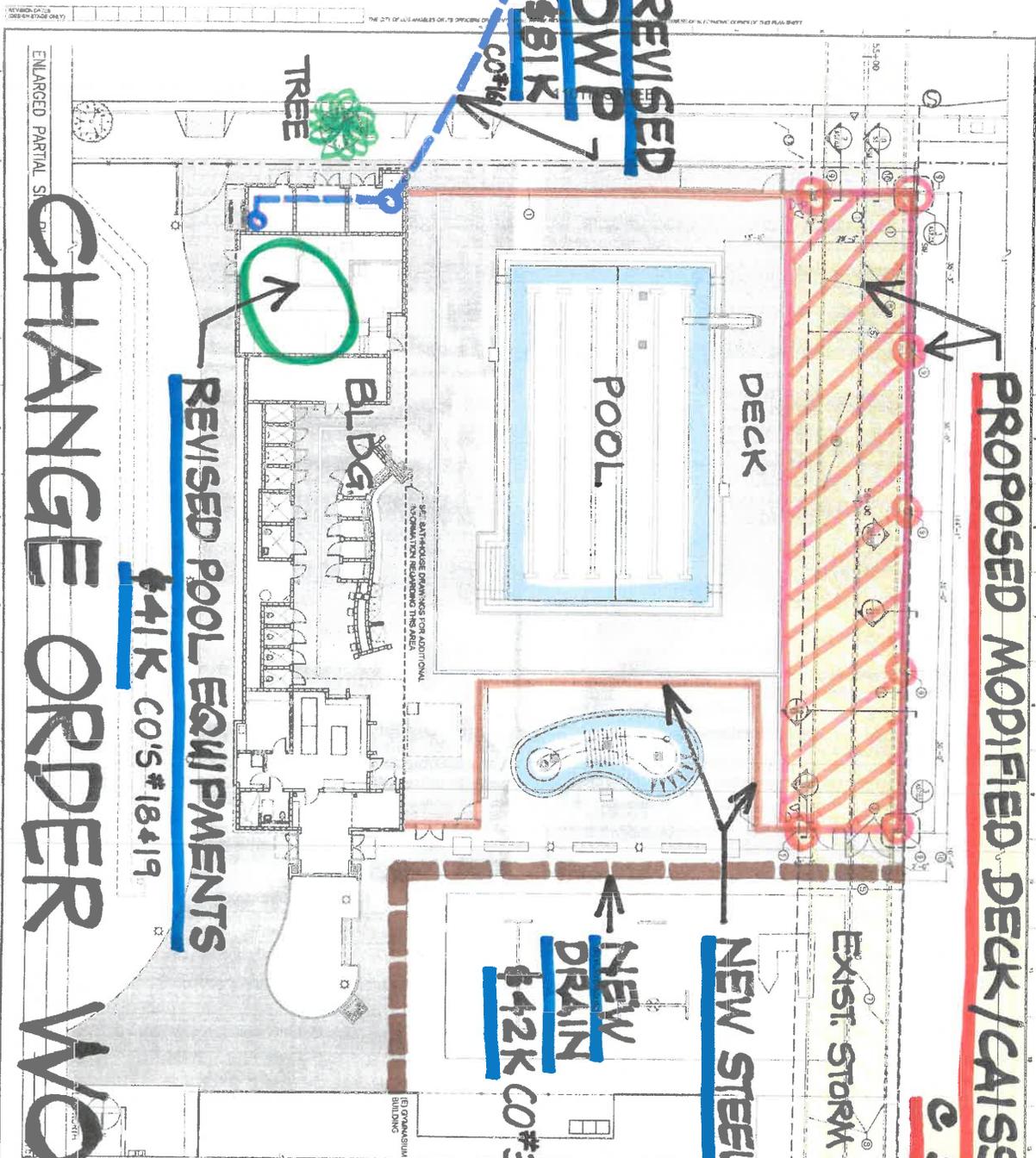
**Notes:**

CHANGE ORDER CLASSIFICATIONS	Total Amount	Days	Percent of Contract
Unforeseen/Changed Conditions	\$ 176,647.00	127	4.51%
Errors and Omissions	\$ 154,338.00	47	3.94%
Change in Scope	\$ 405,154.00	137	10.34%
<b>Total:</b>	<b>\$ 736,139.00</b>	<b>311</b>	

Attachment 2

Marked Site Plan Graphics

Revised: 01-22-16



**CHANGE ORDER WORK**

**PROPOSED**  
**PREVIOUS**  
**EXECUTED**

<b>SPARANO + MOORE ARCHITECTURE</b> 642 MOULTON AVENUE, STUDIO 300 LOS ANGELES, CALIFORNIA 90015 323.221-6600		<b>DEPARTMENT OF PUBLIC WORKS</b> MARY LEE MOORE, PE, ENV SP CITY ENGINEER ANATOMICAL DIVISION	
PROJECT: 100TH STREET POOL AND BATHHOUSE REPLACEMENT ADDRESS: 1431 EAST 110TH STREET LOS ANGELES, CA 90059	DRAWN BY: SPARANO + MOORE ARCHITECTURE CHECKED BY: SPARANO + MOORE ARCHITECTURE APPROVED BY: MANUELO ORLANDINI, AIA, PRINCIPAL ARCHITECT	DATE: 06/20/15 INDEX NO: RP 300036	BUILDING NO: