

REPORT OF GENERAL MANAGER

NO. 05-213

DATE August 9, 2005

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EVERGREEN RECREATION CENTER - CHILDCARE CENTER (#1618D)
(W.O. #E170354F) - FINAL PLANS AND CALL FOR BIDS

J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	*M. Shull	<u>MS</u>



General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve final plans and specifications for Evergreen Recreation Center - ChildCare Center (#1618D) (W.O. #E170354F); and,
2. Approve the date for receipt of bids as Tuesday, September 20, 2005 at 3:00 P.M. in the Board Office.

SUMMARY:

On May 27, 1998, a contract in the amount of \$1,079,905.00 was awarded to D & M Construction, Inc., (D & M) to construct a new childcare center at Evergreen Recreation Center (Board Report No. 240-98). Work began on August 3, 1998 with a construction period of 300 calendar days and a completion date of May 29, 1999.

On January 17, 2001, through Board Report No. 01-01, the Board of Recreation & Parks Commissioners cancelled Contract No. 2849 with D& M. Department staff and D & M disagreed on several construction related issues and it was decided that the logical course of action would be to cancel the contract.

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It should be noted that on April 4, 2000, D & M had filed a lawsuit against the City seeking damages for wrongful termination, failure to pay retention, failure to pay approved change orders, and City-caused delays to the construction schedule due to defective plans resulting in significantly higher overhead, and interest on these damages. The City Attorney's Office had recommended that the case be settled. Staff is currently consulting with the City Attorney to determine the disposition of this case.

Due to the fact that so much time had passed, the original design became unusable due to the multitude of Building Code revisions and contract issues with the original design consultants. At this point, it was more cost effective to re-design the facility to current Building Code Standards with a new design consultant team.

Therefore, submitted are the revised final plans and specifications for the Evergreen Childcare Center, located at 2844 E. 2nd Street. The project is a Prop K specified project. The Department's design consultant, Miralles and Wu, LLP prepared plans for this project, and the estimate for the construction cost is \$1,500,000.00. The plans provide for the construction of a new 4,150 square-foot Childcare Center with a new child's playground area, new parking lot, site landscaping, and new fences/gates. The plans also include required earthwork to provide a certified building pad and a methane mitigation system.

Funds for construction are available for the proposed improvements in various funds, as follows:

	<u>FUND</u>	<u>ACCOUNT NO.</u>
PROP K01	43K	K027
PROP K Interest	43K	T027
CFAF 02/03	100	V731
PROP 12 MH	205	014M
Prop A	205	H076

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements will not have a significant impact on the environment. This project has been determined to be Categorically Exempt per City CEQA guidelines Article VII, Section 1c (new construction of small structures) and 1k (accessory structures). A Notice of Exemption was filed with the Los Angeles City Clerk's office on May 26, 1998, and posted by the County Clerk's office on May 27, 1998.

The bid package has been approved by the City Attorney's Office.

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FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the department; however, future operations and maintenance costs will be assessed upon completion of the project.

Prepared by Alice Gong and reviewed by Neil Drucker, Recreational and Cultural Facilities Program, Bureau of Engineering and by Bradley M. Smith, P.E., Chief Deputy City Engineer, Bureau of Engineering.