

REPORT OF GENERAL MANAGER

NO. 05-237

DATE September 21, 2005

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TAYLOR YARD PHASE II – NEW PARK DEVELOPMENT (#1202S) (W.O. # E1904346) – REVIEW OF BIDS AND AWARD OF CONTRACT

J. Combs \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
B. Jensen \_\_\_\_\_

J. Kolb \_\_\_\_\_  
F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull *du p m s*

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Find that Los Angeles Engineering, Inc., whose base bid was \$9,694,600.00, is the lowest responsible bidder for Taylor Yard Phase II – New Park Development (#1202S) (W.O. # E1904346);
2. Award the contract with the City's Deductive Alternates Nos. 1, 2, 3, 4, 5, 6 and 7, in the amounts of \$210,000.00, \$80,000.00, \$174,000.00, \$140,000.00, \$300,000.00, \$200,000.00 and \$850,000.00 respectively and the State's Deductive Alternates Nos. 2, 3 and 5, in the amounts of \$50,000.00, \$7500.00 and \$44,000.00 respectively, resulting in a total contract award of \$7,639,100 to Los Angeles Engineering, Inc., all according to plans and specifications;
3. Authorize the Chief Accounting Employee to encumber funds in the amount of \$7,639,100 from Fund# / Acct# under the awarding authority of this Board Report; and,
4. Request staff to prepare a contract, including a "funding clause," limiting the City's liability for the contract payments to the amount of funding appropriated by the City for this contract which is \$5,992,066.00, as well as, so limiting the contractor's obligation to perform the contract, as further described in this report, after which the Board President and Secretary be authorized to execute the contract after the appropriate signatures by the other parties thereto and approval of form by the City Attorney have been obtained thereon.

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### SUMMARY:

On October 20, 2004, the Board awarded a construction contract in the amount of \$2,131,000.00 to Southern California Grading, Inc. under Board Report No. 04-316 for construction of the Taylor Yard Park – Grading Project, (#1202S)(W.O. #E1904346), located at 1900 N. San Fernando Road. The Board of Recreation and Parks executed Contract No. 3144 on January 7, 2005. The Grading Project is now 100% complete with construction and is currently going through the administrative process of closing out the contract. A separate report will be prepared for recommendations relating to final acceptance of Contract No. 3144.

On April 20, 2005, the Board approved final plans and call for bids for Phase II of the Taylor Yard – New Park Development, located at 1900 N San Fernando Road, Los Angeles, CA 90065-1266. This project (Phase II) provides for the development of the 40-acre park site. The City of Los Angeles will be leasing 20 acres of the Taylor Yards property through a lease agreement with the State. The State of California Parks and Recreation plans were included as part of this bid package. The State's plans were listed as a separate bid item in the documents and will be funded through a grant agreement that was previously approved by this Board on June 15, 2005 (Board Report No. 05-148). The estimated construction cost of the state's portion of the project was \$1,200,000.00.

The final plans and specifications for the City's 20 acres were prepared by Withers and Sandgren LTD, a consultant to the Department of Recreation and Parks. The estimated construction cost of the City's portion of the project is \$9,000,000.00.

The following is a list of the new park improvements for the City's portion of the project:

1. Four Turf Junior Soccer fields including, Fencing, and Bleachers.
2. One Multi-Purpose Synthetic Turf Field including Fencing, Striping and Bleachers.
3. Parking Lot with Security Lighting
4. Two Restroom Buildings
5. One Baseball Field and One Softball Field with, Bleachers, Drinking Fountain, and Scoreboard
6. Perimeter Fencing Around Entire Site, including Both Chainlink and Tubular Steel
7. Interior Pedestrian Decomposed Granite Walkways
8. Landscaping and Irrigation
9. Site amenities including but not limited to benches, trash receptacles, signage, drinking fountains, and picnic tables
10. Four Basketball Courts and Two Tennis Courts including, Lighting, Fencing, and Bleachers (Deductive Alternate No.1)
11. Sports field lighting for the Multi-Purpose Synthetic Turf Field (Deductive Alternate No.2)

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12. Sports field lighting for the Junior soccer fields (Deductive Alternate No.3)
13. Sports field lighting for the baseball and Softball fields (Deductive Alternate No.4)
14. Children's Play Area (Deductive Alternate No.5)
15. Splash Pad (Deductive Alternate No.6)
16. Park Office/Community Building (Deductive Alternate No.7)

The following is a list of the new park improvements for the State's portion of the project:

1. Landscaping & irrigation (Deductive Alternate No. 1, noted as turf transition area between the City and State lease boundary)
2. Granite Boulders (Deductive Alternate No. 2)
3. A natural outdoor amphitheater (Deductive Alternate No. 3)
4. Site Lighting electrical and controls (Deductive Alternate No. 4)
5. Shade armadas and foundations (Deductive Alternate No. 5)
6. Trails
7. A riparian natural area

On July 26, 2005, five bids were received (see Attachment No 1). . The lowest base bid was determined by the lowest combination of the City's base bid and the State's base bid. Los Angeles Engineering, Inc submitted the lowest base bid, as shown in Attachment No. 1. Staff has determined that even after exercising the City's Deductive Alternate Nos. 1, 2, 3, 4, 5, 6, and 7, a total project shortfall exists in the amount of \$900,000.00.

In regards to the State's park, staff has determined that the State's Deductive Alternate Nos. 2, 3 and 5 would need to be exercised in order to eliminate their shortfall and meet the \$800,000.00 the State is making available for their park. The State concurs with this approach.

Available funds to address the City's shortfall exist in Proposition K Competitive Grant Funding (2003-04) from the CRA-Watts Cultural Crescent Canopy (\$250,000), undesignated Proposition 12 Per Capita Funding (\$325,000) and Proposition 40 Per Capita 1/3 funding (\$325,000) from Council District 1. On September 14, 2005, the Steering Committee approved the use of the aforementioned funds for this project and has directed staff to prepare and transmit this matter to the City Council for consideration and further recommended that the Board award a construction contract to Los Angeles Engineering, Inc. in the amount of \$7,639,100 exercising the City's Deductive Alternate Nos. 1, 2, 3, 4, 5, 6, and 7 and State's Deductive Alternate Nos. 2, 3 and 5.

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The following is a list of the funding sources and their available funds.

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT</u>		<u>GRANT AWARD</u>		<u>AVAILABLE</u>
Prop K - Year 8	43K/10/W567	\$	1,203,878.00	\$	657,066.00
Prop 12 RZH	46L/22/TBD	\$	1,446,364.00	\$	0.00
Prop 40 1/3 RZH	47W/22/TBD	\$	373,381.00	\$	0.00
Prop 40 2/3 RZH	47W/22/TBD	\$	1,536,307.00	\$	0.00
Prop 40 2/3 Per Capita	47T/22/TBD	\$	90,312.00	\$	0.00
Prop 40 Murray Hayden	205/89/YW03	\$	2,500,000.00	\$	2,425,000.00
Prop 40 Urban Parks	205/89/WV08	\$	3,000,000.00	\$	2,910,000.00
TOTAL		\$	10,150,242.00	\$	5,992,066.00

PROPOSED FUNDING:

<u>FUNDING SOURCE</u>	<u>AWARD AMOUNT</u>	<u>STATUS</u>
State Parks	\$ 800,000.00	Pending Council approval to accept funds
Prop 12 RZH	\$ 325,000.00	Pending SC/Council approval
Prop K Reprogrammed Funds	\$ 250,000.00	Pending SC/Council approval
Prop 40 2/3 Per Capita	\$ 325,000.00	Pending SC/Council approval
TOTAL	\$ 1,700,000.00	

Currently, there is only \$5,992,066.00 available. The remaining funds required to fully encumber the contract are contingent upon City Council approval of the State Park funds (\$800,000.00), Proposition K Competitive Reprogrammed funds (\$250,000.00), Proposition 12 RZH funds (\$325,000.00) and Proposition 40 2/3 Per Capita funds (\$325,000.00). The contract will provide that the City's liability for the contract payments under this contract shall only be to the extent of the City appropriation to fund the contract. If the City does appropriate the additional funding through City Council approval, the City's liability for contract payments shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The contractor will not be required to do any work in excess of the amount of the current funding, plus additional funding appropriated by the City, if any, for this project.

Staff has reviewed the outreach effort made by Los Angeles Engineering, Inc. Based on the documents submitted, Los Angeles Engineering, Inc. made the required "good faith" effort to provide subcontracting opportunities to MBE/WBE/OBE subcontractors. The contractor obtained 100 points out the possible 100 points. The Outreach Document package is on file in the Board Office and synopsis of said package is attached.

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In accordance with the requirements of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (SCH #200421121) that included the Phase II elements of the project was adopted by the City Council on June 22, 2004. A Notice of Determination was filed with the Los Angeles City and County Clerks on June 23, 2004.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget for the construction project. All funds are provided by the above-listed funding sources specifically identified and approved for use on this project or at this Recreation and Parks facility. The assessments of the future operations and maintenance costs have yet to be determined.

Prepared by Mike Shull, Superintendent, Planning and Development.

CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS

ATTACHMENT I

ESTIMATED COST: \$10,200,000.00

	TAYLOR YARD PROJECT PHASE II - NEW PARK DEVELOPMENT W.O. E1904346 Bid Date: July 26, 2005	BASE BID ESTIMATE CITY (C)/\$9,000,000.00 STATE (S)/\$1,200,000.00	DED. Alt. #1	DED. Alt. #2	DED. Alt. #3	DED. Alt. #4	DED. Alt. #5	DED. Alt. #6	DED. Alt. #7
1	LOS ANGELES ENGINEERING, INC.								
	CITY	\$8,799,000.00	\$210,000.00	\$80,000.00	\$174,000.00	\$140,000.00	\$300,000.00	\$200,000.00	\$850,000.00
	STATE	\$895,600.00	\$40,000.00	\$50,000.00	\$7,500.00	\$46,000.00	\$44,000.00		
		<b>\$9,694,600.00</b>							
2	MALLCRAFT, INC.								
	CITY	\$11,090,000.00	\$150,000.00	\$50,000.00	\$150,000.00	\$120,000.00	\$30,000.00	\$25,000.00	\$160,000.00
	STATE	\$1,064,000.00	\$50,000.00	\$65,000.00	\$8,000.00	\$20,000.00	\$20,000.00		
		<b>\$12,154,000.00</b>							
3	DJM CONSTRUCTION CO., INC.								
	CITY	\$12,328,363.00	\$396,000.00	\$67,000.00	\$122,000.00	\$120,000.00	\$268,800.00	\$183,900.00	\$730,000.00
	STATE	\$0.00	\$53,600.00	\$68,600.00	\$11,300.00	\$22,600.00	\$29,000.00		
		<b>\$12,328,363.00</b>							
4	GRIFFITH COMPANY								
	CITY	\$11,400,000.00	\$497,100.00	\$80,000.00	\$174,000.00	\$140,000.00	\$354,559.00	\$269,494.00	\$1,100,000.00
	STATE	\$1,430,500.00	\$61,310.00	\$78,550.00	\$20,000.00	\$46,000.00	\$43,000.00		
		<b>\$12,830,500.00</b>							
5	TBD PENICK & SONS, INC.								
	CITY	\$15,460,000.00	\$420,000.00	\$80,000.00	\$174,000.00	\$140,000.00	\$420,000.00	\$675,000.00	\$725,000.00
	STATE	\$900,000.00	\$107,000.00	\$60,000.00	\$23,000.00	\$46,000.00	\$43,000.00		

# GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: LOS ANGELES ENGINEERING, INC. Bid Date: JULY 26, 2005

Project Name: **TAYLOR YARD PROJECT PHASE II – NEW PARK DEVELOPMENT  
(W.O. E1904346)**

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
2 Pre-Bid Meeting	a) Attend pre-bid meeting and be listed on the attendance sheet; or b) Submit a letter prior to the pre-bid meeting either by fax to (213) 617-0439, or by mail to the Recreation and Parks Dept., Planning and Development Branch, 200 N. Main Street, Room 709, Los Angeles, California 90012.		10	10
3 Work Areas	Proof of this must be demonstrated in either indicator 4 or 5.		13	13
4 Ad	A copy of the advertisement or a proof of publication statement or other verification which confirms the date the advertisement was published. The advertisement must be specific to the project, not generic, and may not be a planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents.		9	0
5 Letters to Potential Subs	A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	10
6 Follow-up to Letters	A copy of telephone logs. These logs must include the name of the company called, telephone number, contact person, who did the calling, time, date, and the result of the conversation. Bidder must follow-up with all subcontractors to whom they sent letters.		10	10
7 Plans	Include in Indicator 4 or 5, information detailing how, where and when the bidder will make the required information available to interested subcontractors.		5	5
8 Outreach Letters	A copy of each letter sent to outreach agencies requesting assistance in recruiting MBEs, WBEs and OBEs. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelopes or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	0
9 Negotiate in Good Faith	a) Copies of all MBE/WBE/OBE bids or quotes received; and b) Summary sheet organized by work area, listing bids received and the subcontractor selected for that work area. If the bidder elects to perform a listed work area with its own forces, they must include a bid that shows their own costs for the work.		26	26
10 Bonds	Include in Indicator 4 or 5, information about the bidder's efforts to assist with bonds, lines of credit and insurance.		7	7
<b>TOTAL POINTS ACHIEVED</b>			<b>81</b>	
<b>MBE/WBE % ACHIEVED:</b>			<b>6.0 %</b>	

MBE=6% WBE=0% OBE=22% Prime=72%