

# APPROVED

MAY 07 2020

## BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 20-065

DATE May 7, 2020

C.D. 11

### BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: POTRERO CANYON PARK - GRADING (W.O. #E1907428) PROJECT - REQUEST AUTHORITY TO INCREASE PROJECT CONTINGENCY FOR CONTRACT No. 3644 WITH OHL USA, INC.

AP Diaz	_____	S. Piña-Cortez	_____
H. Fujita	_____	for C. Santo Domingo	<u>DF</u>
V. Israel	_____	N. Williams	_____



General Manager

Approved X Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

### RECOMMENDATIONS

1. Approve the request to increase the project contingency from the current amount of Four Million, Five Hundred Ninety-Two Thousand, Two Hundred Seventy-Four Dollars (\$4,592,274) or 33.95% of the original contract amount, to a not to exceed amount of Five Million, Two Hundred Seventy-Five Thousand, Three Hundred Sixty-Six Dollars (\$5,275,366) or 39% of the original contract amount; and,
2. Authorize the City Engineer to negotiate and approve future change orders up to the new contingency amount as set forth in Attachment No. 1 to this Report.

### SUMMARY

On June 20, 2018 the Board of Recreation and Parks Commissioners (Board) awarded Contract No. 3644 to OHL USA, Inc (Report No. 18-124), in the amount of \$13,526,579.00 for the Potrero Canyon Park – Grading (W.O. #E1907428) Project (Project), located at 15101 Pacific Coast Highway, Los Angeles, California 90272.

This Project is constructing a 46-acre passive park with a riparian zone containing wetland trees and plants that will run down the center of the entire length of Potrero Canyon Park (Park) through a series of large retention basins. The current phase of construction of this project consists of grading and buttressing the canyon slopes to stabilize them and prevent any future landslides. The future landscaping phase will install all the irrigation and landscaping within the Park.

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On June 5, 2019 the Board approved a request to negotiate change orders in an amount not to exceed \$600,000 to process the onsite soil stockpile to produce granular soil required to fill the retention basins (Report No. 19-117). This request increased the cumulative dollar amount of change orders to 4.5% of the original contract amount.

For projects managed by the Department of Publics Works, Bureau of Engineering (BOE) Program Manager, the Board delegates the authority to BOE to negotiate change orders not-to-exceed \$100,000 and as long as the cumulative change orders amount does not exceed 25% of the overall awarded contract amount. Once the 25% threshold is reached, projects require Board approval to increase the project contingency to allow future change orders to be issued.

On October 23, 2019 the Board approved a request to negotiate change orders specifically for grading bid item quantity overruns in an amount not to exceed \$3,900,000 (Report No. 19-216). This request increased the cumulative dollar amount of change orders to 33.95% of the original contract amount. Because the cumulative dollar amount of change orders for this Project will soon surpass the previously approved 33.95% contingency, BOE is unable to issue additional change orders for items other than grading quantity overruns unless the contingency is replenished.

This Report is for the administrative purpose of increasing the previously approved project contingency of \$4,592,274 to a not to exceed amount of \$5,275,366 which represents an increase of \$683,092. The increase contingency ceiling will allow BOE to continue to issue change orders that are needed for the successful completion of the project up to the stated not to exceed amount. BOE will continue to follow standard Department of Recreation and Parks (RAP) change order protocol and will obtain Board approval for change orders over \$100,000.

To date, twenty-nine (29) change orders have been executed in the amount of Four Million, Three Hundred Fifty-Seven Thousand, Six Hundred Three Dollars (\$4,357,603), or 32.22% of the original awarded contract amount. Three (3) of these change orders were issued under the authority of Report No. 19-117 and total \$599,776. Three (3) other change orders were issued under the authority of Report No. 19-216 and total \$3,175,045. The remaining twenty-three (23) change orders total \$582,782, or 4.31% of the total contract amount. The following table summarizes the change orders as of February 21, 2020:

<b>Summary of Change Orders as of 2/21/2020</b>			
<b>Category</b>	<b>Total No. of Change Orders</b>	<b>Dollar (\$) Amount</b>	<b>Percent (%) of Contract Amount</b>
Change Orders under approved Report No. 19-117	3	\$599,776	4.43%
Change Orders under approved Report No. 19-216	3	\$3,175,045	23.47%
Other Change Orders	23	\$582,782	4.31%
<b>Total</b>	<b>29</b>	<b>\$4,357,603</b>	<b>32.22%</b>

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A copy of the most recent Change Order Log is attached (Attachment No. 1) for reference.

Sufficient funds to cover all current and anticipated change orders are currently available from the following funds and account:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>
<i>Potrero Canyon Trust Fund</i>	<i>100/54/00G998</i>

### TREES AND SHADE

This Project consists of the removal of existing vegetation from the planned grading area to facilitate the final grading of the site. Landscaping is not included in this Project. A future construction phase, planned to immediately follow the Grading phase, will include all landscaping planned for the Park. Therefore, this change has no direct impact on trees or shade.

### ENVIRONMENTAL IMPACT

The change requested under this Report is to increase the project contingency. No new work is proposed under this Report; therefore, this change has no direct environmental impact.

### FISCAL IMPACT

This Project is funded by the aforementioned funding source and sufficient funds are available in this account to cover this request. There is no fiscal impact to RAP's General Fund as a result of this Report.

### STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board report advances RAP's Strategic Plan by supporting:

**Goal No. 1:** Provide Safe Accessible parks.  
**Outcome No. 1:** Every Angeleno has walkable access to a park in their neighborhood  
**Key Metric:** Percentage of Angelenos with park access within a ½ mile of their home  
**Target:** 60% by 2022

This Report was prepared by Pedro Garcia, Civil Engineer, Project Manager I, BOE Geotechnical Engineering Division. Reviewed by Neil Drucker, Assistant Division Manager, BOE, Architectural Division, and Darryl Ford, Superintendent, Planning, Maintenance, and Construction Branch.

### LIST OF ATTACHMENT(S)

Attachment No. 1 – Change Order Log, dated February 21, 2020

**City of Los Angeles - Department of Public Works - Bureau of Engineering  
Potrero Canyon Park - Grading  
W.O. No. E1907428**

## CHANGE ORDER LOG

CO No.	COR No.	Subject	Payment Type	CO Cat.	COIN Date	COIN Est. (\$)	PCO ECO T&M Date	Not to Exceed (\$)	GC Proposal (\$)	GC Proposal Date	City Estimate (\$)	Agreed Amount (\$)	Agreed Date	CO Status	CO Date	Time Ext. Cal. Days	Comments
001	001-R0	Work Site Traffic Control per CalTrans Requirements	LS	U	10/11/18	\$50,000.00	10/12/18		\$2,862.00	12/17/18	\$2,788.00	\$2,809.00	12/27/18	EXEC	01/11/19	0	
002	002-R0	Reimbursement for Grading Permit Cost	LS	U	12/12/18	\$1,000.00	12/12/18		\$25,186.93	12/17/18	\$187.00	\$187.00	12/27/18	EXEC	01/11/19	0	
003	007-R0	Removal of Inlet Riser @ Top of Unit 3 Slope	LS	E	01/10/19	\$50,000.00	01/11/19		\$23,348.46	04/22/19	\$19,163.00	\$19,163.00	05/02/19	EXEC	09/20/19	0	Negotiated currently, in GC's court for signature.
004	010-R0	Reimbursement for Plumbing Permit and S-Permit	LS	E	01/14/19	\$10,000.00	01/14/19		\$383.74	05/17/19	\$383.97	\$383.97	05/20/19	EXEC	06/12/19	0	Negotiated currently, in GC's court for signature.
005	003-R0	Pay State Water Resources Control Board Annual Permit Fee	LS	S	01/11/19	\$1,000.00	01/11/19		\$568.00	02/05/19	\$568.00	\$568.00	02/25/19	EXEC	03/04/19	0	
006	004-R0	Work Site Traffic Control Plan - CalTrans Comment Revisions	LS	U	01/14/19	\$5,000.00	01/14/19		\$0.00	02/14/19	\$0.00	\$0.00	02/25/19	EXEC	03/04/19	0	
007	None Specified	(VOID) Grade and Install Additional Drainage Features per PC 4 and PC 5	CAN	S	01/15/19	\$100,000.00	03/15/19							CAN			
008	005-R0	(VOID) Removal & Disposal of Stormdrain Thrust Blocks and Debris	CAN	U	02/12/19	\$50,000.00	02/27/19		\$0.00	04/10/19	\$1,305.00	\$0.00	01/01/00	CAN			
009	008-R0	(VOID) Removal of 6-12 inches Asphalt per RFI 16	LS	U	02/20/19	\$25,000.00	02/27/19		\$70,873.43	04/22/19	\$68,496.00	\$68,496.00	05/02/19	CAN		0	
010	006-R0	(VOID) Unidentified 12" Steel Pipe per RFI 31	CAN	U	03/07/19	\$5,000.00	03/07/19		\$0.00	04/10/19	\$0.00	\$0.00	01/01/00	CAN			
011	016-R0	Raise Unidentified Storm Drain MH	LS	U	03/07/19	\$5,000.00	03/07/19		\$14,720.37	08/01/19	\$7,590.00	\$11,000.00	10/15/19	EXEC	10/16/19	0	
012	009-R0	Temporary Storm Drain Installation	TM	S	03/21/19	\$25,000.00	04/15/19	\$25,000.00	\$10,924.72	04/22/19	\$10,873.00	\$10,873.00	05/02/19	EXEC	06/12/19	0	Negotiated currently, in GC's court for signature.
013	014-R0	Process Hillcrest Stockpile Soil - Part 1	TM	E	05/15/19	\$200,000.00	05/20/19	\$99,000.00	\$137,593.74	07/01/19	\$135,618.00	\$135,618.00	07/05/19	EXEC	10/16/19	0	
014	011-R0	Additional Concrete Removal per RFI 007-R1	LS	S	05/08/19	\$5,000.00	05/10/19		\$5,376.58	05/17/19	\$7,296.00	\$5,513.00	05/22/19	EXEC	06/12/19	0	
015	017-R0	Existing Manhole Shaft Differing Site Conditions	LS	U	05/08/19	\$10,000.00	05/10/19		\$12,878.18	08/01/19	\$6,695.00	\$6,000.00	09/30/19	EXEC	10/16/19	0	
016	032-R1	Grading Modification per PC 004-R2 and PC 005	LS	S	05/22/19	(\$5,000.00)	05/22/19		\$60,498.97	11/14/19	\$24,158.00	\$52,686.00	11/25/19	EXEC	12/02/19	0	
017	012-R0	Rain Delays November 2018-May 2019	LS	U	05/31/19	\$0.00	06/03/19		\$0.00	06/04/19	\$0.00	\$0.00	06/05/19	EXEC	06/12/19	32	
018	015-R0	Existing Fence Removal Due to Grading Limits - 15211 Friends/301 Alma Real	TM	U	06/04/19	\$5,000.00	06/06/19	\$5,000.00	\$8,452.99	07/23/19	\$10,005.00	\$10,005.00	08/12/19	EXEC	10/16/19	0	
019	013-R0	Grading Modification at Properties 15229-15247 Friend Street	LS	S	06/06/19	\$25,000.00	06/06/19		\$16,143.21	06/25/19	\$19,157.00	\$16,143.00	07/05/19	EXEC	10/16/19	0	
020	018-R0	Process Hillcrest Stockpile Soil - Part 2	TM	E	07/09/19	\$200,000.00	07/15/19	\$99,000.00	\$173,915.99	08/06/19	\$166,851.00	\$166,851.00	08/12/19	EXEC	10/16/19	0	
021	033-R0	Grading Modification at 535 Alma Real Dr	LS	S	07/16/19	\$25,000.00	07/17/19		\$34,379.74	10/25/19	\$29,366.00	\$29,366.00	11/13/19	EXEC	11/19/19	0	
022	035-R0	Implementation of Traffic Control per Caltrans Requirement	LS	U	07/31/19	\$50,000.00	08/07/19		\$100,489.70	11/14/19	\$93,235.00	\$98,912.00	12/10/19	EXEC	12/17/19	0	

023	028-R0	Process Hillcrest Stockpile Soil - Part 3	TM	E	08/12/19	\$200,000.00	08/20/19	\$99,000.00	\$334,066.04	10/16/19	\$297,307.00	\$297,307.00	11/01/19	EXEC	11/07/19	0	
024	021-R1	Time Extension 2 - Cumulative Impacts through April 30, 2019	LS	U	09/06/19	\$75,000.00	09/06/19		\$0.00	09/18/19	\$53,116.00	\$53,116.00	09/19/19	EXEC	09/30/19	31	
025	041-R0	Unit 3 Drainage Modifications	LS	S	09/20/19	\$50,000.00	09/20/19		\$32,737.00	01/17/20	\$32,737.00	\$32,737.00	01/17/20	EXEC	01/22/20	0	
026	037-R1	Unit 3 Desclope	LS	S	09/18/19	(\$150,000.00)	09/19/19		(\$304,569.00)	12/05/19	(\$562,276.56)			UNR			
027	022-R0	(VOID) Bid Item 23 Quantity Adjustment - July Overages	LS	U	09/20/19	\$50,000.00	09/20/19		\$38,904.93	09/20/19	\$38,905.00	\$38,905.00	09/25/19	CAN		0	
028	023-R0	(VOID) Bid Item 20 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$100,000.00	09/20/19		\$99,996.50	09/20/19				CAN			
029	027-R0	(VOID) Bid Item 21 Quantity Adjustment - July Overages - Part 2	LS	U	09/20/19	\$100,000.00	09/20/19		\$99,999.00	09/23/19	\$303,213.00	\$99,999.00	09/25/19	CAN		0	
030	025-R0	(VOID) Bid Item 22 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$100,000.00	09/20/19		\$98,800.00	09/23/19				CAN			
031	024-R0	(VOID) Bid Item 21 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$150,000.00	09/20/19		\$99,999.00	09/23/19				CAN			
032	026-R0	(VOID) Bid Item 23 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$25,000.00	09/20/19		\$20,805.60	09/23/19				CAN			
033	None Specified	Overtime (OT) for the Month of February 2020	TM	S	02/19/20	\$50,000.00								UNR			
034	034-R0	Additional Grading - West of Basins 3, 4, and 5	TM	U	10/02/19	\$25,000.00	10/31/19	\$25,000.00	\$20,440.61	11/01/19	\$20,441.00	\$20,441.00	11/01/19	EXEC	11/21/19	0	
038	036-R0	Procurement of Plants for Landscaping Phase of Potrero Canyon Park Project	LS	S	10/09/19	\$100,000.00	10/10/19		\$98,390.21	11/14/19	\$91,102.00	\$91,102.00	11/21/19	EXEC	11/25/19	0	
039	029-R0	(VOID) Bid Item Quantity Adjustments - July Overages	CAN	U	10/17/19	\$200,000.00	10/18/19		\$342,117.18	10/22/19				CAN			
040	030-R0	(VOID) Bid Item Quantity Adjustments - August Overages	CAN	U	10/17/19	\$200,000.00	10/18/19		\$921,917.17	10/22/19				CAN			
041	031-R0	Supplemental Agreement - Increase Contract Price to 133.95%	LS	S	10/22/19	\$0.00	10/22/19		\$3,045,242.00	10/24/19	\$3,045,242.00	\$3,045,242.00	10/28/19	EXEC	11/04/19	0	
042	044-R0	Mitigation of the Time Impact Due to Rain Events for December 2019	TM	U	12/16/19	\$50,000.00	01/08/20	\$50,000.00	\$31,829.26	01/22/20	\$27,879.00	\$29,662.00	02/06/20	EXEC	02/10/20	0	
043	040-R0	Overtime (OT) for the Month of November 2019	TM	S	11/06/19	\$50,000.00	11/12/19	\$30,000.00	\$11,968.77	01/06/20	\$3,447.00	\$3,447.00	01/08/20	EXEC	01/21/20	0	
044	019-R1	Additional Sub-drain East of Basin 4 Per RFI 53	LS	U	11/06/19	\$25,000.00	11/06/19		\$13,894.84	01/13/20	\$7,943.00	\$11,775.00	02/14/20	NEG			
045	042-R0	Draining Issues with saturated soils along De Pauw St Properties	TM	U	11/18/19	\$25,000.00	11/20/19	\$35,000.00	\$9,427.12	01/17/20	\$8,574.00	\$8,574.00	02/10/20	NEG			
046	038-R0	Drainage features installation per PC 4-R2 and PC 14	LS	E	11/19/19	\$100,000.00	11/20/19		\$99,300.00	12/10/19	\$76,570.00	\$88,668.00	01/14/20	EXEC	01/28/20	0	
047	039-R0	Bid Item 21 Quantity Adjustment - October	LS	U	12/03/19	\$100,000.00	12/05/19		\$99,999.00	12/10/19	\$99,999.00	\$99,999.00	12/17/19	EXEC	12/23/19	0	
048	045-R1	Overtime (OT) for the Month of December 2019	TM	S	01/02/20	\$50,000.00	01/08/20	\$50,000.00	\$11,152.14	02/14/20	\$10,963.00			UNR			
049	043-R0	Time Extension 3 - Cumulative Impacts through December 31, 2019	LS	U	01/07/20	\$200,000.00	01/08/20		\$174,969.20	01/21/20	\$174,969.00			UNR			
050	051-R0	Mitigation of the Time Impact Due to Rain Events for December 2019 and January 2020-Part 2	TM	U	01/08/20	\$50,000.00	02/05/20	\$50,000.00	\$49,718.29	02/13/20	\$49,718.00			UNR			
051	050-R1	Overtime (OT) for the Month of January 2020	TM	S	01/08/20	\$50,000.00	01/15/20	\$50,000.00	\$8,259.15	02/13/20				UNR			
052	None Specified	Curb and Gutter Repairs adjacent to Tennis Courts	TM	S	01/22/20	\$50,000.00	02/05/20	\$30,000.00						UNR			
053	047-R0	Bid Item 21 Quantity Adjustment - December	LS	U	01/29/20	\$50,000.00	01/31/20		\$29,803.50	02/04/20	\$29,804.00	\$29,804.00	02/07/20	EXEC	02/10/20	0	

054	049-R0	Updated Plant List	LS	U	02/04/20	\$10,000.00	02/05/20		\$4,747.23	02/07/20	\$4,747.00	\$4,747.00	02/10/20	NEG			
055	048-R0	Install 12" Gravel Layer and 6" Soil Cap in Each Basin	LS	E	02/05/20	(\$50,000.00)	02/05/20		\$481,330.60	02/07/20	(\$62,387.00)	(\$50,527.00)	02/14/20	NEG			
056	None Specified	Desclope of Rip-Rap Grout	LS	S	02/19/20	(\$50,000.00)	02/20/20							UNR			
057	None Specified	Soil Cement Access Road Desclope		S										UNR			
058	None Specified	Time Extension 4 - Rain Delays on January & February 2020		U										UNR			

<b>Original Contract</b> <b>\$13,526,579.00</b> <b>Original Contingency</b> <b>\$0.00</b> <b>Revised Contingency</b> <b>--</b>		<b>Time Extension</b> <b>63 CD's</b> <b>Approved Comp. CD's</b> <b>17</b> <b>Approved Non Comp. CD's</b> <b>46</b>		<b>Payment Type:</b> <b>LS: Lump Sum</b> <b>TM: Time &amp; Material</b> <b>CAN: Canceled</b>		<b>CO Category:</b> <b>U: Unforeseen</b> <b>13</b> <b>\$361,935.00</b> <b>E: Errors &amp; Omissions</b> <b>6</b> <b>\$707,990.97</b> <b>S: Change in Scope</b> <b>10</b> <b>\$3,287,677.00</b>	
<b>Executed COs &amp; UCOs</b> <b>\$4,357,602.97</b> <b>CO Percentage</b> <b>32.22%</b> <b>Revised Contract</b> <b>\$17,884,181.97</b> <b>Remaining Contingency</b> <b>(\$4,357,602.97)</b>				<b>CO Status:</b> <b>EXEC: Executed</b> <b>NEG: Negotiated</b> <b>UNR: Unresolved</b> <b>CAN: Canceled</b>		<b>Executed COs</b> <b>29</b> <b>\$4,357,602.97</b> <b>Executed UCOs</b> <b>0</b> <b>\$0.00</b> <b>Forecasted COs</b> <b>12</b> <b>(\$293,798.41)</b> <b>Canceled COs</b> <b>12</b> <b>--</b>	