

REPORT OF GENERAL MANAGER

APPROVED

NO. 06-172

JUN 15 2006

DATE June 15, 2006

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ORCUTT RANCH – REFURBISHMENT OF BUILDINGS AND GROUNDS, AMERICANS WITH DISABILITIES ACT ACCESS IMPROVEMENTS (W.O. #E170211F) – MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING, AND THE DEPARTMENT OF GENERAL SERVICES

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Withdrawn _____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 a Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) to provide construction services for the Orcutt Ranch – Refurbishment of Buildings and Grounds, Americans with Disabilities Act (ADA) Access Improvements (W.O. #E170211F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department’s Chief Accounting Employee to encumber funds in the amount of \$1,769,931 from the following fund and account numbers under the awarding authority of this Board Report;

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FUNDING SOURCE	FUND/DEPT/ACCT. NO.	APPROPRIATION AMOUNT
Prop K Year 8	43K/10/W469	\$ 21,206
Prop K Year 9	43K/10/Y469	\$ 265,000
Prop K Year 10	TBD	\$ 1,483,725
Total:		\$ 1,769,931*

*Future funding conditioned upon City's approval of the Fiscal Year 2006-2007 Engineer's Report for Prop. K.

Through GSD Account Y140, to the appropriate GSD accounts in Fund 100, Dept. 40, listed below:

1101 – Construction Salaries Hiring Hall:	\$ 743,371
1121 – Hiring Hall Fringe Benefits:	\$ 318,588
3180 – Construction Materials and Supplies:	\$ 707,972
Total	\$ 1,769,931

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for review and approval as to form; and
4. Authorize the Department's General Manager to execute the proposed MOU, upon approval as to form by the City Attorney.

SUMMARY:

On April 5, 2006, the Board of Recreation and Parks approved the call for bids for Orcutt Ranch – Refurbishment of Buildings and Grounds, ADA Access Improvements (W.O. #E170211F) for advertisement. The plans for this project were prepared by the Bureau of Engineering, Architectural Division. Their estimate for the base bid construction cost of this project was \$1,436,850. The plans provided for refurbishment and improvements to the existing building and grounds including ADA restroom, access paths, barn renovation, fencing, lighting and irrigation. Four deductive alternates and eight additive alternates were also included in the bid package.

On May 23, 2006, four bids were received for this project, with the apparent low bidder being C-1 Construction Corporation. Their base bid amount is \$1,588,607, which is \$151,757 above the City's base bid estimate of \$1,436,850. However, C-1 Construction Corporation currently does not hold a State contractor's license under that name. Their State Contractor's License #601370 is held under a different company name, Construction 1, and is current and valid. The president and license holder

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of the company, Mr. Won Kim, has indicated that they have completed the process of incorporating the sole ownership company of Construction 1 into the new corporation of C-1 Construction. Per Mr. Kim, they are currently in the process of obtaining a State contractor's license under the name of C-1 Construction Corporation. However, the City Attorney has determined that the award of the construction contract to C-1 Construction Corporation requires proof that a valid State contractor's license was held at the time the bid was submitted. Since such proof of license was not furnished to the City, the construction contract with C-1 Construction Corporation for the Orcutt Ranch project cannot be awarded to C-1 Construction Corporation.

The Proposition K Year 8 and 9 funds must be obligated prior to June 30, 2006 or they will no longer be available for any purpose and the over-all funding of Proposition K (\$750,000,000) will be reduced a corresponding amount.

As there is not sufficient time to re-bid this project through the Bid and Award process, it is necessary to award this project to GSD through a MOU in order to obligate the construction funds by June 30, 2006.

The four deductive alternates and eight additive alternates that were included in the bid package are as follows:

Deductive Alternate No. 1 – Installation of new non-pressure irrigation lines, valves, and heads in orchard areas

Deductive Alternate No. 2 – Installation of 16 bronze plaque trail markers located along nature trail area and park entry

Deductive Alternate No. 3 – Construction of new masonry and wood kiosk and new masonry mailbox

Deductive Alternate No. 4 – Installation of new 6-foot high chain link fence along March Avenue to replace existing fence

Additive Alternate No. 1 – Renovation of existing historical barn/storage building

Additive Alternate No. 2 – New 6-foot high chain link fence enclosure at existing crop fans (windmill)

Additive Alternate No. 3 – Installation of utility poles and boulders around edge of new loop nature trail

Additive Alternate No. 4 – Planting of sixty-four (64), 15-gallon orange trees in orchard area

Additive Alternate No. 5 – Installation of 15-foot high security light standards located at park entry walkway

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Additive Alternate No. 6 – Installation of ten, backless benches located along the nature trail loop

Additive Alternate No. 7 – Installation of replacement bridge with new ADA turn around area located at stream area

Additive Alternate No. 8 – Installation of ramp with handrails and ADA parking sign adjacent to stream area

The maintenance staff for the Orcutt Ranch Park has indicated that the work specified in Deductive Alternate #1 (installation of new non-pressure irrigation lines, valves and heads in orchard areas) and Additive Alternate #4 (planting of sixty-four, 15-gallon orange trees in orchard areas to replace dead and missing trees) can better be provided by park staff due to required coordination work throughout the orchard. Therefore, the work specified in Deductive Alternate #1 and Additive Alternate #4 are not included in the recommended MOU amount.

It would have been recommended that this project be awarded with Deductive Alternate No. 1 and Additive Alternates No. 1, 2, 3, 5, 6, and 8 being exercised, for a total construction award amount of \$1,769,931. Therefore, the MOU amount of \$1,769,931 will be for the construction of the base bid scope of work including Deductive Alternate No. 1 and Additive Alternates Nos. 1, 2, 3, 5, 6 and 8.

The project was presented to the Prop K Steering Committee on June 13, 2006, and they are recommending that the MOU include the Base Bid and Alternates specified above in the amount of \$1,769,931, at this time. City Council is expected to consider the Engineer's Report containing a recommendation to appropriate the Proposition K 10 year funding for this project later this month.

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. A Mitigated Negative Declaration (MND) was adopted by the Los Angeles City Council on June 22, 2004 and a Notice of Determination was filed with the Los Angeles City and County Clerks on June 23, 2004. Mitigation measures were made a condition of the project approval. The MND may be examined at the office of the City Engineer.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's budget. The assessments of the future operations and maintenance costs have yet to be determined.

This report was prepared by Alice Gong, Project Manager, and reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; and by Bradley M. Smith, P.E., Chief Deputy Engineer, Bureau of Engineering.