

REPORT OF GENERAL MANAGER

NO. 01-283

DATE August 8, 2001

C.D. 04

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK - SHANE'S INSPIRATION RESTROOM FACILITY (#1508D)
CONTRACT NO. 2971 - FINAL ACCEPTANCE

J. Combs _____
A. Corrales _____
J. Duggan _____
J. Kolb _____

H. Fujita _____
*M. Tamuri _____
M. Matthews _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Accept the work performed under Contract No. 2971, as outlined in the body of this report;
2. Authorize the Department's Director of Finance to release all retention monies remaining after deductions for disputed work items after acceptance by the Board held under Contract No. 2971;
3. Authorize the Board Secretary to furnish BEGL Construction Co., Inc. a letter of completion; and,
4. Assess liquidated damages in the amount of \$26,250.00.

SUMMARY:

On July 12, 2000, the Board authorized the award of the construction contract to BEGL Construction Co., Inc. (BEGL), for Griffith Park - Shane's Inspiration Restroom (Board Report No. 00-276). On July 28, 2000, Construction Contract No. 2971 in the amount of \$327,400.00 was executed. The project start date was August 11, 2000, with a schedule completion date of November 19, 2000, or a construction completion period of 100 calendar days. The work involved the abatement, demolition and construction of a new restroom facility.

The pre-final inspection was conducted by Department staff and the Bureau of Contract Administration on January 25, 2001. A list of corrective items was generated, including the replacement of defective, non-compliant metal doors and hardware, and was provided to BEGL for appropriate action. Final inspection was held on February 7, 2001. On February 12, 2001, the

REPORT OF GENERAL MANAGER

PG. 2

NO. 01-283

Department issued a statement of partial completion and took substantial occupancy of the building. At that time, punch work and defective workmanship was still incomplete. BEGL did not complete punch list items and replace defective materials and workmanship in accordance with the Department's directives until July 25, 2001.

Using the substantial occupancy date, liquidated damages are \$26,250.00 and accrued at a rate of \$350.00 per day, for 75 days. The 75 days exclude 10 days extension granted by the Department due to rainy and wet conditions.

There have been four (4) Change Orders issued on this project for a total of \$7,952.36. The total funds expended on this project are \$335,352.36.

The performance of BEGL was unacceptable. On June 6, 2001, BEGL was determined by the Board to be a non-responsible contractor, and barred from bidding on future City projects for a five year period. This project required a disproportionately high level of project administration and oversight arising from BEGL's failure to fulfill their contractual requirements. These include failure to complete work on schedule, failure to comply with plans and specifications, failure to comply with directives, and failure to submit claims documentation in accordance with contract requirements.

Report prepared by Sammy Wong, Project Manager.