

REPORT OF GENERAL MANAGER

NO. 01-218

DATE June 13, 2001

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EAST WILMINGTON GREENBELT COMMUNITY CENTER (#1736D) -
REVIEW OF BIDS AND AWARD OF CONTRACT

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

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

E. Oppenheimer
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Accept the withdrawal of Begl Construction Co., Inc. as the lowest responsible bidder;
2. Accept the base bid of Moment Construction Co., Inc. in the amount of \$2,227,000.00, as the lowest responsible bidder;
3. Authorize the Chief of Accounting Employee to encumber funds in the amount of \$2,227,000.00 from the following funds and account numbers under the awarding authority of this Board Report;

<u>FUND</u>	<u>ACCOUNTS</u>
43K	P312
43L	R379
Future Funding	FY 01-02 Sites and Facilities
Future Funding	Proposition 12 2/3 Proposed
Future Funding	Proposition K Inflation

4. Request the City Attorney prepare a contract which includes the recommendations outlined in the body of this report regarding the Additive Alternates, after which the President and Secretary be authorized to execute same after the appropriate signatures by the other parties thereto and approval of form by the City Attorney have been obtained thereon; and,
5. Authorize the Board Secretary to issue the Notice to Proceed for the project by September 15, 2001. Additive Alternate No. 1 for \$687,000.00 will be added to the project once additional funding is secured.

REPORT OF GENERAL MANAGER

PG. 2

NO. 01-218

6. Designate the General Manager to execute the Contract on behalf of the Board President if the Board President is not available between June 21, and June 30, 2001, in order to fulfill the Proposition K year 4 grant requirement for a Contract to be executed no later than June 30, 2001.

SUMMARY:

On May 22, 2001, the following bids were received for the East Wilmington Greenbelt Community Center (#1736D) project:

<u>DESIGNER</u>	<u>ESTIMATE</u>				
CP & A/ARQ	\$1,950,876.00				
<u>BIDDERS</u>	<u>ADD.</u> <u>BASE BID</u>	<u>ADD.</u> <u>ALT.#1</u>	<u>ADD.</u> <u>ALT.#2</u>	<u>ADD.</u> <u>ALT.#3</u>	<u>ADD.</u> <u>ALT.#4</u>
Begl Construction Co. Inc.	\$1,854,800	\$520,000	\$12,000	\$14,000	\$55,000
Moment Constr. Co., Inc.	\$2,227,000	\$687,000	\$10,000	\$17,000	\$38,000

All Additive Alternates are not included as part of the Base Bid. The Department will retain the ability to add any of the Additive Alternates from the Contract prior to or during construction. Therefore, the Contract must preserve and address the intent of the Department, if necessary, to add any of the Additive Alternates from the Contract at the dollar value specified in the Bid Proposal.

There are sufficient funds available to award the Contract for this project in the following account:

<u>FUND</u>	<u>ACCOUNTS</u>
43K	P312
43L	R379
Future Funding	FY 01-02 Sites and Facilities
Future Funding	Proposition 12 2/3 Proposed
Future Funding	Proposition K Inflation

The City's liability under this contract shall only be to the extent of \$1,674,388.00, the current City appropriation to fund the contract. If the City appropriates additional funds, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The Contractor is not required to do any work in excess of the amount of the funds appropriated by the City for this contract.

REPORT OF GENERAL MANAGER

PG. 3

NO. 01-218

The Notice to Proceed for the project is scheduled to be issued by September 15, 2001. Additive Alternate No. 1 for \$687,000.00 will be added to the project once additional funding is secured.

The City Attorney and Staff have reviewed the bids submitted by Moment Construction Co., Inc. and found them to be in order. Moment Construction Co., Inc. is hereby declared the lowest responsible bidder.

Moment Construction Co., Inc. has never performed work for the Department, the following are references we obtained from other municipal agencies:

Staff has reviewed the outreach effort made by Moment Construction Co., Inc., and, based on the documents submitted, has determined that a "Good Faith" effort has been made. Moment Construction Co., obtained, respectively, an MBE/WBE participation of 3%, and satisfied 91 points of the 100 point requirements outlined by the Board's Outreach Program. The Outreach Document Package is on file in the Board Office and synopsis of said package is attached.

Staff has reviewed the responsiveness and work performance of Moment Construction Co., Inc. by calling references from past projects found them to be marginally satisfactory with a mixed record of performance. UCLA declined to comment. The California Community College District stated that Moment's projects were late, had many RFI's, constructed a footing incorrectly and then tried to conceal it, and were eventually replaced on the job. LAUSD stated that the work of Moment was good, but that there were many RFI's and Change Orders on their projects. The DWP indicated that the work done on their projects was of good quality, with no complaints.

In light of the above record of past performance, staff recommends that funds be sought for the dedication of a half time construction manager to oversee the construction effort.

The Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC), indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed Community Center will not have a significant impact on the environmental. A Negative Declaration was adopted by the City Council at its regular meeting on June 9, 1998. A Notice of Determination was filed with the Los Angeles City and County Clerks on June 17, 1998.

Report prepared by Fred David, Project Manager.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: Moment Construction Co., Inc.

Bid Date: May 15, 2001

Project Name: East Wilmington Greenbelt - Community Center (#1736D)

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
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.		10	10
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.		15	15
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	10
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.		5	5
TOTAL POINTS ACHIEVED			91	

MBE/WBE % ACHIEVED: 3%