

REPORT OF GENERAL MANAGER

NO. 01-219

DATE June 13, 2001

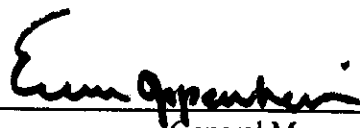
C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE DEPARTMENT OF GENERAL SERVICES FOR THE CONSTRUCTION OF BANNING RESIDENCE MUSEUM - REFURBISH BUILDING AND GARDEN (#2801N)

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

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



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve the Memorandum of Understanding between the Department of Recreation and Parks and the Department of General Services, to provide construction services for the Banning Residence Museum - Refurbish Building and Garden (#2801N) project; and,
2. Authorize the Chief Accounting Employee to transfer funds in the amount of \$230,181.00 from Fund 43K, Account R363, to the Department of General Services as payment for the construction services associated with Banning Residence Museum - Refurbish Building and Garden (#2801N) project.

SUMMARY:

On April 18, 2001, the Board accepted the final plans for the restoration work of the historic Banning Residence Museum (Board Report No. 01-120), the date scheduled to receive bids was listed as May 29, 2001. At the public bid opening, no bids were submitted for the construction of this project. Given the time constraints imposed by Proposition K, which requires that a construction contract be awarded by the end of this fiscal year, staff is unable to repackage the bid documents and re-bid within the remaining time. The Department of General Services has agreed to perform the restoration work and has provided the Department with a cost estimate to perform the work. The two (2) Departments have agreed to enter into a Memorandum of Understanding (MOU), regarding the restoration of the Banning Residence Museum. A copy of the unsigned MOU is attached herein for the Board to review.

Staff has determined that this project is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Article VII, Section 1, Classes 1(1,4) and 31 of the City and State CEQA Guidelines.

Prepared by Paul Tseng, Project Manager.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF RECREATION AND PARKS
AND
THE DEPARTMENT OF GENERAL SERVICES

The Department of Recreation and Parks (DRP) and the Department of General Services (GSD) desire to enter into a Memorandum of Understanding (MOU) for the Banning Residence Museum - Refurbish Building and Garden (#2801N) located at 401 E. "M" Street, Wilmington, CA.

The purpose of this MOU is to establish a working relationship between the parties for the successful completion of this project within budget and within schedule.

The parties agree to the following:

I) PARTIES TO THE AGREEMENT

- A. Ellen Oppenheim, General Manager
Department of Recreation and Parks
200 N. Main St., Room 1330
Los Angeles, CA 90012

- B. John Kirk Mukri, General Manager
Department of General Services
Room 701, City Hall South
Los Angeles, CA 90012

II) THE PROJECT

The project includes the repair and/or restoration of all exterior wood doors and windows at the historic Banning Residence Museum, and the abatement of lead based paint in areas impacted by the restoration work, all in accordance with the plans and specifications.

The project is scheduled to be completed in 160 days starting in July 2001. The estimated cost to complete all work is approximately \$230,181.00.

Currently, a total of \$230,181.00 is available for construction from the Proposition "K" fund.

Fund 43K, Account R363.

III) RESPONSIBILITIES OF THE PARTIES

DRP shall:

1. Provide funding to GSD for the restoration of Banning Residence Museum.
2. Approve billings, submitted on a monthly basis, for labor and material costs incurred by GSD in a timely manner.
3. Provide complete and approved construction documents and specifications.
4. Provide overall project management activities which shall include budget control and meeting regularly with GSD to review design and construction issues.
5. Establish jointly with GSD a time frame to respond to RFI's and Change Orders.
6. If the project budget will be exceeded, secure additional funding or reduce the scope of work.

GSD shall:

1. Review and comment on all documents provided by DRP.
2. Provide a construction schedule and submit monthly construction schedules for a joint review with DRP.
3. Construct or cause to perform restoration work at the Banning Residence Museum per the approved construction documents.
4. Prepare RFIs and Change Order Requests in a timely manner. The parties understand and agree that change orders or other unforeseen costs may increase the original construction budget. If the construction budget exceeds the available funds, the parties agree to either secure additional funding or reduce the scope of work.
5. Prepare monthly expenditure reports for DRP and invoice DRP when necessary.
6. Prepare and submit a complete breakdown of costs for the entire project. The breakdown shall itemize costs based on the trades indicated in the specifications.
7. Establish jointly with DRP work orders which break up the project into specific activities that will simplify auditing and control of project activities.

IV) METHOD AND TIME OF PAYMENT

Prior to the commencement of construction, DRP shall transfer funds in the amount of \$230,181.00 from Fund 43K, Account R363, to GSD as payment for the construction services associated with Banning Residence Museum - Refurbish Building and Garden (#2801N).

GSD will submit monthly billings to DRP for construction work performed.

V) COST REPORTING

On a monthly basis, GSD shall provide expenditure reports for the above project which will itemize all labor and material costs. Work order numbers will be assigned to the project so that costs can be tracked via the specific assigned numbers.

IN WITNESS WHEREOF, the Department of Recreation and Parks and the Department of General Services have caused this MOU to be executed by their duly authorized representatives:

For: DEPARTMENT OF RECREATION AND PARKS

ELLEN OPPENHEIM, GENERAL MANAGER

Executed this _____ day of _____, 2001

For: THE DEPARTMENT OF GENERAL SERVICES

JOHN KIRK MUKRI, GENERAL MANAGER

Executed this _____ day of _____, 2001