

REPORT OF GENERAL MANAGER

NO. 01-220

DATE June 13, 2001

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE DEPARTMENT OF GENERAL SERVICES FOR THE CONSTRUCTION OF THE YOSEMITE RECREATION CENTER - NEW GYMNASIUM (#1704E)

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

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

Eileen O'Connell
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve a Memorandum of Understanding in the amount of \$2,872,160 between the Department of Recreation and Parks;
2. Authorize the Director of Finance to transfer funds up to the amount available from the following fund and accounts to the City's reserve fund; and,

<u>Source</u>	<u>Fund No.</u>	<u>Account No.</u>
Proposition K Year 4	43K	P311
Proposition K Year 4	43L	R311

3. Authorize the Director of Finance to transfer funds to the City's reserve fund, upon appropriation for the project, from the following sources:

<u>Source</u>	<u>Fund No.</u>	<u>Account No.</u>
Proposition K Year 5	TBA	TBA
Sites and Facilities	209	TBA
Proposition K Inflation	TBA	TBA
Proposition 12 1/3 Per Capita	TBA	TBA

REPORT OF GENERAL MANAGER

PG. 2

NO. 01-220

Fund Availability

The General Services Department will be authorized to access the City's reserve fund to cash flow the construction project. The Department of Recreation and Parks obligation to reimburse the reserve fund is limited to \$2,319,853, the current amount appropriated and available to fund the contract. If the City appropriates additional funds, the MOU will be amended to revise the fund availability amount up to the amount appropriated for the project, subject to the terms and conditions of the MOU. The General Services Department is not required to do any work in excess of the amount of the funds appropriated by the city for the project.

SUMMARY:

On May 2, 2001, the Board accepted final plans for the construction of a new gymnasium (Board Report No. 01-143), 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 construct the improvements and has provided the Department with a construction cost estimate. The two Departments have agreed to enter into a Memorandum of Understanding (MOU) regarding the construction of the Yosemite Recreation Center - New Gymnasium. A copy of the unsigned MOU is attached 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, 3, 4, 12) and 11 (7) of the City's CEQA Guidelines.

Prepared by Ada Fernandez-De La Rosa, 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 for the YOSEMITE RECREATION CENTER - NEW GYMNASIUM located at 1840 Yosemite Drive, Los Angeles, California. 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:

II) 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

I) THE PROJECT

The project includes the construction of a new 9,904 square feet basketball/volleyball gymnasium, service area, restrooms, staff office, storage rooms and other support spaces. A raised platform was designed as an additive alternate to be included if funding is available at the time of completing the agreement. The project is scheduled to be completed in 365 (three hundred sixty five) calendar days. The estimated cost for this project is \$1,788,175.00.

Currently, a total of \$1,788,175.00 is available for this project from the Recreation and Parks Proposition K Fund No. 43K and 43L, Account No. P311 and R311 respectively.

II) RESPONSIBILITIES OF THE PARTIES

DRP shall:

- 1. Provide funding to GSD for the construction of the New Gymnasium at Yosemite Recreation Center.

- 2. Approve billings, submitted on a monthly basis, for labor and material costs incurred by GSD in a timely manner.

3. Provide completed, permitted construction documents and specifications, a cost estimate based on the completed working drawing which should include a "level of quality" of construction reflected in the estimate.
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 construct the New Gymnasium at Yosemite Recreation Center per the permitted 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.

III) METHOD AND TIME OF PAYMENT

Prior to the commencement of construction, DRP shall provide an advance appropriation to GSD for the construction of a new gymnasium at Yosemite Recreation Center. The appropriation provides authority to GSD to expend cash from the General Fund. GSD will submit monthly billings to DRP for construction work performed. DRP will prepare Journal Vouchers to transfer cash from the Recreation and Parks Trust Fund to the General Fund.

II) 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