

F I N A L A G E N D A

BOARD OF RECREATION AND PARK COMMISSIONERS
OF THE CITY OF LOS ANGELES

Wednesday, February 20, 2002 - 5:30 p.m.
Granada Hills Recreation Center
16730 Chatsworth Street, Granada Hills, CA 91344

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED. COMMENTS BY THE PUBLIC ON ALL OTHER MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD WILL BE HEARD DURING THE "PUBLIC COMMENTS" PERIOD OF THE MEETING. EACH SPEAKER WILL BE GRANTED TWO MINUTES.

1. APPROVAL OF THE MINUTES:

Approval of the Minutes of the Regular and Special Meetings of February 6, 2002.

2. GENERAL MANAGER'S REPORTS:

- 02-61 Griffith Observatory - Renovation and Expansion (#1504C)
- General Contractor Performance Requirements
- 02-62 Griffith Observatory - Renovation and Expansion (#1504C)
- Extra Services to Design Contract No. 2860
- 02-63 Griffith Observatory - Renovation and Expansion (#1504C)
- Extra Services to Design Contract No. 2859
- 02-64 Amendment No. 4 to Contract No. 2671 with Nuvis for As-Needed Landscape Architectural Design Services
- 02-65 Amendment No. 4 to Contract No. 2654 with the Luckman Partnership, Inc. for As-Needed Architectural Services
- 02-66 Approval of Memorandum of Understanding Between the Department of Public Works, Bureau of Engineering and the Department of Recreation and Parks for the Design of the Improvements to Sepulveda Dam Recreation Area - Street and Parking Lot Improvements
- 02-67 South Seas House Refurbishment (#1842A) - Review of Bids and Award of Contract
- 02-68 Griffith Park Travel Town Train Exhibit Pavilion (#1507C) - Review of Bids and Award of Contract
- 02-69 MacArthur Park - Outdoor Improvements North of Wilshire (#1227E) - Final Acceptance
- 02-70 La Tierra De La Culebra Park - Lease Agreement with ArtsCorpsLA

February 20, 2002

- 02-71 Golf Tournament Policy
- 02-72 Los Angeles Equestrian Center Non-Equestrian Events Analysis - Expenditure from 907 Concession Improvement Account
- 02-73 Transfer of Funds Between Accounts Within the Recreation and Parks Fund
- 02-74 Griffith/Metro Region Donations
- 02-75 Various Communications
- 02-76 Cancellation of Baltimore Construction, Inc.
Denker Recreation Center New Community Building (#1838A)
- Contract No. 2960
Ross Snyder Recreation Center New Community Building (#1725B) - Contract No. 2969

3. UNFINISHED BUSINESS

08/08/01 01-300 Termination of Rancho Food Service Concession Agreement
WITHDRAWN

4. COMMISSION TASK FORCES:

Commission Task Force on Park Safety (Commissioners Hammond and Sanchez-Camino):

Commission Study Session on Park Safety

- Direction from the Commission on actions necessary

Commission Task Force on Concession RFPs (Vice President Pak and Commissioner Sanchez-Camino)

Commission Task Force on Capital Projects (Vice President Pak and Commissioner Hammond)

5. GENERAL MANAGER'S ORAL REPORT:

- Report on Department Activities and Facilities
- Overview of the Largest Department Facilities

February 20, 2002

6. FUTURE AGENDA ITEMS:

Request by Commissioners to Schedule Specific Items on Future Agendas.

7. PUBLIC COMMENTS:

Any comments which require a response or report by staff will be automatically referred to staff for a report at some subsequent meeting.

8. NEXT MEETING:

The next regularly scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, March 6, 2002 at 9:30 a.m., City Hall East, 200 North Main Street, Room 1325, Los Angeles, California 90012.

9. ADJOURNMENT:

Under the California State Ralph M. Brown Act, those wishing to make audio recordings of the Commission Meetings are allowed to bring tape recorders or camcorders in the Meeting.

Sign language interpreters, assistive listening devices, or any auxiliary aides and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For additional information, please contact the Commission Office at (213)473-5888.

Finalization of Commission Actions: In accordance with City Charter Section 245, actions of the Board of Recreation and Park Commissioners shall become final at the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session.

Information on agenda items may be obtained by calling the Commission Office at (213) 473-5888. Copies of the agenda and reports may be downloaded from the Department's website at www.laparks.org.

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REPORT OF GENERAL MANAGER

NO. 02-61

DATE February 20, 2002

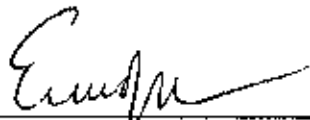
C.D. 04

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH OBSERVATORY - RENOVATION AND EXPANSION (#1504C)
GENERAL CONTRACTOR PERFORMANCE REQUIREMENTS

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

H. Fujita _____
M. Tamun _____
M. Matthews _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board eliminate the requirements on Schedule "A" of the bid documents, which require the Prime Contractor to perform, with its own organization, Contract work amounting to at least fifty percent (50%) of the Contract Price.

SUMMARY:

On January 23, 2002, the Board approved final plans and specifications and approved call for bids for the Griffith Observatory Renovation and Expansion Project (#1504C) as outlined in Board Report No. 02-38. Schedule "A", page 30 of the bid documents currently states: "The Prime Contractor shall perform, with its own organization, Contract work amounting to at least fifty percent (50%) of the Contract Price, unless otherwise instructed." The requirement was based on the Standard Specifications for Public Works Construction (SSPWC) Section 2-3.2 and was originally intended to facilitate Prime Contractor involvement on smaller City projects, with a limited number of subcontractors, in order to achieve better quality control.

The Griffith Observatory Renovation and Expansion Project is a large and complex project containing many special elements and types of construction. The historic structure requires special knowledge and expertise in preservation and restoration. The major trades that are anticipated to be required for the project include but are not limited to: site work, landscaping, irrigation, excavation, shoring, underpinning, drilled piles, scaffolding, hazardous materials abatement, concrete, miscellaneous metals, architectural metal, waterproofing, roofing, sheet metal, drywall, plaster, flooring, terrazzo, stonework, painting, elastomeric coatings, glazing, HVAC, plumbing, fire protection, electrical, security, building controls systems and telecommunications.

REPORT OF GENERAL MANAGER

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The requirements of having the Prime Contractor perform, with its own organization, Contract work amounting to at least 50% of the Contract Price is not a realistic expectation for this project and would deter the majority of the seven (7) sole bidders from bidding on the project. Department staff recommends that the requirement be eliminated from the Schedule "A" of the bid documents.

Report Prepared by Sammy Wong, Project Manager.

REPORT OF GENERAL MANAGER

NO. 02-62

DATE February 20, 2002

C.D. 04

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH OBSERVATORY - RENOVATION AND EXPANSION (#1504C)
EXTRA SERVICES TO DESIGN CONTRACT NO. 2860

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

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

E. C. [Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve extra services to be paid to Hardy Holzman Pfeiffer Associates (Architect) in the amount of \$101,404.00, in accordance with Articles III and VII of the Design Contract, for additional design services during the bidding phase;
2. Approve extra services to be paid to the Architect in the amount of \$49,255.00 in accordance with Articles III and VII of the Design Contract. This amount is to be apportioned to the various Specialty Consultants for design services to be provided through the bidding phase, as outlined below:

<u>Services</u>	<u>Specialty Consultant</u>	<u>Amount</u>
Acoustic	McKay Conant Brook, Inc.	\$3,000.00
Audio Visual	McKay Conant Brook, Inc.	5,000.00
Civil Engineering	Psomas & Associates	14,850.00
Elevator Engineering	Lerch Bates & Associates, Inc.	500.00
Hazardous Material	Citadel Environmental Services, Inc.	1,500.00
Lighting Design	Horton Lees Lighting Design, Inc.	2,750.00
Security	Engineered Automation Systems, Inc.	2,655.00
Planetarium Theater	Auerbach & Associates	12,000.00
Planetarium Lift	Auerbach & Associates	5,000.00
Signage and Graphics	Chermayeff & Geismar, Inc.	<u>2,000.00</u>
	Total	\$49,255.00

REPORT OF GENERAL MANAGER

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NO. 02-62

3. Approve extra services to be paid to the Architect in the amount of \$8,500.00, in accordance with Articles III and VII of the Design Contract, for additional structural engineering services to design the Planetarium dome support; and
4. Approve extra services to be paid to the Architect in the amount of \$6,700.00, in accordance with Articles III and VII of the Design Contract, for environmental design services.

SUMMARY:

On May 1, 1996, the Board authorized the award of a personal services contract to the Architect to provide design services for the Griffith Observatory Renovation and Expansion (#1759A), as outlined in Board Report No. 210-96. At the conclusion of the pre-design phase, the project scope expanded and the total cost of construction increased from \$20,000,000.00 to approximately \$31,000,000.00.

Expanded Bidding Phase

At the conclusion of the final plans phase, a cost estimate was prepared and submitted by the Architect. The total cost of construction for the project was estimated at \$34,753,000.00. The expanded scope now includes offsite improvements of the parking lot; hazardous material abatement of the existing structure; and planetarium theater systems which are integral with construction of the building. Prior to the working drawings phase, these items were not part of the general contractor's original scope of work and therefore not part of the total cost of construction. The expanded scope is the desired extent of renovation and expansion by the Observatory staff to maintain a reasonable level of service to the citizens of Los Angeles. On January 23, 2002, the Board approved the final plans, which reflected the Architect's cost estimate of \$34,753,000.00 (Board Report No. 02-38).

The Department would like to have the Architect continue with the next phase of the design contract, which is the bidding phase. During the bidding phase, the Architect will respond to bidder's questions and prepare addenda as necessary to clarify the design intent or rectify errors and omissions in the final plans. The bidding phase represents nine percent (9%) of entire design contract. The Architect is entitled to additional compensation for the remaining portion of the design contract, commensurate with the additional cost of construction. The proposed fee increase of \$101,404.00 was derived by using the Department's standard fee schedule which established a total design fee for the given increase in the total cost of construction.

Specialty Consultants

The renovation of such a unique facility requires specialized knowledge and assistance from those who are familiar with the latest technological innovations, equipment, design, systems and construction of science museums, theaters and planetaria. The Architect does not have in his employed staff the necessary knowledge and expertise and must seek outside experts to provide these services, as allowed for in the Architect's contract under Specialty Consultants. The Specialty

REPORT OF GENERAL MANAGER

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Consultants will respond to bidder's questions and prepare addenda as necessary to clarify the design intent or rectify errors and omissions in the final plans. The total amount requested by the Specialty Consultants is \$49,255.00. Staff has reviewed each of the proposal submitted and has found them to be consistent with the level of extra services requested.

Structural Engineering

The existing planetarium ceiling is of plaster and metal construction and is suspended from the structural roof dome with an array of tension wires. The tension wires radiate from the dome in all directions and provide both lateral and vertical support. Currently, the structural documents show the new planetarium ceiling dome to be supported in a similar fashion, since other methods of supports would have caused a redistribution of loading onto the roof, which would have required that the existing structural roof dome be re-analyzed. Based on staff's recent discussions with the ceiling dome manufacturer, a self-supporting ceiling dome is possible and is the preferred means of construction. By eliminating the need for suspending tension wires, there will be potentially less conflicts which may arise during construction. Although the overall weight of the new ceiling is less than that of the original, this scheme will result in the redistribution of forces. As a result a new analysis will be required. The Architect's structural engineer, Martin & Huang International, Inc., has requested \$8,500.00 in additional compensation for extra services related to the structural analysis and redesign of the planetarium ceiling dome support.

Environmental

In order to conclusively determine if the roof promenade, roof terrace, and copula roof underlayment contain asbestos, additional core samples must be taken and tested. The scope of services includes collecting and submitting for analysis, bulk samples of select suspect asbestos-containing materials (ACM's) and identifying any ACM's on the plans for the contractor to abate. In addition, the environmental Specialty Consultant, Citadel Environmental Services, Inc. will provide an addenda to the Final Plans pertaining to the hazardous material abatement for the existing Griffith Observatory snack bar and restroom building, which will be demolished. The Architect's Specialty Consultant, Citadel Environmental Services, Inc. has requested \$6,700.00 in additional compensation for extra services related to additional environmental services.

Funds are available in Fund No. 205, Account No. H900.

Report prepared by Sammy Wong, Project Manager.

REPORT OF GENERAL MANAGER

NO. 02-63

DATE 02-63

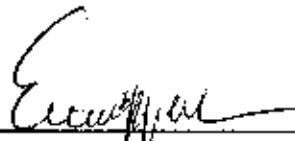
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH OBSERVATORY - RENOVATION AND EXPANSION (#1504C)
EXTRA SERVICES TO PROJECT MANAGEMENT CONTRACT NO. 2859

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

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



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board approve extra services to be paid to Stegeman and Kastner, Inc. (Consultant) in the amount of \$59,012.00, in accordance with Articles III and VII of the Consultant Contract, for additional project management services during the bidding phase.

SUMMARY:

On May 1, 1996, the Board authorized the award of a personal services contract to the Consultant to provide project management services for the Griffith Observatory Renovation and Expansion (#1759A), as outlined in Board Report No. 211-96. At the conclusion of the pre-design phase, the project scope expanded and the total cost of construction increased from \$20,000,000.00 to approximately \$31,000,000.00.

At the conclusion of the final plans phase, a cost estimate was prepared and submitted by the architect. The total cost of construction for the project was estimated at \$34,753,000.00. The expanded scope now includes offsite improvements of the parking lot; hazardous material abatement of the existing structure; and planetarium theater systems which are integral with construction of the building. Prior to the working drawings phase, these items were not part of the general contractor's original scope of work and therefore not part of the total cost of construction. The expanded scope is the desired extent of renovation and expansion by the Observatory staff to maintain a reasonable level of service to the citizens of Los Angeles. On January 23, 2002, the Board approved the final plans, which reflected the architect's cost estimate of \$34,753,000.00 (Board Report No. 02-38).

REPORT OF GENERAL MANAGER

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The Department would like to have the Consultant continue with the bidding phase of the project management contract. During the bidding phase, the Consultant will attend pre-bid conferences, assist the City and architect in responding to questions raised by bidders, and provide in-depth review of the lowest bid and make an evaluation of bids. The bidding phase represents ten percent (10%) of entire Consultant's contract. The Consultant is entitled to additional compensation for the remaining portion of the project management contract, commensurate with the additional cost of construction. The proposed fee increase of \$59,012.00 was derived by using the same rate that was used to establish the Consultant's original contract.

Funds are available in Fund No. 205, Account No. H900.

Report prepared by Sammy Wong, Project Manager.

REPORT OF GENERAL MANAGER

NO. 02-64

DATE February 20, 2002


C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 4 TO CONTRACT NO. 2671 WITH NUVIS FOR AS-NEEDED LANDSCAPE ARCHITECTURAL DESIGN SERVICES

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. Approve Amendment No.4 with NUVIS to extend the term of the contract for an additional two (2) years for a new total of ten (10) years, and increase the amount by \$300,000.00 to for a new total of \$1,300,000.00;
2. Find that the Department does not have available in its employ personnel with sufficient time and the necessary expertise to undertake these specialized professional tasks in a timely manner and it is more feasible and economical as well as in the Department's best interest, to secure these services by contract; and,
3. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 16, concurrently to the City Attorney for review as to form, and upon the Mayor's and City Attorney's approval, authorize the President and Secretary of the Board to execute the Agreement.

SUMMARY:

On July 19, 1995, Contract No. 2671 was awarded to NUVIS for as-needed landscape architectural design services, for an original amount of \$300,000.00 and a term of three years.

On February 18, 1998, the Board approved Amendment No. 1 to extend the Contract for an additional two (2) years for a new total of five (5) years.

Amendment No. 2 was approved on December 12, 1998, increasing the contract amount by \$300,000.00 for a new total of \$600,000.00.

REPORT OF GENERAL MANAGER

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NO. 02-64

On February 16, 2000, the Board approved Amendment No. 3 increasing the contract amount by \$300,000.00 for a new total of \$900,000.00.

On August 9, 2000, Amendment No. 3 was adjusted, increasing the contract amount by \$100,000.00, for a new total of \$1,000,000.00 and extending the contract term an additional three (3) years for a new total of eight (8) years.

NUVIS has worked on several past projects for the Department and is the current landscape architectural consultant of record for the following projects: Ramona Gardens - Alvarez Park Redevelopment (#1137B), Los Angeles Riverfront Park - Land Acquisition & Greening (#1199B), Valley Region - Various Golf Cart Paths (#1101D), Hansen Dam Golf Course (#1016G), and Griffith Park - Roosevelt Golf Course (#1023E).

The work on the Ramona Gardens - Alvarez Park Redevelopment (#1137B) project is already in the completion phase; and, the Los Angeles Riverfront Park (#1199B) and Valley Region Various Golf Cart Paths (#1101D) projects will be completed by May 2002. However, the other two outstanding projects involving the Hansen Dam Golf Course and the Roosevelt Golf Course require several more months of work from the consultant.

At this time, the contract is recommended for amendment once again on the basis that the contract will expire in July 2002 and these projects are still outstanding. The consultant's services will continue to be required for these projects. The Hansen Dam Golf Course project is estimated to continue for an additional year. The Roosevelt Golf Course project is still in the pre-construction phase and is estimated to start construction after September 2002 (possible start dates between September and December 2002). It is expected to be in the construction phase for well over a year and a half until approximately July 2004.

This contract is recommended for amendment in compliance with all Department and City procedures, policies and laws applicable to the award of the contracts. Principals of the firm are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contract.

The firm has agreed in writing to comply with and has submitted the appropriate, executed forms (listed below) as outlined on the CAO's "Analysis of Proposed Contract" form and the Standard Provisions For City Contracts, revised 9/01:

REPORT OF GENERAL MANAGER

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NO. 02-64

Child Care and Child Support Declaration Statements

Affirmative Action Program

Business Tax Registration Certificate

Equal Benefits Ordinance

MBE/WBE Policy

Living Wage, Service Worker Retention Ordinance

Insurance Requirements

The Board should note that no new projects are being assigned to this consultant and that all compensation to the consultant is provided in the funding of each individual project already assigned. Therefore, there will be no decrease in revenue or increase in costs to the City.

Prepared by Veronica Buenrostro, Management Assistant.

REPORT OF GENERAL MANAGER

NO. 02-65

DATE February 20, 2002

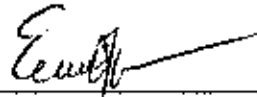
C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 4 TO CONTRACT NO. 2654 WITH THE LUCKMAN PARTNERSHIP, INC. FOR AS-NEEDED ARCHITECTURAL DESIGN SERVICES

G. Lum _____
K. Regan _____
S. Klippel _____
J. Combs _____

J. Duggan _____
M. Tamuri _____
H. Fujita _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve Amendment No. 4 to increase the contract amount by \$300,000.00 for a new total of \$1,600,000.00, and extend the term for an additional three (3) years for a new term of ten (10) years;
2. Find that the Department does not have available in its employ personnel with sufficient time and the necessary expertise to undertake these specialized professional tasks in a timely manner and it is more feasible and economical as well as in the Department's best interest, to secure these services by contract; and,
3. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 16, concurrently to the City attorney for review as to form, and upon the Mayor's and City Attorney's approval, authorize the President and Secretary of the Board to execute the Agreement.

SUMMARY:

On July 6, 1995, the Department entered into a personal services contract with The Luckman Partnership, Inc. for as-needed architectural design services. The contract was for a term of three (3) years, with maximum compensation to the consultant of \$300,000.00.

On January 6, 1999, Amendment No. 1 was approved, increasing the term of the contract amount by \$200,000.00 for a new total of five (5) years and \$500,000.00.

On September 2, 1999, Amendment No. 2 was approved, increasing the contract amount by \$300,000.00 for a new total of \$800,000.00.

On January 19, 2000, Amendment No. 3 was approved, increasing the contract amount by an additional \$500,000.00; and extending the term for an additional two (2) years, for a new total of \$1,300,000.00 and seven (7) years.

REPORT OF GENERAL MANAGER

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NO. 02-65

The Luckman Partnership is the Architect of record for the following projects: Granada Hills - Community Building (#1569Q), Van Ness Child Care Center (#1603E), MLK Therapeutic Center (#1648B), Mid Valley Multipurpose Center (#1720C), Greek Theater Restroom Improvements (#1836A), Downey Child Care Center (#1633D), and the Glassell Park Child Care Center (#1753B).

Unfortunately, work has been halted at the Downey Child Care Center and Glassell Park Child Care Center project sites due to problems with the contractors. The Downey Child Care Center project has been suspended due to contractor debarment proceedings. The surety is in the process of selecting a new contractor, acceptable to the Department and subject to City Attorney approval. Once the process is completed, work on the project can resume. This set back is estimated to delay completion of the project for another two years.

The Glassell Park Child Care Center project is experiencing similar problems. The contract was recently canceled because the Contractor was having severe financial problems and could not complete the project. The project was already six months behind schedule when it was halted. Once the process of obtaining a new contractor is completed and the project is restarted, it is estimated that it will take more than two (2) years before it is complete. The Luckman Partnership is the Architect of record for these two projects and their services will continue to be required until the projects are completed and accepted by the Board.

This contract is recommended for amendment in compliance with all Department and City procedures, polices and laws applicable to the award of the contracts. Principals of the firm are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contract.

The firm has agreed in writing to comply with and/or has submitted the appropriate, executed forms (listed below) as outlined on the CAO's "Analysis of Proposed Contract" form and the Standard Provisions For City Contracts, revised 9/01:

Child Care and Child Support Declaration Statements

Affirmative Action Program

Business Tax Registration Certificate

Equal Benefits Ordinance

MBE/WBE Policy

Living Wage, Service Worker Retention Ordinance

Insurance Requirements

All compensation to the consultant is provided in the funding of each individual project that the firm works on; therefore, there will be no decrease in the revenue or increase in costs to the City.

Prepared by Veronica Buenrostro, Management Assistant.

REPORT OF GENERAL MANAGER

NO. 02-66

DATE February 20, 2002


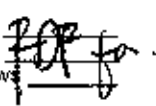
C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF ENGINEERING AND DEPARTMENT OF RECREATION AND PARKS FOR THE DESIGN OF THE IMPROVEMENTS TO SEPULVEDA DAM RECREATION AREA (#1022A) - STREET AND PARKING LOT IMPROVEMENTS

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. Authorize the General Manager to enter into a Memorandum of Understanding (MOU) with the approval as to form by the City Attorney between the Department of Public Works, Bureau of Engineering and Department of Recreation and Parks, to provide design services for the Sepulveda Basin Golf Course Parking Lot; and,
2. Authorize the Director of Finance to encumber the funds in an Inter-Departmental Order (IDO) in the amount of \$43,700.00, from the Golf Surcharge Fund and Account No. 302-932 to provide for payment for the services outlined below and in the MOU.

SUMMARY:

The Department completed some improvements to the Sepulveda Basin Golf Course Parking Lot in 2001. During the course of completion of the construction of those improvements, Department staff determined that additional improvements would greatly enhance the ability to use the facility. A traffic study was completed and the Department of Transportation approved a warrant for a new traffic signal at the entrance to the parking lot. Changes at the entrance will be necessitated with the addition of the signal and, improvements to the grading, stripping and lighting within the parking lot will be required to complete to entry improvements.

The Bureau of Engineering has provided a proposal for completion of the plans, specifications and estimates required to competitively bid the project for an amount not-to-exceed \$43,700.00 to be invoiced against an IDO issued by this Department. This project has been approved as a part of the Golf Surcharge Capital Improvement Plan and will be funded with golf surcharge funds.

REPORT OF GENERAL MANAGER

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NO. 02-66

The Department and the Bureau of Engineering have agreed to enter into an MOU for the design of the project.

A copy of the unsigned MOU is attached for your review.

Report prepared by Kathleen Chan, Project Manager.

This item is not included in the package

02-67 South Seas House Refurbishment (#1842A) - Review
of Bids and Award of Contract

REPORT OF GENERAL MANAGER

NO. 02-68

DATE February 20, 2002

C.D. 05

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK TRAVEL TOWN TRAIN EXHIBIT PAVILION (#1507C)
REVIEW OF BIDS AND AWARD OF CONTRACT

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

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

Margaret Matthews

General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Accept the base bid of West Valley Investment Group, Inc. in the amount of \$1,824,000.00, as the lowest responsible bidder;
2. Authorize the Chief Accounting Employee to encumber funds in the amount of \$1,824,000.00 from the following fund and account numbers under the awarding authority of this Board Report; and,

<u>FUND</u>	<u>ACCOUNT NO.</u>
Prop 12 1/3 (Future Funding) 205	H900

3. Request the City Attorney prepare a contract 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.

SUMMARY:

On December 11, 2001, the following bids were received for the Griffith Park Travel Town Train Exhibit Pavilion (#1505C) project:

Staff has estimated the cost of construction at \$1,700,000.00.

REPORT OF GENERAL MANAGER

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NO. 02-68

<u>BIDDER</u>	<u>BASE BID</u>
West Valley Investment Group, Inc.	\$1,824,000.00
Trimax Construction Corp.	\$1,980,000.00
Essex Construction, Inc.	\$2,198,000.00
Morillo Construction	\$2,268,000.00
Frederick Towers, Inc.	\$2,284,000.00
Meridian Pacific Construction	\$2,464,776.00
Masters Contracting Corp.	\$2,575,000.00

There are sufficient funds available to award the contract for this project in the following accounts, additional funding of Proposition 12-1/3 per capita is also available, it is listed below as TBD, the fund and account number will be obtained in the near future.

<u>Fund</u>	<u>Account</u>
Prop 12 1/3 (Future Funding)	H900
205	

The City Attorney has reviewed the bids and found them to be in order. West Valley Investment Group, Inc. was the lowest responsible bidder.

Staff has reviewed the outreach effort made by West Valley Investment Group, Inc. and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained an MBE/WBE participation of 10.5% and satisfied 90 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 reviewed the responsiveness and work performance of West Valley Investment Group, Inc. on past Department projects and found them to be satisfactory, although comments from past project managers indicate that this company was slow in performing their work. The Los Angeles County Public Works and the California State University in Northridge project managers have rated West Valley Investment Group, Inc. as very good in their work performance. The Department of Public Works, Office of Contract Compliance (OCC), has indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

Prepared by Rey Aficial, Project Manager.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: West Valley Investment Group

Bid Date: Dec. 11, 2001

Project Name: Griffith Park Traveltown Train Exhibit Pavilion (#1507C)

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.		13	13
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 placeholder 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	9
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.		10	10
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	
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.		7	7
TOTAL POINTS ACHIEVED				90

MBE/WBE % ACHIEVED: 10.5%

CAPITAL PROJECT BUDGET APPROVAL FORM

Last Expenditure Update
Nov-00

Project Phase					
Pre Design	Design	Pre Bid	Bid Award	Construction	Final
		X			

Planning and Construction	Date	Grants Administration Division		Date
1 Superintendent		1	Chief Grants Division	
2 Contract Administrator		2	Grants Admin. Director	
3 Project Manager		3	Grants Supervisor	25-Apr-01

Project Name:	Griffith Park Traveltown Pavilion	Region	CD
Project Number:	1507C	Griffith Metro	4
Designer:	Levin & Associates		

A	Approved Funding	Amount	Fund #	Account #	Scope
1	Proposition All	\$1,800,000	205	H900	Construct structure to house trains
2	Proposition 12 1/3 Per Capita	\$500,000			
3		\$0			
4	TOTAL	\$2,400,000			

B	Department Salaries	a	b	c	d	e (c+d)	f	g (b-f)
		Percent	Budget	Encumbered	Expended	Total	Projected	Balance
1	Project Management Salaries(B1*A5)	3.00%	\$72,000		\$7,934	\$7,934	\$57,000	\$15,000
2	CAP 23 Indirect Cost-CTO(2x1)	24.39%	\$17,581		\$0	\$0	\$13,902	\$3,659
3	Sub-total Salaries(1+2)		\$89,581		\$7,934	\$7,934	\$70,902	\$18,688
4	Fringe Benefits(4x3)	35.15%	\$31,481		\$2,789	\$2,789	\$24,922	\$6,556
5	Total Salaries(3+4)	6.04%	\$121,041		\$10,723	\$10,723	\$95,824	\$25,217

C	Total Project Funds Available (A4-B5)	94.96%	2,278,959					
	Construction Estimate(70%C)	70.00%	1,995,271					
D	Design and Other Costs	a	b	c	d	for estimating costs in Section D		e (b-f)
		Percent	Budget	Encumbered	Expended	e. Enc.+Exp.	f	g (b-f)
						To date	Projected	Balance
1	Design:Levin & Assocs	10.00%	\$159,527	\$0	\$0	\$0	\$62,700	\$78,827
2	Environmental Report	0.01%	\$160	\$0	\$25	\$25	\$25	\$135
3	Site Survey:Soloff Surveying	0.50%	\$7,976	\$6	\$1,738	\$1,741	\$1,741	\$6,235
4	Environmental Mitigation	1.00%	\$15,953	\$0	\$0	\$0	\$0	\$15,953
5	Geo Technical: MAA Engineering	0.50%	\$7,976	\$0	\$1,900	\$1,900	\$1,920	\$6,056
6	Reproduction;materials	0.08%	\$1,276	\$98	\$36	\$136	\$1,500	(\$224)
7	Bldg. & Safety Permits/Plan Check	1.50%	\$23,929	\$19,189	\$7,912	\$27,101	\$27,400	(\$3,471)
8	Arts Fee	0.00%	\$0	\$0	\$0	\$0	\$0	\$0
9	Public Works: BCA	4.60%	\$82,060	\$0	\$0	\$0	\$82,080	\$0
10	Utilities: DWP	1.50%	\$23,929	\$0	\$0	\$2,330	\$23,929	\$0
11		0.00%	\$0	\$0	\$0	\$0	\$0	\$0
12		0.00%	\$0	\$0	\$0	\$0	\$0	\$0
13	Sub Total Design and Other Costs	13.45%	\$322,606	\$19,292	\$11,611	\$33,283	\$221,295	\$101,511
E	Total Construction (C-D13)	81.51%	\$1,956,162	\$0	\$0	\$0	\$2,057,664	(\$101,511)
F	Total Project Costs	95%	\$2,278,959	\$19,292	\$11,611	\$33,283	\$2,278,959	\$0

Budget Summary	a	b	c	d (b+c)	e	f	g (a-f)
G	Budget	Encumbered	Expended	Total	Award	Projected	Balance
1 Construction	\$1,778,320	\$0	\$0	\$0	\$1,824,000	\$1,824,000	(\$45,680)
2 Contingency: 10%	\$177,832	\$0	\$0	\$0	\$182,400	\$182,400	(\$4,668)
3	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5 Total Construction Costs	\$1,956,162	\$0	\$0	\$0	\$2,006,400	\$2,006,400	(\$50,248)
6 Total Design and Other Costs	\$322,606	\$19,292	\$11,611	\$30,903	\$221,295	\$221,295	\$101,511
7 Project Management Costs	\$121,041		\$10,723	\$10,723	\$95,824	\$95,824	\$25,217
8 Total Costs(5+6+7)	\$2,400,000	\$19,292	\$22,334	\$41,626	\$2,323,519	\$2,323,519	\$76,481

1 Are there sufficient funds to proceed with the project?		Project Allocation	Budget	Actual	Projection
2 If no, notify the Contract Administrator and the Finance Division		Construction	\$1.51%	0.00%	83.60%
3 If yes, what is the projected bid date?		Soft Costs	13.45%	0.48%	0.22%
4 What is the projected award date?		Salaries	5.04%	0.45%	3.99%
5 What is the projected start date?		total	100.00%	0.93%	98.61%
6 What is the projected completion date?		(over/under)		99.07%	3.19%

REPORT OF GENERAL MANAGER

NO. 02-69

DATE February 20, 2002

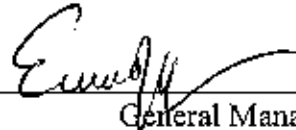
C.D. 01

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MACARTHUR PARK - OUTDOOR IMPROVEMENTS NORTH OF WILSHIRE
(#1227B) - 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. 2976 as outlined in the body of this report;
2. Authorize the Department's Director of Finance to release all retention monies 35 calendar days after acceptance by the Board to Ecology Construction Incorporated held under Contract No. 2976; and,
3. Authorize the Board Secretary to furnish Ecology Construction Incorporated with a letter of completion.

SUMMARY:

The construction contract for the MacArthur Park - Outdoor Improvements North of Wilshire project was awarded to Ecology Construction Incorporated on September 6, 2000, for \$1,481,600 and there were twenty change orders amounting to \$126,621.07. The total funds expended on this project are \$1,608,221.

Construction began on November 27, 2000. The work included a large, fenced children's play area, new concrete walkways to replace the unsafe asphalt walks, benches, picnic tables, drinking fountains, new trees, lawn, plantings and irrigation.

The project was funded with Prop A and MTA monies. Department staff has consulted with the Office of Contract Compliance (OCC) concerning the status of labor compliance and Affirmative Action requirements on this project. There are no outstanding wage violations and Ecology Construction Incorporated is in compliance.

Prepared by Virginia Hatley, Project Manager.

REPORT OF GENERAL MANAGER

NO. 02-70

DATE February 20, 2002

C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LA TIERRA DE LA CULEBRA PARK - LEASE AGREEMENT WITH ARTSCORPSLA

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. Approve the proposed Lease Agreement, on file in the Board Office, between the Department and ArtsCorpsLA for the use of La Tierra de la Culebra Park as the site for an educational Art Center to be operated by ArtsCorpsLA;
2. Adopt the draft Resolution, on file in the Board Office, authorizing approval of the proposed Lease Agreement;
3. Direct the Board Secretary to transmit the proposed Lease Agreement to the Mayor in accordance with Executive Directive No.16 for review and recommendation, and concurrently to the City Attorney for review as to form; and,
4. Upon obtaining all required approvals, authorize the President and Secretary of the Board to execute the Lease Agreement.

SUMMARY:

On June 2, 1999, the Board of Recreation and Park Commissioners granted preliminary approval to acquire three (3) contiguous property parcels, consisting of four (4) lots, located on Avenue 57 in the Highland Park area of Los Angeles (map attached). The Department, with the support of the First Council District, is acquiring these properties for the purpose of developing an art park to be called La Tierra de la Culebra Park.

On October 6, 1999, the Board granted final approval to acquire one of these property parcels from ArtsCorpsLA, a non-profit organization which for several years has been operating an art park on the property for the benefit of the community.

REPORT OF GENERAL MANAGER

PG. 2

NO. 02-70

The owner of the two (2) remaining parcels rejected the City's fair market offer. Since attempts to negotiate the sale of these two (2) parcels were unsuccessful, the Board authorized this acquisition through condemnation. On October 11, 2000, City Council approved Ordinance No.173563, authorizing the City Attorney to commence an action in eminent domain to acquire the properties. The City Attorney has filed the condemnation action and served an order of possession with the Superior Court.

The Department has prepared a lease agreement which provides for the continuation of the educational art program operated by ArtsCorpsLA at the City's La Tierra de la Culebra Park. This lease specifies the park as premises for use by ArtsCorpsLA, as tenant, to operate and maintain an educational art center. As consideration for the use of the premises, the art center and its programming shall be open to the general public and operated on a non-profit basis to serve the community. The lease term shall be ten (10) years, with an option to extend the term for an additional ten (10) years.

Once the City has obtained legal possession of the two (2) properties adjoining La Tierra de la Culebra Park, these properties shall become part of the premises under the provisions of the lease agreement. It is the understanding of the Department, as provided for in the lease, that ArtsCorpsLA shall design and construct a structure on the premises necessary to carry out the functions of the educational art center. All improvements and alterations to the premises shall be paid for by ArtsCorpsLA and approved by the General Manager of the Department of Recreation and Parks. The lease provisions specify that the tenant shall be responsible for securing any approvals, permits, and inspections required for any improvements, and comply with all relevant City, State, and Federal laws and regulations.

The Environmental Management Division has determined that the property acquisition in connection with La Tierra de la Culebra Park is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article VII, Section 1, Class 25 of the CEQA Guidelines. Future park development will be the subject of further environmental review and Board action.

The First Council District has been consulted concerning this lease agreement and supports the use of La Tierra de la Culebra park as the site for an educational art center.

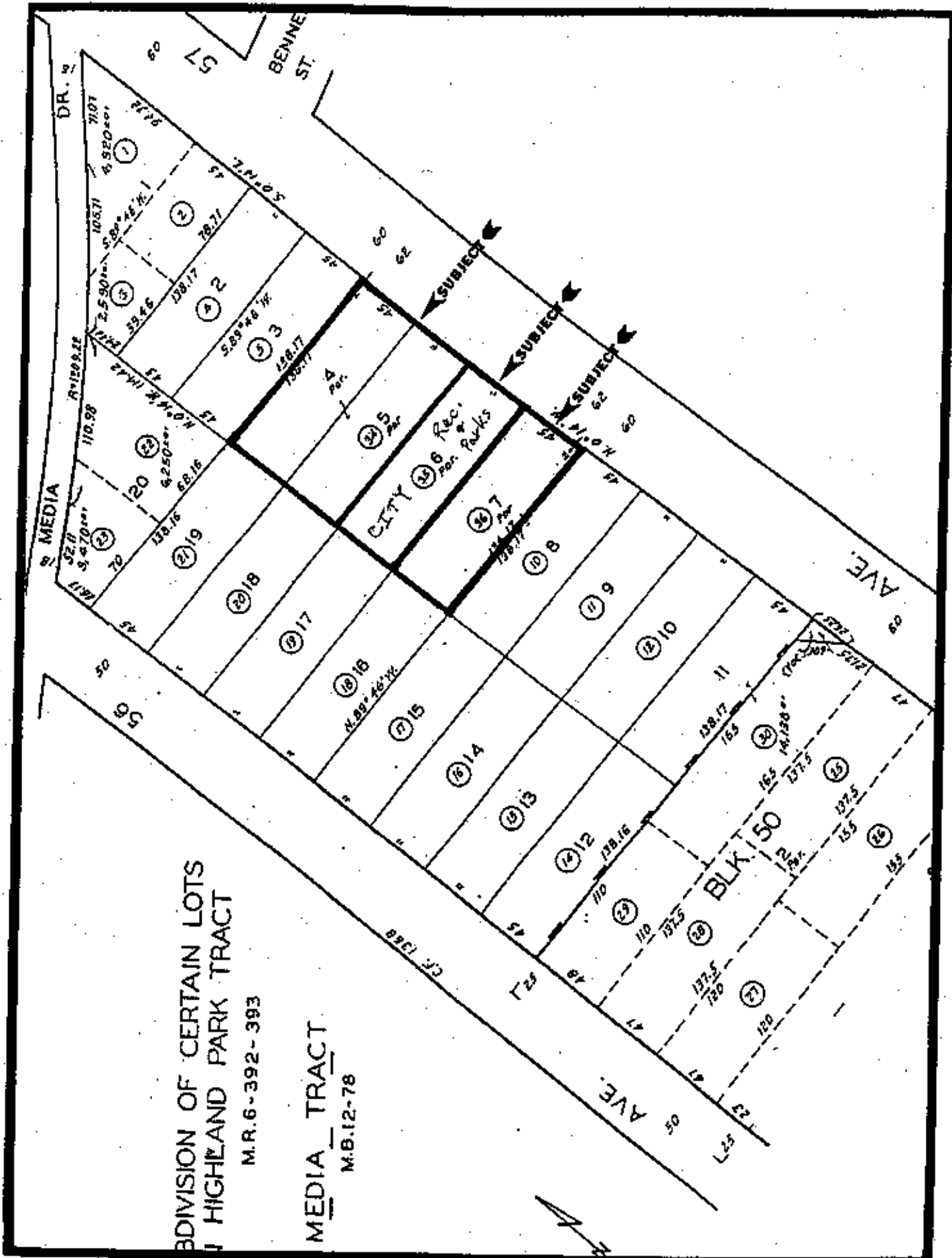
Report prepared by Drew Tolliffe, Real Estate and Asset Management Division.

DIVISION OF CERTAIN LOTS
IN HIGHLAND PARK TRACT

M.R.6-392-393

MEDIA TRACT

M.B.12-78



REPORT OF GENERAL MANAGER


NO. 02-71

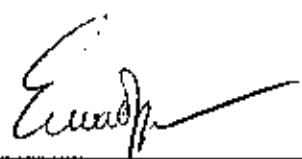
DATE February 20, 2002

CD _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GOLF TOURNAMENT POLICY

*J. Combs		J. Duggan	_____
M. Matthews	_____	H. Fujita	_____
M. Tamuri	_____	J. Kolb	_____
A. Corcailles	_____		



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

Staff recommends that Golf Tournament Policy, Section II, 4, A, which currently reads:

"Public Links Golf Association of Southern California (PLGA) is permitted to hold four (4) weekend tournaments throughout the year. Each tournament is limited to 60 players. The PLGA may increase the number of players by negotiating the number of tournaments held each year in coordination with the reservation supervisor and/or course manager..."

be amended to read as follows:

"Public Links Golf Association of Southern California (PLGA) is permitted to hold four (4) weekend tournaments throughout the year. Each tournament is limited to 72 players. PLGA may increase the number of players in one or more event(s) and and/or the number of weekend tournaments to **five (5)** so long as the total number of players using weekend times in any calendar year does not exceed a total of **288**. Such increases must be negotiated in coordination with the reservation supervisor and/or course manager."

BACKGROUND:

Public Links Golf Association of Southern California is an organization comprised entirely of golfers who are members of clubs attached to public golf courses, is the primary association of the Department's "recognized" men's clubs, and works closely with the Department staff. Participants in the PLGA tournaments includes many members of these clubs. Public Links Golf Association of Southern California also has a representative on the Golf Advisory Committee.

REPORT OF GENERAL MANAGER

PAGE 2 NO. 02-71

SUMMARY:

Passage of this recommended change would have minimal impact upon the total number of weekend tee times available to the public:

- A maximum of eleven (11) starting times annually (44 players).
- It would provide the Public Links Golf Association the flexibility it needs to better organize its annual championship schedule.
- It would be in keeping with the changes made for the remainder of the Department's "Exempt" and "Affiliate" groups in the last few years, and would provide clearer and more specific direction to the "reservation supervisor" as to precisely what "negotiating the number of tournaments held each year" means.

The Golf Advisory Committee has considered this change in tournament policy and endorses its approval.

This report prepared by Pete Frey, Golf Operations

REPORT OF GENERAL MANAGER

NO. 02-72

DATE February 20, 2002

CD _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES EQUESTRIAN CENTER NON-EQUESTRIAN EVENTS
ANALYSIS - EXPENDITURE FROM 907 CONCESSION IMPROVEMENT
ACCOUNT

J. Combs _____
*A. Corrales _____
J. Duggan _____
H. Fujita _____

J. Kolb _____
M. Tamuri _____
M. Matthews _____



General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board authorize the transfer of \$9,000 within the Concession Improvement account from unallocated funds(907-00) to existing sub-account for Non-Equestrian events environmental analysis(907-EQ); and,

That the Board direct staff to authorize the Los Angeles Equestrian Center (LAEC) to amortize the cost of environmental consultant work, as described in the body of the report, not to exceed \$12,000, to be reimbursed to the General Fund revenue from account 907-EQ when work is complete.

SUMMARY:

The LAEC, in accordance with its concession agreement with the Department, is prohibited from engaging in any activity not expressly permitted in the Contract unless it is specifically related to the offering of equestrian activities to the general public, except upon receipt of written approval by the Board on a case-by-case basis.

Since non-equestrian events, with the exception of those allowed in the Contract, must receive Board approval, this constitutes a discretionary action under the California Environmental Quality Act(CEQA). Therefore, appropriate analysis and disclosure of the potential environmental impacts associated with the proposed scheduling and implementation of these non-equestrian events must be conducted prior to any Board action on individual events.

In November 1999, the Board directed staff to establish sub-account 907-EQ and to transfer \$15,000 to this account for the purpose of funding as-needed consultant services for CEQA compliance documentation required prior to consideration by the Board on non-equestrian events at LAEC.

REPORT OF GENERAL MANAGER

PG. 2

NO. 02-72

In June 2000, approximately \$12,000 was charged by a Department consultant to perform the environmental study and to prepare a Mitigated Negative Declaration in conjunction with the LAEC's proposed schedule of non-equestrian events for the five year period of 2000 to 2004. During the public review period, many comments were received regarding 1) the compatibility of the non-equestrian events with ongoing equestrian activities and 2) the potential traffic, parking, safety and noise impacts associated with these non-equestrian events. In response to these comments, LAEC met with Department staff, local government representatives, community residents, and LAEC boarders and trainers to identify ways to prevent or minimize these impacts. As a result of this effort, LAEC made major modifications to its overall proposal to schedule and manage non-equestrian events. These material modifications required a completely revised environmental study, which would cover the five-year period of 2002-2006.

LAEC will obtain the services of a Departmental environmental consultant, Jones and Stoke, Irvine California, to conduct the study and to prepare the necessary documentation in compliance with CEQA requirements. The environmental section estimates that the cost of the work will not exceed \$12,000. The remaining balance in the 907-EQ sub-account from the previous study is approximately \$3,000, therefore necessitating the transfer of \$9,000 from the 907-00 sub-account to cover the cost of the new study. LAEC has agreed to cover the cost of the study and subsequently amortize the total amount from future rental payments.

Completion of the CEQA process for non-equestrian events will permit the Board to again consider, on a case-by case or annual schedule basis, non-equestrian activities at LAEC which enhance revenue and diversify the use of the facilities. In prior year's Board sessions, the Department and LAEC had agreed that certain costs (traffic study) would be borne by the concessionaire, while the preparation of CEQA documentation would be undertaken by the Department. Staff has verified that the 907-00 account has sufficient funds to cover this transaction.

Report prepared by: Linda Barth/Michael Honan

REPORT OF GENERAL MANAGER

NO. 02-73

DATE February 20, 2002

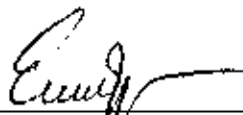
C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TRANSFER OF FUNDS BETWEEN ACCOUNTS WITHIN RECREATION AND PARKS

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

H. Fujita _____
*M. Tamurl _____
M. Matthews _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board authorize the transfer of funds between accounts within Recreation and Parks Fund 302 as follows:

From: Account No. 304 Activity 0913 - Contractual Services \$6,000.00

To: Account No. 602-02 Activity 0900 - Operating Supplies \$6,000.00

SUMMARY:

The Planning and Construction Branch workload has grown appreciably due to additional bond funded projects. Because of this, the Planning and Construction Division has greatly increased its use of the in-house engineering reprographics and plotting machines, as well as general office and drafting supplies. This necessitates greater yearly expenditures for specialized paper, inks, toner cartridges, repair/service calls and supplies.

To cover these additional expenditures, it will be necessary to transfer \$6,000.00 from Account No. 304, Activity 0913 to Account No. 601-02, Activity 0900.

The Board should note that the Planning and Construction Division has submitted budget requests in increase the 601 Account to a more appropriate annual account.

Prepared by Jess Miller, Sr. Management Analyst.

REPORT OF GENERAL MANAGER

NO. 02-74

DATE February 20, 2002

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Griffith/Metro Region Donations

B. Benjamins _____
J. Combs _____
*A. Corrales _____
J. Duggan _____

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



General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board accept the following donations and that appropriate recognition be given to the donors.

SUMMARY:

Downey Recreation Center

Ellen's Silkscreens donated two fanny packs to be used for first aid kits. Estimated cash value: \$15.00.

Echo Park Recreation Center

International Gujarti Charities donated childrens' toys and refreshments for the childrens' program. Estimated cash value: \$350.

Garcia Recreation Center

Liga De Beisbol de Veteranos donated \$460 for the youth sports program.

Hazard Recreation Cener

New-Ray Toys (CA) Inc. donated various toys, die cast cars and model airplanes for the childrens' program. Estimated cash value: Approximately \$2,000.

REPORT OF GENERAL MANAGER

PG. NO. 02-74

Hollenbeck Recreation Center

Grupo Latino Americano donated \$137.50 for staff hours (general buy back).

Latino Americano A.A. donated \$150 for staff hours (general buy back).

Hollywood Recreation Center

Bill Robertson & Son, Inc., dba Honda of Hollywood, donated \$1,500 for the flag football tournament.

Lincoln Park Recreation Center

Dino's Burgers donated 50 pounds of pancake mix, two cases of eggs, and two cases of sausages. Estimated cash value: \$200.

Montecito Heights Recreation Center

Oscar Torres donated \$250 for general Center use.

Liga De Baseball de Veteranos donated \$1,000 for the youth sports program.

Pecan Recreation Center

Dr. Erma L. Benitez donated toys, candies, stockings and assorted fruits with a pinata. Estimated cash value: \$4,000.

Jane Clarke/D.A. Lennig donated \$100 for the Christmas program.

Report prepared by: Lilyan Ordonia

REPORT OF GENERAL MANAGER

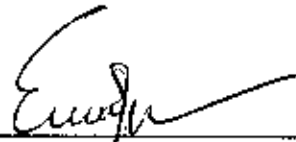
NO. 02-75

DATE February 20, 2002

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Various Communications



General Manager

Approved _____ Disapproved _____ Withdrawn _____

The following communications have been received by the Board and recommended action thereon is presented.

From:

Recommendation:

1) Office of the City Attorney, to Leo James Terrell, representing R.W.B.A., Inc., relative to the Rancho Park Golf Professional Concession.

Note and File.

2) City Clerk, relative to receiving and filing report designating state funds for a skateboard park at Hansen Dam.

Note and File.

3) City Clerk, relative to facilitating the move and installation of a historic structure.

Refer to General Manager.

4) City Clerk, relative to expediting a non-financial transfer of jurisdiction of a vacant lot at 10726 South Grape Street for development of a pocket park.

Refer to General Manager.

5) City Clerk, relative to Memorandum of Agreement with Friends of the Observatory for renovation and expansion of the Griffith Observatory.

Refer to Staff for further processing.

REPORT OF GENERAL MANAGER

PG. 2

NO. 02-75

6) City Clerk, relative to requesting City departments and Agencies to assist in the temporary closure and relocation of the Griffith Observatory.

Note and File.

7) Robert W. Shaffer, Jr., Marquez Charter Elementary School Governing Board, to General Manager, relative to the Joint Use Agreement with the Los Angeles Unified School District concerning the Marquez Charter Elementary School.

Note and File.

8) Eddie J. Milligan, relative to proposed improvements at Hansen Dam Equestrian Center.

Refer to General Manager.

9) Heriberto Fernandez, relative to building a new museum in Los Angeles.

Refer to General Manager.

Prepared by Paul Liles

REPORT OF GENERAL MANAGER

NO. 02-76

DATE February 20, 2002

C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CANCELLATION OF BALTIMORE CONSTRUCTION INC.
DENKER RECREATION CENTER NEW COMMUNITY BUILDING (1838A) -
CONTRACT NO. 2968
ROSS SNYDER RECREATION CENTER NEW COMMUNITY BUILDING (#1725B) -
CONTRACT NO. 2969

J. Combs _____
A. Corrales _____
J. Duggan _____
J. Koib _____

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



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Find that Baltimore Construction, Inc. is in breach of Contract General Provision 55. LOCAL, STATE AND FEDERAL LAWS and 56 CONTRACT BONDS on the Denker Recreation Center and the Ross Snyder Recreation Center by failing to maintain a payment bond as required under Civil Code Sec.3247 and a performance bond as required under Charter section 371 (d) after the default of their bonding company, Amwest;
2. Find that Baltimore is in breach of Contract General Provision 54 LOCAL STATE AND FEDERAL REQUIREMENTS (e) for failure to submit weekly certified payrolls on the Denker Recreation Center;
3. Find Baltimore Construction, Inc. failed to obtain Board approval for the substitution of Canon Construction Inc. for California Engineering, Inc., the listed subcontractor for site, concrete and masonry work on the Denker Recreation Center, and is in breach of Contract General Provision 5. SUBLETTING;
4. Find that Baltimore Construction, Inc. failed to obtain Board approval for the use of ATT Fire Protection on the Ross Snyder Recreation Center, a violation of Contract General Provision 5, SUBLETTING and General Provision 6, ASSIGNMENT; and,
5. Terminate the contract with Baltimore Construction for cause on the Denker Recreation Center and Ross Snyder Recreation Center projects in accordance with Contract General Provision 51 Suspension and Termination of Contract.

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6. Request the City Attorney to seek recovery of funds expended by the City to complete the work through legal means of any damages not covered through the withholding of retention and/or progress payments due to the Contractor on the Denker and Ross Snyder projects.

DISCUSSION

The Department of Recreation and Park Commissioners awarded a contract for construction of the Denker Recreation Center and the Ross Snyder Recreation Center Community Buildings to Baltimore Construction, Inc. on June 21, 2000, as shown in Attachment A. Both projects have been suspended by action of the Board on December 13, 2001 due to abandonment by the Contractor, Baltimore Construction, Inc.

DENKER RECREATION CENTER

Status of the Work

The work at Denker Recreation Center consists of demolishing the existing recreation center and constructing a new recreation center and gymnasium on the site of the former building. The progress of the work is at 53%. The original Contract value was \$2,575,000.00, and the amount paid to the Contractor to date is \$1,286,100.13. The Engineer's estimate for the work was \$2,100,000.00. The original time period allotted for the work was 380 days or until July 22, 2001. The Department is currently holding \$142,900.01 in retention. A copy of the last payment request processed by the Department and a listing of current change order requests and their disposition is shown in Attachment B.

The Denker Recreation Center experienced delays in the early stages of construction due to the presence of asbestos within the original building and changes to the Contract Documents necessitated by incomplete drawings. The asbestos was discovered soon after the work began, and change orders were issued to the General Contractor for additional work not identified in the original bid set. While the Contractor has been compensated for the remediation and additional work, the Department has been unable to settle the issue of their outstanding delay claim in the amount of \$144,093.19 and 133 days due to Baltimore's failure to substantiate their claim.

The Department was still attempting to work with the General Contractor to address their delay claim for compensation when the Contractor filed a Government Code Claim on October 9, 2001 seeking \$785,851.57 as a result of the City's failure to pay for change orders, progress payments and the release of retention. The Claim and a copy of the City's rejection is provided in Attachment C. The City disputes the assertion that the Contractor is entitled to the full sums of monies demanded in the Government Code Claim.

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ROSS SNYDER RECREATION CENTER

Status of the Work

The work on the Ross Snyder Recreation Center consisted of the construction of a new recreation facility and gymnasium. The progress of the work is at 60%. The original Contract value was \$2,203,000.00, and the total paid by the City to the Contractor is \$1,167,747.27. The Engineer's estimate for the work was \$1,993,900.00. The Department is currently holding \$144,149.82 in retention. A listing of the Department's last approved payment request and current change order requests and their disposition is shown in Attachment H.

The Contractor has experienced significant delays in the work caused by his poor scheduling and lack of coordination. In a letter dated February 5, 2001 (Attachment I), the Department raised concerns about poor construction management and operations, and of greater concern, the alteration of documents. The Contractor has alleged that the delays are as a result of poor drawings issued by the Department, and has submitted change order requests seeking additional time extensions and compensation for the delays. The Department has reviewed these claims and has determined that they are without merit and/or submitted without proper documentation to permit verification of the claim as required under General Provision 48 EXTRA WORK AND CHANGES. Baltimore has filed a Govt. Code Claim seeking unspecified compensation on this project.

BONDING

Denker Recreation Center and Ross Snyder Recreation Center

At the time of the Contract award, Baltimore Construction submitted 100% performance and payment bonds for both projects issued by Amwest Surety Insurance Company.

On June 25, 2001, the Department received a letter from Baltimore Construction on the Denker Recreation Center indicating that they had been unable to secure new bonding due to the Department's poor recommendations to insurance agents.

In a subsequent meeting in early July 2001, the owner of Baltimore Construction, Hossein Ghafouri, informed the Department's Contract Administrator that Baltimore was now obtaining their bonds through Traveler's Insurance Company.

On July 21, 2001, the Department received notification from Amwest that the Company had been declared insolvent. The Department notified the Board Office, who verbally contacted Baltimore Construction concerning their official bonding status.

On October 31, 2001, the Department gave Baltimore Construction 24 hours notice to forward the bonds to the Department. On November 1, 2001, Baltimore replied that they were unable to obtain bonds due to their current financial situation which they claim was caused by the Department.

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Baltimore asserts that the City's failure to pay them in full for all requested change orders and release of 100% retention has caused them a severe financial hardship, which has left them in a weakened financial position, and unable to obtain new bonding.

Baltimore also claims that the City has reported negatively on Baltimore to the bonding companies, which has further impacted their ability to obtain new bonds. On the Denker project, the project manager did receive a call from a bonding company in late summer 2001, and responded to the questions posed concerning the status of the project, which at that time, had outstanding change order requests and was behind schedule.

The General Contractor is required under Contract general provision 56 CONTRACT BONDS and under Civil Code Sec.3247 and Charter Section 371d) to maintain 100% labor and performance bonds in place at all times. Pursuant to Civil Code section 3251, if the Contractor fails to post a payment bond, the City cannot pay the General Contractor on any claim arising from the prime contract. The Department has checked with the City Office of Finance, Risk Manager, as well as the Office of the City Attorney, to determine if there is any acceptable substitute for the bonds. Both offices have informed the Department that they are not aware of another remedy to the Contractor's current situation, and are in concurrence with cancellation of the Contract for default.

In a letter dated November 1, 2001, and at a meeting with the Department on November 6, 2001, Baltimore suggested three ways of resolving their bonding issue: 1) by immediately paying of all their pending change order requests and issuing a written satisfactory review to their bonding company; 2) by terminating the contract for convenience, thereafter parties to finalize pending change order requests; or 3) by converting the Contract to time and materials, thereafter parties to finalize pending change order requests.

On November 2, 2001, the Department ordered the project suspended in accordance with the Contract, and subsequently issued its final 10 day notice in accordance with the Contract for Baltimore to obtain bonding.

In response to the Baltimore request to find a method suitable to the City to complete the projects, the Department discussed the requests with the City Attorney. After this consultation, Recreation and Parks informed Baltimore in a letter dated November 8, 2001 that the options presented by Baltimore were not viable. Baltimore Construction refused service of the City's suspension notice, which was sent to them by certified mail.

The Board took action to suspend the Denker and Ross Snyder projects at its meeting of December 12, 2001 (Board Report No. 01-475). During the meeting, the Board also heard public comments from Baltimore on their letters of November 26, 2001 to the Board requesting their consideration of options to providing a bond. The City Attorney advised the Board that these options were not viable and that Baltimore was obliged to provide the necessary bonds.

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On January 9, 2002, the Contract Administrator (CA) was contacted by phone by Mr. Ghafouri, the owner of Baltimore, who inquired as to the Department plans for completing the contract. The CA informed Mr. Ghafouri that the Department intended to recommend cancellation of the Contract to the Board meeting of January 23, 2002. Mr. Ghafouri requested that the Department fax him a copy of the Board Report.

Shortly after this conversation, the CA was contacted on the same day by Homa Khaefi, an employee of CMG Inc., a subcontractor to Baltimore Construction. CMG Inc., owned by Michael Badiey, was contracted by Baltimore to undertake administrative responsibilities, including payroll submittals for both the Ross Snyder and Denker projects. CMG Inc. offered to take over the project in light of Baltimore's current situation. Given the close affiliation of this company to Baltimore, the Department declined this offer, as it considered this to be a request by Baltimore to assume Baltimore's work.

Copies of the related bonding correspondence can be found in Attachment M.

In addition to Baltimore's failure to maintain bonding, the Department has identified other significant contract breach issues as follows.

DENKER RECREATION CENTER

Stop Notices by Subcontractors and Suppliers

Contract General Provision 47 PROGRESS PAYMENTS requires Baltimore to submit a monthly request for progress payment to the City. Baltimore has elected to make payment requests on a less frequent basis, approximately once every two months, as shown in the Department's log of payment requests. There is evidence that Baltimore requested and received progress payments from the City for work performed by their subcontractor's and suppliers which were not forwarded by Baltimore Construction, Inc. to entities which performed the work. This is demonstrated by comparing the stop notices filed by subcontractors and suppliers against the last progress payment request approved by the Department. Currently, there are 17 Stop Notices in the amount of \$469,060.74 filed with the City on the Denker Recreation Center, and more are expected. A summary of the payment requests and stop notices to date is provided in Attachment D.

Delinquent Certified Payrolls

The Department has been notified by the Office of Contract Compliance (OCC) that Baltimore was severely delinquent in their submittal of certified payrolls for the project. General Provision 54 LOCAL STATE AND FEDERAL REQUIREMENTS (e) requires that the certified payrolls be submitted weekly in accordance with Labor Code Section 1776, yet Baltimore Construction did not submit records to the City between December 2000 and December of 2001, a breach of Contract.

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A review of the record finds that Baltimore Construction's superintendent, Mr. Dick Nixon, attended an OCC Preconstruction Conference on July 10, 2001, whereby he represented that he understood and would comply with the OCC requirements for labor compliance. The lack of certified payrolls hampered the Department in their review of Baltimore change order requests in which they have alleged additional labor hours were expended in the performance of the work.

The OCC demand for records was made on November 21, 2001. Baltimore finally provided the required information to the OCC on December 11 and December 27, 2001. Evidence of violation of Contract General Provision 54 LOCAL, STATE AND FEDERAL REQUIREMENTS is provided under Attachment E.

Wage Violations

The Department has been notified by the Office of Contract Compliance that Baltimore's demolition subcontractor, Santa Rosa Demolition has been assessed approximately \$3,767.00 in wage restitution and \$1,450.00 in penalties.

Subletting Violations

At the time of the bid, Baltimore was required under Contract General Provision 5 SUBLETTING 9(a) to list the names, work scope and value of the subcontractors to be utilized in the performance of the work on Schedule A of the Bid Document. The City utilizes this data to verify that all subcontractors are properly licensed and insured and are a responsible entity to undertake the work. A copy of Baltimore's "Schedule A" is provided under Attachment F.

At the time of the bid, California Engineering, Inc. was Baltimore's listed subcontractor for masonry work. A review of the Board records and Department files reveals that Baltimore Construction undertook the work of its listed subcontractor, California Engineering, Inc., without obtaining Board approval, a violation of General Provision 5 SUBLETTING. The finding is based on the following:

- 1) A review of the payroll records by the OCC and Baltimore Construction's letter and attachments of October 19, 2001, where Baltimore Construction states that they supplied masonry labor for the Denker Recreation Center.
- 2) Preliminary lien notices by the block suppliers indicating that the masonry was sold directly to Baltimore Construction, Inc.
- 3) Baltimore Construction's copy of what they represent to be their subcontract agreement with Canon Contractors, Inc. to perform masonry work. The subcontract is dated 6/26/00, one day before the City issued the notice of award to Baltimore for the project. This document demonstrates that Baltimore Construction entered into a subcontract agreement with Canon Contractors, Inc. to perform work assigned to another subcontractor, California Engineering, Inc. even before the work began.

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- 4) Payment Request No. 5, dated August 15, 2001 to September 17, 2001, showing payment by the City to Baltimore in the amount of \$166,250.00 for masonry work listed as 95% complete.

In the Denker Change Order Request to which the Canon Contractors, Inc. subcontract was attached, Baltimore Construction sought \$253,705.46 from the City in compensation for what they alleged to be additional costs incurred when they undertook the masonry work in lieu of Canon Contractors, Inc. In the letter, Baltimore states:

"...When the Department awarded Denker and Ross Snyder projects to Baltimore Construction, Inc., California Engineering, Inc., the nominated subcontractor for masonry block portion, withdrew its bid for both Ross Snyder and Denker projects. At this stage, Baltimore Construction concluded a contract for masonry works directly with Canon Contractors, California Engineering's subcontractor..."

Even if Canon Contractors, Inc. was the second tier sub of California Engineering, Inc., General Provision 5 SUBLETTING (D) AND 6 ASSIGNMENT states that the work cannot be performed, assigned or passed through to anyone other than the listed subcontractor without Board approval.

Documents evidencing the unauthorized substitution of California Engineering, Inc. on the Denker project are provided in Attachment G.

The Department notes that this evidence of improper subcontract substitutions contrasts with statements made on the progress payments submitted by Baltimore, wherein the owner, Hossein Ghafouri, certified to the Department that "there were no substitutions of subcontractors, except as provided by the Board of Recreation and Park Commissioners." The Department finds that the certification was incorrect.

ROSS SNYDER RECREATION CENTER **Stop Notices by Subcontractors and Suppliers**

Contract General Provision 47 PROGRESS PAYMENTS requires Baltimore to submit a monthly request for progress payment to the City. Baltimore has elected to make payment requests on a less frequent basis, approximately once every two months, as shown in the Department's log of payment requests.

There is evidence that Baltimore requested and received progress payments from the City for work performed by their subcontractor's and suppliers which were not forwarded by Baltimore Construction, Inc. to entities which performed the work. This is demonstrated by comparing the stop notices filed by subcontractors and suppliers against the last progress payment request approved by the Department. Currently there are 20 Stop Notices in the amount of \$343,342.13 filed with the City on the Ross Snyder Recreation Center, and more are expected. A summary of the payment requests and stop notices to date is provided in Attachment J.

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Subletting Violations

At the time of the Bid, Baltimore was required to list all subcontractors performing work in an amount above \$10,000.00 in value or ½ of 1% of the total value of the work. A copy of Baltimore's "Schedule A" is provided under Attachment K.

There is evidence that Baltimore improperly failed to obtain approval from the Board for the assignment of work to ATT Fire Protection, a violation of General Provision 5 SUBLETTING and General Provision 6 ASSIGNMENT. Evidence of the violation consists of:

- 1) California Preliminary Notice by ATT Fire Protection dated November 13, 2001 for fire sprinkler design and installation, valued at \$23,000.00;
- 2) Stop Notice from ATT Fire Protection dated November 19, 2001 in the amount of \$12,988.16; and,
- 3) Progress Payment No. 6 dated May 4, 2001 to September 14, 2001, indicating payment was made by the City for fire protection design and installation (fire sprinkler work) in the amount of \$7,500.00, and indicating that 50% of the work was complete.

Evidence of these contract violations can be found under Attachment L.

AUTHORITIES

The Board's authority to terminate the Denker Recreation Center and the Ross Snyder Contracts with Baltimore Construction, Inc. is defined under General Condition 5 SUBLETTING (h) which states:

"A Contractor violating any provision of this section violates the Contract and the Board may exercise the option to either cancel the Contract or assess the prime Contractor a penalty..."

and General Condition 51 SUSPENSION AND TERMINATION OF A CONTRACT (a) and (c) which state:

"The Contract may be cancelled in whole or in part by the Board without liability for damage, when in the Board's opinion the Contractor is not complying in good faith, has become insolvent, or has assigned or subcontracted any part of the Work without the Board's consent."

"In determining the question of whether or not there has been such non-compliance with the Contract as to warrant the suspension or termination thereof, the Decision of the Board shall be binding on both parties."

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Baltimore's obligation to provide monthly progress payment requests is found under general provision 47 PROGRESS PAYMENTS (a) which states:

"On or about the first day of the month, the Contractor will prepare a progress payment estimate of the Work performed to date for review and approval by the General Manger. "

The Obligation to maintain bonds in place at all times under Civil Code Section 3247 and Charter section 371 (d) is found in two sections of the Contract. Section 54 LOCAL, STATE AND FEDERAL REQUIREMENTS (d) states:

" The Contractor shall keep fully informed of State and National Laws and County and Municipal ordinances and regulations which in any manner affect...the conduct of the Work. The Contractor shall at all times observe and comply with such laws, ordinances and regulations. "

General provision 56 CONTRACT BONDS states:

"Before execution of a contract by the City, the Bidder shall file with the City surety bonds satisfactory to the Board...

..The bonds shall be maintained by the Contractor in full force and effect until the work is accepted by the City, and until all claims for materials and labor are paid, and shall otherwise comply with the Civil code...

..Should any bond become insufficient, the Contractor shall renew the bond within ten (10) days after receiving notice from the City.

Should any Surety at any time be unsatisfactory to the Board, notice will be given the Contractor to that effect. No further payments shall be deemed due or will be made under the Contract until a new Surety shall qualify and be acceptable to the Board... "

Baltimore Constructions obligation to submit weekly certified payrolls on the Denker project is required under Section 1776 of the labor Code, which is referenced in general provision 54 LOCAL, STATE AND FEDERAL REQUIREMENTS (e) as follows:

" The Contractor's attention is directed to Section 1776 of the Labor Code, relating to accurate payroll records, which imposed responsibility on the Contractor for the maintenance, certification, and availability for inspection of such records..."the Contractor shall agree through the Contract to comply with section and the remaining provisions of the labor code".

Prepared by Maureen Tamuri, Assistant General Manager.

MATTERS PENDING

Matters Pending will be carried for a maximum of six months, after which time they will be deemed withdrawn and rescheduled whenever a new staff report is received.

- 08/08/01 01-274 Department Procedures for the Selection of Technical Consultants
- 10/03/01 01-360 Elysian Park - Radio Hill Development (#1106B) - Review of Bids and Award of Contract
- 10/03/01 01-370 Approval of the Joint Use Agreement Between Los Angeles Unified School District and the City of Los Angeles for the Joint Use of a Portion of Marquez Charter School

BIDS TO BE RECEIVED

- 03/05/02 Ramona Gardens - Alvarez Park Redevelopment (#1137B)
- 03/12/02 Victory Vineland Childcare Center (#2701N)
- 03/12/02 Zelzah Park - Parking, Turf, Fence & Irrigation (#1349B)
- 03/19/02 Cabrillo Marine Aquarium - Master Plan Implementation (#1505D)
- 03/26/02 Griffith Observatory - Renovation and Expansion (#1504C)