

REPORT OF GENERAL MANAGER

NO. 04-02

DATE January 7, 2004


C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WESTCHESTER RECREATION CENTER - COMMUNITY BUILDING (#1539A) -  
CONTRACT NO. 2950 - FINAL ACCEPTANCE

L. Barth \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
J. Kolb \_\_\_\_\_  
\*B. Lukehart \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
G. Stigile \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

It is recommended that the Board:

1. Accept the work performed under Contract No. 2950 as outlined in the body of this report;
2. Approve waiving the liquidated damage assessment under Contract No. 2950 and extend the contract completion date to November 19, 2003;
3. Authorize the Department's Chief Accounting Employee to release all retention monies held under Contract No. 2950 to Hayward Construction Company, Inc., 35 calendar days after acceptance by the Board; and,
4. Authorize the Board Secretary to furnish Hayward Construction Company, Inc., with a letter of completion.

SUMMARY:

On April 17, 2002, the Board approved a Completion Contract in the amount of \$974,395 to Hayward Construction Company, Inc., (Board Report No. 02-155) for the construction restart of the Westchester Recreation Center Community Building (#1539A) project.

Construction work on this project is 100% complete. The Department took possession of the building on November 19, 2003. Building and Safety inspectors have signed off on all permits and allowed occupancy of the building. The Department of Building and Safety is currently processing the Certificate of Occupancy. Department staff now occupies the facility.

REPORT OF GENERAL MANAGER

PG 2

NO. 04-02

The project consisted of a new 8,997 square-foot community building with a lobby, gymnasium for basketball and volleyball courts, bleachers, director's office, men and women's toilets, storage room, and electrical room. Outdoor improvements included adding 49 parking spaces by refurbishing the existing parking lot and constructing a new parking lot south of the tennis courts. New irrigation and landscaping was provided along Manchester Avenue and around the existing and new buildings.

Stenco Construction, the original contractor, defaulted on Contract No. 2950 (Board Report No. 01-392, October 17, 2001). The surety provided Hayward Construction Company as the new contractor. After a long period of inactivity (October 2001 – November 2002), Hayward started construction and diligently completed construction in full cooperation with staff and inspectors. The project was constructed on time and within budget.

Due to the outstanding performance by Hayward Construction Company, staff recommends authorizing the extension of the completion date to November 19, 2003, and waiving the assessment of liquidated damages to the contractor. In return, the contractor agreed not to pursue payment of disapproved change order requests.

There have been 17 change orders issued on this project for a total amount of \$90,028.50. Total funds expended on the construction this project by Hayward Construction Company was \$1,064,423.50.

The project was funded with Proposition A, Quimby and Surety reimbursement. Hayward complied with the Safe Neighborhood Parks Proposition of 1992 by dedicating \$38,884.00 in wages for youth employment. 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 by Hayward.

Prepared by Fred O. David, Project Manager.