

SPECIAL AGENDA
TELEPHONIC MEETING

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

Tuesday, June 1, 2004 - 10:00 a.m.
At the Following Locations:

City Hall East
200 North Main Street, 13th Floor Conference Rooms A and B
Los Angeles, California 90012

Mike Roos and Company
515 South Flower Street, Suite 3500
Los Angeles, CA 90071

Manatt, Phelps & Phillips
11355 West Olympic Boulevard, Los Angeles, CA 90064
Attention: Dennis Kissick

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM. FORMS WILL BE AVAILABLE AT ALL THE LOCATIONS AND ANYONE WISHING TO SPEAK ON AN ITEM SHOULD COMPLETE THE REQUIRED FORM AND LEAVE IT WITH ANY CITY OFFICIAL PARTICIPATING AT THAT LOCATION.

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED, FOR A CUMULATIVE TOTAL OF UP TO FIFTEEN (15) MINUTES FOR EACH ITEM. ALL REQUESTS TO ADDRESS THE BOARD ON PUBLIC HEARING ITEMS MUST BE SUBMITTED PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM.

1. GENERAL MANAGER'S REPORT:

- 04-171 Baldwin Hills Recreation Center - Improvements to Athletic Fields and New Playground (#1202E) (W.O. E170316F) - Review of Bids and Award of Contract
- 04-172 Eagle Rock Recreation Center - Gym Renovations and Landscaping (#1713D) (W.O. E170402F) - Review of Bids and Award of Contract
- 04-173 Mar Vista Recreation Center - Outdoor Sportsfield Improvements and Perimeter Fencing (#1330D) (W.O. E170324F) - Review of Bids and Award of Contract
- 04-174 Mason Park - Childcare Center (W.O. E170335F) Review of Bids and Award of Contract

2. UNFINISHED BUSINESS:

- 04-130 Pershing Square Park - Conceptual Approval for Establishment of a Wireless Internet Network
- 04-170 Authorization to Pay the Community Redevelopment Agency a Portion of the Quimby Fees Paid by the L.A. Arena Company, for the Acquisition of Real Property for the

June 1, 2004

Development of a Public Recreation Facility at Venice
Boulevard and Hope Street.

3. 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.

4. NEXT MEETING:

A Special meeting of the Board of Recreation and Park Commissioners will be held on Friday, June 4, 2004 at 8:30 a.m., George Hjelte Assembly Room, 200 North Main Street, City Hall East, Room 1325, Los Angeles, California 90012.

A Special meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, June 9, 2004 at 10:30 a.m., George Hjelte Assembly Room, 200 North Main Street, City Hall East, Room 1325, Los Angeles, California 90012.

The next regularly scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, June 16, 2004 at 9:30 a.m., George Hjelte Assembly Room, 200 North Main Street, City Hall East, Room 1325, Los Angeles, California 90012.

5. 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, actions that are subject to Section 245 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.

REPORT OF GENERAL MANAGER

NO. 04-171

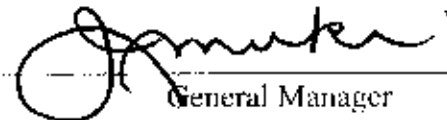
DATE June 1, 2004

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BALDWIN HILLS RECREATION CENTER IMPROVEMENTS TO ATHLETIC FIELDS AND NEW PLAYGROUND (#1202E) (W.O. E170316F) REVIEW OF BIDS AND AWARD OF CONTRACT

* K. Chan	<u>kc</u>	J. Cumbs	_____
H. Fujita	_____	J. Kolb	_____
M. Murrain	_____	E. Mok	_____
K. Regan	_____	G. Stipile	_____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Accept the base bid of HMI Construction Inc., in the amount of \$1,005,000.00 as the lowest responsible bidder;
2. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$804,270 from the available funds in the following funds and account numbers under the awarding authority of this Board Report; and,

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T220	\$ 23,289.00
43K (Prop. K-YR7)	V220	\$ 780,981.00
<u>Available Funds</u>		<u>\$ 804,270.00</u>

3. Request the City Attorney to prepare a contract, including a "funding clause" limiting the City's liability for contract payments to the amount of funding appropriated by the City for this contract, as well as so limiting the contractor's obligation to perform the contract, as further described in this report, after which the Board President and Secretary be authorized to execute same after the appropriate signatures by the other parties thereto and approval as to form by the City Attorney have been obtained thereon.

REPORT OF GENERAL MANAGER

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NO. 04-171

SUMMARY:

On March 3, 2004, the Board approved final plans and call for bids for the Baldwin Hills Recreation Center - Improvements to Athletic Fields and New Playground (#1202F), W.O. E170316F, located at 5401 West Highlight Place, Los Angeles, CA 90016 (Board Report No. 04-57). Plans provide for improvements to the existing athletic fields and construction of a new playground.

On May 18, 2004, the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Recreation and Parks	\$667,000
<u>Bidder #1- Ecology Construction, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$1,198,250
Deduct Alternate No. 1	\$ 40,000
Deduct Alternate No. 2	\$ 20,000
Deduct Alternate No. 3	\$ 25,000
Deduct Alternate No. 4	\$ 90,000
<u>Bidder #2- HMI Construction, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$1,005,000
Deduct Alternate No. 1	\$ 14,400
Deduct Alternate No. 2	\$ 3,000
Deduct Alternate No. 3	\$ 13,000
Deduct Alternate No. 4	\$ 40,000
<u>Bidder #3- Landshapes</u>	<u>Bid Amount</u>
Base Bid	\$1,024,700
Deduct Alternate No. 1	\$ 15,000
Deduct Alternate No. 2	\$ 17,000
Deduct Alternate No. 3	\$ 21,000
Deduct Alternate No. 4	\$ 20,000

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<u>Bidder #4-</u> LA Engineering, Inc.	<u>Bid Amount</u>
Base Bid	\$1,240,000
Deduct Alternate No. 1	\$ 20,000
Deduct Alternate No. 2	\$ 40,000
Deduct Alternate No. 3	\$ 34,000
Deduct Alternate No. 4	\$ 44,000
 <u>Bidder #5-</u> Ryco Construction, Inc.	 <u>Bid Amount</u>
Base Bid	\$1,088,801
Deduct Alternate No. 1	\$ 15,000
Deduct Alternate No. 2	\$ 22,000
Deduct Alternate No. 3	\$ 35,000
Deduct Alternate No. 4	\$ 20,000

HMI Construction, Inc., submitted the lowest base bid as shown above. Four deductive alternates were also included in the bid packages. However, as it is anticipated that there will be sufficient funds to award the Base Bid and to allow for contingencies during the construction of the project, it is recommended that the project be awarded with none of the deductive alternates being exercised. The project was presented to the Prop K Steering Committee on May 27, 2004, and it was recommended that the Board award the Base Bid at \$1,005,000 at this time.

Currently, there is only \$804,270 available in Prop K funds, as indicated below. The remaining funds required to fully encumber the contract are contingent upon approval of the Engineer's Report for the allocation of Prop K funds for fiscal year 2004-05. The Steering Committee was made aware that the award is contingent upon the approval of next year's funding in the Prop K program. The contract will provide that the City's liability for contract payments under this contract shall only be to the extent of the City appropriation to fund the contract. If the City does appropriate the additional funding through the City Council approval of the Engineer's Report for the Prop K program the City's liability for contract payments shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The Contractor will not be required to do any work in excess of the amount of current funding, plus any additional funding appropriated by the City, if any, for this project.

There are funds currently available to award the contract for this project in the following accounts:

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T220	\$ 23,289.00
43K (Prop. K-YR7)	V220	\$ 780,981.00
Available Funds		\$ 804,270.00

REPORT OF GENERAL MANAGER

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However, an additional \$360,747 is planned for this project to be available after July 1, 2004, contingent upon City Council appropriating the funds consisting of: \$194,052 in Prop K Year 7 Inflation and, \$166,695 in Prop K Year 7 Interest funds. If these funds are appropriated, as requested and recommended by the LA for Kids Steering Committee, by adoption of the Engineer's Report by the City Council in June, 2004, the Department's Chief Accounting Employee will be able to encumber the contract balance. The contractor would be notified of the amount of the appropriation being made to the contract from the additional funding and to continue working until project completion or until the appropriated funding for the project is expended which ever comes first.

Staff has reviewed the outreach effort made by HMI Construction, Inc., and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 11.2% and satisfied 84 of the 100-point requirements outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

The City Attorney and staff have reviewed the bids submitted by HMI Construction, Inc., and found them to be in order. HMI Construction, Inc., is the lowest responsible bidder.

Staff reviewed the responsiveness and work performance of HMI Construction, Inc, and found that they have not been awarded any past projects. The Department of Public Works, Office of Contract Compliance (OCC), indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

This report was prepared by Kathleen Chan, Acting Superintendent and Alice Gong, Proposition K Group, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: HMI Construction, Inc.

Bid Date: May 18, 2004

Project Name: BALDWIN HILLS RECREATION CENTER – IMPROVEMENTS TO ATHLETIC FIELDS AND NEW PLAYGROUND (#1202E) W.O. E170316F

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
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 planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents.		9	0
5 Letters to Potential Subs	A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		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	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	0
TOTAL POINTS ACHIEVED			84	

MBE/WBE % ACHIEVED: 11.2 %

REPORT OF GENERAL MANAGER

NO. 04-172

DATE June 1, 2004

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EAGLE ROCK RECREATION CENTER – GYM RENOVATIONS AND LANDSCAPING (#1713D) (W.O. E170402F) – REVIEW OF BIDS AND AWARD OF CONTRACT

* K. Chan	<u>kc</u>	J. Combs	_____
H. Fujita	_____	J. Kulb	_____
M. Mariscal	_____	F. Mok	_____
K. Regan	_____	G. Stigite	_____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Waive as an informality the failure of Tobo Construction, Inc., to provide two signatures on the Signature Page of the bid as required for a Corporation, since the contractor has provided proof that Yeong Sik Kim, the company president and whose only signature appears on the Signature Page, is the sole stock holder and officer of the company;
2. Waive as an informality the failure of Tobo Construction, Inc., to indicate the appropriate type of submission of the Responsibility Questionnaire, since the contractor has submitted a copy of its most recent questionnaire and provided a statement in writing indicating that no change has occurred since the last submission;
3. Accept the base bid of Tobo Construction, Inc., in the amount of \$1,218,000 as the lowest responsible bidder;
2. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$1,097,248.02 from the available funds in the following funds and account numbers under the awarding authority of this Board Report; and,

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FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T244	\$ 27,248.02
43K (Prop. K-YR7)	V244	\$ 1,070,000.00
Available Funds		\$ 1,097,248.02

3. Request the City Attorney to prepare a contract, including a "funding clause" limiting the City's liability for contract payments to the amount of funding appropriated by the City for this contract, as well as so limiting the contractor's obligation to perform the contract, as further described in this report, after which the Board 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 March 3, 2004, the Board approved final plans and call for bids for the Eagle Rock Recreation Center - Gym Renovations and Landscaping (#1713D) (W.O. E170402F), located at 1100 West Eagle Vista Drive, Los Angeles, CA 90041 (Board Report No. 04-58). The plans provide for improvements to slopes, gymnasium, outdoor stage, walkways, and irrigation.

On May 18, 2004, the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Recreation and Parks	\$ 806,400
<u>Bidder #1- ATEK Engineering & Construction</u>	<u>Bid Amount</u>
Base Bid	\$1,269,000
Deduct Alternate No. 1	\$ 20,000
Deduct Alternate No. 2	\$ 14,000
Deduct Alternate No. 3	\$ 26,000
Deduct Alternate No. 4	\$ 18,000
Deduct Alternate No. 5	\$ 25,000
Deduct Alternate No. 6	\$ 63,000
Deduct Alternate No. 7	\$ 10,000
Deduct Alternate No. 8	\$ 15,000
Deduct Alternate No. 9	\$ 4,000
Additive Alternate No. 1	\$ 6,000
<u>Bidder #2- Mallcraft, Inc.,</u>	<u>Bid Amount</u>
Base Bid	\$2,057,000
Deduct Alternate No. 1	\$ 7,500
Deduct Alternate No. 2	\$ 15,000

REPORT OF GENERAL MANAGER

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Deduct Alternate No. 3	\$ 25,000
Deduct Alternate No. 4	\$ 22,000
Deduct Alternate No. 5	\$ 30,000
Deduct Alternate No. 6	\$ 60,000
Deduct Alternate No. 7	\$ 5,000
Deduct Alternate No. 8	\$ 10,000
Deduct Alternate No. 9	\$ 2,000
Additive Alternate No. 1	\$ 6,000

<u>Bidder #3- Tobo Construction, Inc.,</u>	<u>Bid Amount</u>
Base Bid	\$1,218,000
Deduct Alternate No. 1	\$ 4,800
Deduct Alternate No. 2	\$ 22,000
Deduct Alternate No. 3	\$ 12,900
Deduct Alternate No. 4	\$ 24,300
Deduct Alternate No. 5	\$ 7,200
Deduct Alternate No. 6	\$ 29,000
Deduct Alternate No. 7	\$ 32,000
Deduct Alternate No. 8	\$ 9,300
Deduct Alternate No. 9	\$ 8,900
Additive Alternate No. 1	\$ 49,500

Tobo Construction, Inc., submitted the lowest base bid as shown above. Nine deductive alternates and one additive alternate were also included in the bid packages. However, as it is anticipated that there will be sufficient funds to award the Base Bid and to allow for contingencies during the construction of the project, it is recommended that the project be awarded with none of the deductive alternates, nor the additive alternate, being exercised. The project was presented to the Prop K Steering Committee on May 27, 2004, and it was recommended that the Board award the Base Bid at \$1,218,000 at this time.

Currently, there is only \$1,097,248.02 available in Prop K funds, as indicated below. The remaining funds of required to fully encumber the contract are contingent upon approval of the Engineer's Report for the allocation of Prop K funds for fiscal year 2004-05. The Steering Committee was made aware that the award is contingent upon the approval of next year's funding in the Prop K program. The contract will provide that the City's liability for contract payments under this contract shall only be to the extent of the City appropriation to fund the contract. If the City does appropriate the additional funding through the City Council approval of the Engineer's Report for the Prop K program the City's liability for contract payments shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The Contractor will not be required to do any work in excess of the amount of current funding, plus any additional funding appropriated by the City, if any, for this project.

REPORT OF GENERAL MANAGER

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There are funds currently available to award the contract for this project in the following accounts:

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T244	\$ 27,248.02
43K (Prop. K-YR7)	V244	\$ 1,070,000.00
Available Funds		\$ 1,097,248.02

However, an additional \$541,747 is planned for this project to be available after July 1, 2004, contingent upon City Council appropriating the funds consisting of: \$485,131 in Prop K Year 7 Inflation and \$56,616 in Prop K Year 7 Interest funds. If these funds are appropriated, as requested and recommended by the I.A for Kids Steering Committee, by adoption of the Engineer's Report by the City Council in June, 2004, the Department's Chief Accounting Employee will be able to encumber the contract balance. The contractor would be notified of the amount of the appropriation being made to the contract from the additional funding and to continue working until project completion or until the appropriated funding for the project is expended which ever comes first.

The City Attorney has indicated that Tobo Construction Inc., did not provide the required two signatures in the Signature Page. The contractor, subsequently, provided proof that Yeong Sik Kim, the company President and whose only signature appears on the signature page is the sole stock holder and officer of the company. The City Attorney also indicated that the contractor failed to indicate the type of submission of the Responsibility Questionnaire. The contractor, subsequently, provided a statement that indicated that no change has occurred since the last submission. The City Attorney has determined that each of the two items is an informality that can be waived by the Board and therefore, staff recommends that the Board approve waiving each item as an informality.

Staff has reviewed the outreach effort made by Tobo Construction, Inc., and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 4.33% and satisfied 100 of the 100-point requirements outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

The City Attorney and staff have reviewed the bids submitted by Tobo Construction, Inc., and found them to be in order. Tobo Construction, Inc., is the lowest responsible bidder.

Staff reviewed the responsiveness and work performance of Tobo Construction, Inc., on past Department projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance (OCC), indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

This report was prepared by Kathleen Chan, Acting Superintendent and Alice Gong, Proposition K Group, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: Tobo Construction, Inc.,

Bid Date: May 18, 2004

Project Name: EAGLE ROCK RECREATION CENTER – GYM RENOVATIONS AND LANDSCAPING (#1713D) W.O. E170402F

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
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 planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents.		9	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	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			100	

MBE/WBE % ACHIEVED: 4.33 %

REPORT OF GENERAL MANAGER

NO. 04-173 _____

DATE June 1, 2004

C.D. 11 _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MAR VISTA RECREATION CENTER - OUTDOOR SPORTSFIELD
IMPROVEMENTS AND PERIMETER FENCING (#1330D) (W.O. E170324F) -
REVIEW OF BIDS AND AWARD OF CONTRACT

• K. Chan
H. Fujita
M. Mariscal
K. Regan

J. Conths
J. Kolb
J. Muk
G. Stabile



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Waive as informality the failure of Ecology Construction to initial Schedule B, the Affidavit of Compliance with MBE/WBE and Other Business Outreach Program Requirements, since the contractor has provided documentation demonstrating that he performed a good faith effort prior to the bid opening;
2. Accept the base bid along with the three additive alternates, of Ecology Construction in the amount of \$764,556 as the lowest responsible bidder;
3. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$875,027.20 from the available funds in the following funds and account numbers under the awarding authority of this Board Report: and,

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T355	\$ 25,152.20
43K (Prop. K-YR7)	V355	\$ 849,875.00
Available Funds		\$ 875,027.20

4. Authorize the Board President and Secretary to execute a contract on the above terms, subject to City Attorney approval as to form.

REPORT OF GENERAL MANAGER

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NO. 04-173

SUMMARY:

On March 17, 2004, the Board approved final plans and call for bids for the Mar Vista Recreation Center - Outdoor Sportsfield Improvements and Perimeter Fencing, (#1330D) (W.O. E170324F), located at 11430 Woodbine Avenue, Los Angeles, CA 90066 (Board Report No. 04-79). The plans provide for outdoor sportsfield improvements and perimeter fencing.

On May 18, 2004, the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Recreation and Parks	\$ 598,790
<u>Bidder #1 - Ecology Construction</u>	<u>Bid Amount</u>
Base Bid	\$ 714,756
Deduct Alternate No. 1	\$ 32,200
Additive Alternate No. 1	\$ 17,000
Additive Alternate No. 2	\$ 14,800
Additive Alternate No. 3	\$ 18,000
<u>Bidder #2 - LA Engineering, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$ 740,000
Deduct Alternate No. 1	\$ 50,000
Additive Alternate No. 1	\$ 41,000
Additive Alternate No. 2	\$ 17,000
Additive Alternate No. 3	\$ 24,000
<u>Bidder #3 - Ryco Construction, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$ 781,187
Deduct Alternate No. 1	\$ 6,500
Additive Alternate No. 1	\$ 27,000
Additive Alternate No. 2	\$ 15,000
Additive Alternate No. 3	\$ 18,000

REPORT OF GENERAL MANAGER

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<u>Bidder #4- West Coast General</u>	<u>Bid Amount</u>
Base Bid	\$843,911.32
Deduct Alternate No. 1	\$ 5,000
Additive Alternate No. 1	\$ 33,125
Additive Alternate No. 2	\$ 31,288
Additive Alternate No. 3	\$ 28,398

Ecology Construction submitted the lowest base bid as shown above. One deductive alternate and three additive alternates were also included in the bid packages. However, as it is anticipated that there will be sufficient funds to award the Base Bid and the three additive alternates and to allow for contingencies during the construction of the project, it is recommended that the project be awarded without the deductive alternate being exercised. The project was presented to the Prop K Steering Committee on May 27, 2004, and it was recommended that the Board award the Base Bid and three additive alternates at \$764,556 at this time.

Currently, there is only \$875,027.20 available in Prop K funds, as indicated below.

There are funds currently available to award the contract for this project in the following accounts:

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T355	\$ 25,152.20
43K (Prop. K-YR7)	V355	\$ 849,875.00
Available Funds		\$ 875,027.20

Staff has reviewed the outreach effort made by Ecology Construction and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 6.3% and satisfied 81 of the 100-point requirements outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

The City Attorney and staff have reviewed the bids submitted by Ecology Construction and found them to be in order. Ecology Construction is the lowest responsible bidder.

Staff reviewed the responsiveness and work performance of Ecology Construction on past Department projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance (OCC), indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

This report was prepared by Kathleen Chan, Acting Superintendent and Alice Gong, Proposition K Group, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: Ecology Construction

Bid Date: May 18, 2004

Project Name: MAR VISTA RECREATION CENTER – OUTDOOR SPORTSFIELD IMPROVEMENTS AND PERIMETER FENCING - (#1330D) (W.O. E170324F)

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
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	0
5 Letters to Potential Subs	A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	10
6 Follow-up to Letters	A copy of telephone logs. Those 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	0
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				81

MBE/WBE % ACHIEVED: 6.3 %

REPORT OF GENERAL MANAGER

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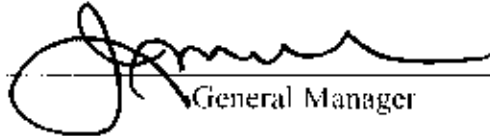
DATE June 1, 2004

C.D. 12

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: **MASON PARK - CHILDCARE CENTER (W.O. E170335F) – REVIEW OF BIDS AND AWARD OF CONTRACT**

* K. Chan <u>kc</u>	J. Combs _____
H. Fujita _____	J. Kolb _____
M. Marschal _____	P. Mok _____
K. Regan _____	G. Stigile _____



General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Waive as an informality the failure of Tobo Construction, Inc. to provide two signatures on the Signature Page of the bid as required for a Corporation, since the contractor has provided proof that Yeong Sik Kim, the company president and whose only signature appears on the Signature Page, is the sole stock holder and officer of the company;
2. Waive as an informality the failure of Tobo Construction, Inc. to indicate the appropriate type of submission of the Responsibility Questionnaire, since the contractor has submitted a copy of its most recent questionnaire and provided a statement in writing indicating that no change has occurred since the last submission;
3. Accept the base bid of Tobo Construction, Inc. in the amount of \$2,000,000 as the lowest responsible bidder;
4. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$1,592,002 from the available funds in the following funds and account numbers under the awarding authority of this Board Report; and,

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FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR6)	T433	\$ 27,809.00
43K (Prop. K-YR7)	V433	\$ 800,000.00
43K (Prop K YR7 Interest)	T466	\$ 382,919.00
100 (CFAF - 02/03)	T725	\$ 381,274.00
Available Funds		\$ 1,592,002.00

5. Request the City Attorney to prepare a contract, including a "funding clause" limiting the City's liability for contract payments to the amount of funding appropriated by the City for this contract, as well as so limiting the contractor's obligation to perform the contract, as further described in this report, after which the Board 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 April 7, 2004, the Board approved final plans and call for bids for the Mason Park - Childcare Center, W.O. E170335F, located at 10500 Mason Avenue, Chatsworth, CA 91311 (Board Report No. 04-98). The plans are for the construction of a new childcare center for 50 children, parking fencing, play area, and related landscape improvements.

On May 18, 2004, the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Miralles & Wu, LLP	\$ 1,500,000
<u>Bidder #1- Tobo Construction, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$ 2,000,000
Deduct Alternate No. 1	\$ 7,000
Deduct Alternate No. 2	\$ 19,500
Deduct Alternate No. 3	\$ 12,500
Deduct Alternate No. 4	\$ 6,500
Additive Alternate No. 1	\$ 49,000

Tobo Construction, Inc., submitted the lowest base bid as shown above. Four deductive alternates and one additive alternate were also included in the bid packages. However, as it is anticipated that there will be sufficient funds to award the Base Bid and to allow for contingencies during the construction of the project, it is recommended that the project be awarded with none of the deductive alternates, nor the additive alternate, being exercised. The project was presented to the Prop K

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Steering Committee on May 27, 2004, and it was recommended that the Board award the Base Bid at \$2,000,000 at this time.

Currently, there is only \$1,592,002 available in Prop K funds, as indicated below. The remaining funds required to fully encumber the contract are contingent upon approval of the Engineer's Report for the allocation of Prop K funds for fiscal year 2004-05. The Steering Committee was made aware that the award is contingent upon the approval of next year's funding in the Prop K program. The Steering Committee was also appraised of the fact that the Prop K Program Manager is recommending the award of the contract with a 10% construction Contingency fund. The contract will provide that the City's liability for contract payments under this contract shall only be to the extent of the City appropriation to fund the contract. If the City does appropriate the additional funding through the City Council approval of the Engineer's Report for the Prop K program the City's liability for contract payments shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The Contractor will not be required to do any work in excess of the amount of current funding, plus any additional funding appropriated by the City, if any, for this project.

There are funds currently available to award the contract for this project in the following accounts:

FUND	ACCOUNT NO.	AMOUNT
43K (Prop. K-YR 6)	T433	\$ 27,809.00
43K (Prop. K-YR 7)	V433	\$ 800,000.00
43K (Prop K YR7 Interest)	T466	\$ 382,919.00
100 (CFAP - 02/03)	T725	\$ 381,274.00
Available Funds		\$ 1,592,002.00

However, an additional \$920,932 is planned for this project to be available after July 1, 2004, contingent upon City Council appropriating the funds consisting of: \$252,268 in Prop K Year 7 Inflation, \$200,000 in Prop K Year 8 funds, \$168,664 in CFAP YR 02/03 funds and \$300,000 additional CFAP YR 03/04 funds. If these funds are appropriated, as requested and recommended by the LA for Kids Steering Committee, by adoption of the Engineer's Report by the City Council in June, 2004, the Department's Chief Accounting Employee will be able to encumber the contract balance. The contractor would be notified of the amount of the appropriation being made to the contract from the additional funding and to continue working until project completion or until the appropriated funding for the project is expended which ever comes first.

The City Attorney has indicated that Tobo Construction Inc., did not provide the required two signatures on the Signature Page. The contractor, subsequently, provided proof that Yeong Sik Kim, the company President and whose only signature appears on the signature page is the sole stock holder and officer of the company. The City Attorney also indicated that the contractor failed to indicate the type of submission of the Responsibility Questionnaire. The contractor, subsequently,

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provided a statement that indicated that no change has occurred since the last submission. The City Attorney has determined that each of the two items is an informality that can be waived by the Board and therefore, staff recommends that the Board approve waiving each item as an informality.

Staff has reviewed the outreach effort made by Tobo Construction, Inc., and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 0.21% and satisfied 100 of the 100-point requirements outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

The City Attorney and staff have reviewed the bids submitted by Tobo Construction, Inc., and found them to be in order. Tobo Construction, Inc., is the lowest responsible bidder.

Staff reviewed the responsiveness and work performance of Tobo Construction, Inc., on past Department projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance (OCC), indicated that there have been no labor compliance violations and that all other legal requirements have been complied with.

This report was prepared by Kathleen Chan, Acting Superintendent and Alice Gong, Proposition K Group, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: Toba Construction, Inc.

Bid Date: May 18, 2004

Project Name: MASON PARK – CHILDCARE CENTER – W.O. E170335F

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
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	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				100

MBE/WBE % ACHIEVED: 0.21 %

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.

BIDS TO BE RECEIVED:

- 06/08/04 Tobias Avenue Park - Acquisition (#1351A)
- 06/22/04 Request for Proposals - Operation of the Golf Cart Rental Concession at the City's 18 hole Golf Courses
- 07/13/04 Request for Proposals - Operation of a Food Service Concession: Encino-Balboa Golf Course (Sepulveda Golf Complex) Food Service