

REPORT OF GENERAL MANAGER

NO. 04-290

DATE October 6, 2004

C.D. 07

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TOBIAS AVENUE PARK – PARK DEVELOPMENT (1351A): AWARD OF CONTRACT AND APPROPRIATION OF QUIMBY FUNDS

* K. Chan	<u>KC</u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	G. Stigile	_____



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Accept the Base Bid of Ryco Construction, Inc. in the amount of \$496,694.00, plus Additive Alternate Nos. 1 through 7 in the amounts of \$38,000.00, \$12,500.00, \$38,200.00, \$20,000.00, \$1,000.00, \$167,500.00, and \$6,700.00, respectively in the total award amount of \$780,594.00 as the lowest responsive and responsible bidder;

2. Authorize the Chief Accounting Employee to transfer funds to Tobias Park as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
Panorama Rec. Ctr.(460KPA)	Tobias Park (new sub-account)	\$500,000.00
Sepulveda RC (460KSL)	Tobias Park (new sub-account)	\$200,000.00
Sepulveda RC (440KSL)	Tobias Park (new sub-account)	\$100,000.00

3. Approve the appropriation of \$800,000.00 in Quimby/Park Fees from the new Tobias sub-account for the construction of the play area, drinking fountain, walkways and irrigation encompassed in the Tobias Avenue Park – Outdoor Park Development; and,

4. Authorize the Department's Chief Accounting Employee to encumber funds, in the amount of \$780,594.00, from the available funds in the following funds and account numbers under the awarding authority of this Board Report; and,

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<u>FUND</u>	<u>ACCOUNT NO.</u>	<u>AMOUNT</u>
45W (Prop. 12-2/3 Per Capita)	T425	\$443,292.00
302 (Quimby)/Zone Changes	460K& 440K (Sub account for Tobias Park to be determined)	\$800,000.00
205(Donation-McDonald's-Tobias Park)	Dept 88 545F	\$100,000.00

5. 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 there to and approval of form by the City Attorney have been obtained thereon.

SUMMARY:

Tobias Park is a recently acquired 1.61 acre park, located in Council District 7. The park land is currently undeveloped and provides no recreational use at this time. The Council Office, Department management and staff strongly support development of this new park, and have identified Quimby/Zone Change funds currently allocated to other facilities in the area which are available to be transferred to this new facility to fund this new outdoor park development project. Specifically, Quimby/Zone Change Fees in the amount of \$800,000.00 will be transferred from Panorama Recreation Center (460KPA - \$500,000.00) and Sepulveda Recreation Center (460KSL, and 440 KSL \$300,000.00). These fees were collected within a mile and a half of Tobias Park, which is the standard distance for allocation of Park Fees, and therefore the funds may be transferred to Tobias since fees could have been allocated to the facility at the time they were collected if the Department had owned the site. It has been determined that the development of the newly acquired site, to provide open recreational space, is a higher priority than any of the projects currently approved as a part of the Quimby program at either Panorama Recreation Center or Sepulveda Recreation Center, which are both fully developed sites.

Staff recommends approval of the transfers and appropriation of the funds for this project. The Council District and Operations West staff concur with the recommendations as set forth by the Department.

On April 7, 2004, the Board approved final plans and called for bids for the Tobias Park (#1351A), located at 9122 Tobias Ave., Panorama City (Board Report No. 04-100). Plans provide for the construction of a new play area, 2 half court basketball courts, drinking fountain, decomposed granite path, security lighting, shade structures and picnic tables, planting and irrigation.

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On July 13, 2004, the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Recreation and Parks	\$336,000.00

<u>Bidder #1- Ryco Construction, Inc.</u>	<u>Bid Amount</u>
Base Bid	\$496,694.00
Additive Alternate No. 1	\$38,000.00
Additive Alternate No. 2	\$12,500.00
Additive Alternate No. 3	\$38,200.00
Additive Alternate No. 4	\$20,000.00
Additive Alternate No. 5	\$1000.00
Additive Alternate No. 6	\$167,500.00
Additive Alternate No. 7	\$6,700.00

<u>Bidder #2- Malibu Pacific Tennis Courts</u>	<u>Bid Amount</u>
Base Bid	\$599,000.00
Additive Alternate No. 1	\$45,000.00
Additive Alternate No. 2	\$26,000.00
Additive Alternate No. 3	\$39,000.00
Additive Alternate No. 4	\$24,000.00
Additive Alternate No. 5	\$100,000.00
Additive Alternate No. 6	\$130,000.00
Additive Alternate No. 7	\$10,000.00

Ryco Construction, Inc. submitted the lowest base bid as shown above. Seven additive alternates were also included in the bid package to allow for flexibility in the award of a construction contract. There are sufficient funds, after the appropriation of the Quimby and Zone Change funds to the project, and therefore staff recommends accepting the Base Bid and Additive Alternate No.'s 1-7 of Ryco Construction, Inc. in the net amount of \$780,594.00.

Staff reviewed the responsiveness and work performance of Ryco 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 met.

Staff has reviewed the outreach effort made by Ryco Construction, Inc., and based on the documents submitted, has determined that a "good faith" effort has been made. The contractor did not obtain the Board's expected participation of 15% MBE and 2% WBE participation. Ryco obtained 0.0% MBE, 0.0% WBE and 37.0% OBE participation, and satisfied 93 of the 100 point requirements

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A Notice of Exemption (NOE) was filed for the acquisition and development of Tobias Park with the County Clerk on April 23, 2002. Staff has determined that the subject project will consist of construction of new accessory (appurtenant) structures, including game courts, and play area and play equipment, and therefore, the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3 (6) and Class 11 (3) of the City CEQA Guidelines.

The City Attorney has reviewed the bids and found them to be in order. Ryco Construction, Inc. was the lowest responsible bidder.

This report was prepared by Kathleen Chan, Planning and Development - Acting Superintendent and Alice Gong, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT

Bidder: RYCO CONSTRUCTION, INC.

Bid Date: JULY 13, 2004

Project Name: TOBIAS AVE. PARK -ACQUISITION 1351A

CHECKLIST

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.	Letter submitted	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.	Proof of Publication	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.	Letters to Potential Subs	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.	Telephone Log	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.	Fax Transmittal Info.	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.	Quotes and Summary	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				93
MBE/WBE % ACHIEVED:			0*	

*MBE=0% WBE=0% OBE=37%