

BOARD REPORT

NO. 24-102

DATE May 16, 2024

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RIO DE LOS ANGELES STATE PARK – OUTDOOR PARK IMPROVEMENTS (PRJ21462) (PRJ21447) (W.O. #E1908950) PROJECT – CONTRACT AWARD

B. Aguirre	_____	for	M. Rudnick	_____
B. Jones	_____		*C. Santo Domingo	<u>DF</u>
C. Stoneham	_____		N. Williams	_____

General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Award the construction contract (Contract) for the Rio De Los Angeles State Park - Outdoor Park Improvements (PRJ21447) (PRJ21462) (W.O. #E1908950) Project (Project) to Ohno Construction Company, in the amount of \$8,840,581.00, according to the Final Plans and Specification approved by the Board of Recreation and Parks Commissioners (Board) on January 4, 2024, through Report No. 24-004;
2. Authorize the Department of Recreation and Parks (RAP) General Manager or his designee to make technical corrections as necessary to carry out the intent of this Report; and,
3. Authorize the Board President and Secretary to execute the Contract, subject to approval by the City Attorney as to form.

SUMMARY

On January 4, 2024, the Board approved the final plans and solicitation of construction of bids for the Project (Report No. 24-004). On May 2, 2024, the Board found Ohno Construction Company (Ohno), with a bid of \$8,840,581.00, to be the lowest responsive and responsible bidder for construction of the Project (Report No. 24-095). However, Report No. 24-095 did not include a recommendation for the Board to award the Project to Ohno. In order to execute the Contract, staff is recommending that the Board approve the award of the Project to Ohno.

ENVIRONMENTAL IMPACT

This Project was previously evaluated for environmental impact in accordance with the California Environmental Quality Act (CEQA), and the Board has determined that it is categorically exempt

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from the provisions of CEQA (Report No. 24-004). A Notice of Exemption was filed with the Los Angeles County Clerk on January 23, 2024 (2024 - 015994). Since the Project and the environmental conditions of the site have not changed, staff recommend that the Board take no further CEQA action.

FISCAL IMPACT

The Project is funded by the funding resources identified in Report No. 24-095. RAP will determine if the Project adds to RAP's staffing and budget needs and will request additional staff and budget in a future year budget request as needed.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

- Goal No. 3:** Create and Maintain World Class Parks and Facilities
Outcome No. 2: Long-term park system planning is guided by community engagement, data, and a commitment to equity.
Key Metric: Complete capital improvement plan.
Target: 60% by 2023

This Report was prepared by Darryl Ford, Superintendent, Planning, Maintenance and Construction Branch, Department of Recreation and Parks.

LIST OF ATTACHMENTS

- 1) Attachment No. 1 – Report No. 24-095

APPROVED
MAY 02 2024

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

BOARD REPORT

NO. 24-095

DATE May 02, 2024

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RIO DE LOS ANGELES STATE PARK – OUTDOOR PARK IMPROVEMENTS (PRJ21462) (PRJ21447) (W.O. #E1908950) PROJECT – ACCEPTANCE OF BID AND AWARD CONTRACT

B. Aguirre	_____	M. Rudnick	_____
B. Jones	_____	for* C. Santo Domingo	<u>DF</u>
C. Stoneham	_____	N. Williams	_____

General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Find Ohno Construction Company (Ohno), with a bid of \$8,840,581.00, to be the lowest responsive and responsible bidder for construction of the Rio De Los Angeles State Park - Outdoor Park Improvements (PRJ21447) (PRJ21462) (W.O. #E1908950) Project (Project);
2. Authorize a construction contingency of \$884,058.10, or 10% of the total amount of the awarded construction contract;
3. Authorize the Department of Recreation and Parks' (RAP) Accounting staff or designee to encumber funds for this Project in the amount of \$9,724,639.10, from the fund and account numbers noted in the body of this report;
4. Approve the reallocation of \$97,477.79 in Quimby Fees currently allocated to the proposed Project;
5. Authorize RAP's Chief Accounting Employee to transfer \$97,477.79 in Quimby Fees from the Rio de Los Angeles State Park Account No. 89460K-AZ to the Quimby Account No. 89460K-00;
6. Authorize RAP staff to decommit a maximum of \$1,940,604.08 in Park Fees from the proposed Project;
7. Authorize RAP's General Manager or his designee to make technical corrections as necessary to carry out the intent of this Report; and,
8. Authorize the Board President and Secretary to execute the Contract, subject to approval by the City Attorney as to form.

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SUMMARY

Rio De Los Angeles State Park is located at 1900 North San Fernando Road in the Northeast community of the City. This 39.39-acre facility provides a children's play area, community room, multipurpose room, picnic tables, tennis courts, baseball diamond (lighted), soccer field, synthetic field, walking paths, and basketball courts. Approximately 4,258 City residents live within a one-half mile walking distance of Rio De Los Angeles State Park. Due to the size of the park, and the facilities and features and programs it provides, Rio De Los Angeles State Park meets the standard for a Community Park, as defined in the City's Public Recreation Plan.

BACKGROUND

On November 19, 2020, the Board of Recreation and Park Commissioners (Board) approved the scope of work for the Rio De Los Angeles State Park Fields - Outdoor Park Improvements (PRJ21462) (PRJ21447) (W.O. #E1908950) Project (Project) , which includes improvements to three existing fields, restrooms, parking area and amenities at Rio De Los Angeles State Park in order to meet requests of the community, the latest RAP standards, Los Angeles Department of Building Safety (LADBS) Building Code, and the American with Disabilities Act (ADA) requirements. Elements include replacement of two turf fields with synthetic turf fields, renovation of one natural turf field, removal and replacement of the existing restroom, improved access, fencing and ball nets, additional LED lighting for fields, new walking path, new picnic areas, bleachers, shade structures, parking lot renovation, safety lighting and cameras, and landscaping improvements (Report No. 20-225).

This Project was developed based on direct community request and support. When the City began meeting with the community in 2018 about the new natural park at Taylor Yard G2, the community brought up the current issues with the conditions of the three natural turf soccer fields and restrooms at Rio de Los Angeles State Park. The scope of this Project was based on that initial request and then developed with community input and user feedback from five community meetings attended by a total of 472 individuals that were held in 2019 (5/02, 5/10, 6/1, 6/13, and 6/27) at Rio de Los Angeles State Park for a Prop 68 grant that was unsuccessful. After the initial grant was not successful the City, State and Partners helped identify other funding sources.

The final Project design was based on the Prop 68 public meetings, an additional virtual Community Meeting on April 13, 2022, and a final community open house on January 28, 2023. RAP posted signs at the park and shared information with all the youth and adult sports vendors that use the fields. City staff has also shared the meeting information through the 100 Acre-Partnership group that distributes a newsletter for the surrounding community and has also emailed the three Neighborhood Councils. In addition, the Project scope and information were shared with the public at the Taylor Yard Paseo del Rio community meetings held on August 13, 2022 and August 5, 2023 at Rio de Los Angeles State Park.

The Bureau of Engineering designed the project plans and specifications with input and feedback from RAP and the community.

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On January 4, 2024, the Board approved the Project Final Plans and Specifications and authorized the Project to be released for open bid through the RAMPLA. (Report No. 24-004).

On February 26, 2024, the Board Office received two bids as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Ohno Construction Company	\$8,840,581.00
Ian Thomas Group	\$10,362,434.16

Ohno's bid proposal was determined to be the lowest responsible and responsive bid. Report No. 24-004 included a City Engineer's construction estimate of \$7,595,832.00 and a budgeted amount for construction contingency of \$2,757,249.79. Ohno's bid of \$8,840,581.00 is 16% greater than the City Engineer's estimate; however with the revised estimated contingency of \$884,058.10, the total expected construction price of \$9,823,045 is \$530,036.88 less than the construction with contingency cost in Report No. 24-004. After a review of the bids, the following findings were made: (1) the lowest bid price received is reasonable, (2) the competition for the Project was fair, (3) the re-advertising of the Project could result in higher bids, and (4) Project funding is available to complete the construction of the Project.

BID PROTEST

A Bid Protest letter was received on March 7, 2024, from Environmental Construction, Inc (ECI), even though they did not submit a bid. ECI claimed that the synthetic turf specifications in the Bid documents generated a noncompetitive bidding environment and limited eligibility to a single bidder. The claim from ECI was found to have no merit based on a review of the Bid documents and consultation with BOE and RAP staff and contractors. The specifications in the Bid documents include seven suppliers able to meet the requirements specified in the drawings and RAP has numerous projects in progress that use vendors listed in the turf specifications of the Bid documents. There are also numerous subcontractors that install turf that meet the installation qualifications required in the Bid Documents and use the synthetic turf from the suppliers listed in the Bid Documents. In addition, Ian Thomas Group, the second bidder, included a different subcontractor from Ohno Construction to install the turf and their suggested subcontractor uses turf from the listed vendors. In addition, the bid documents included a process for review and approval of variations or substitutions of the turf specifications. Therefore, the bid protest and claim from ECI is not valid and the bid process was fair and competitive.

BUSINESS INCLUSION PROGRAM

Ohno has successfully posted all the required Business Inclusion Program (BIP) outreach documentation on the Regional Alliance Marketplace for Procurement Los Angeles (RAMLA) that demonstrate satisfactory effort to Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE), Disabled Veteran Business Enterprise (DVBE), and Other Business Enterprise (OBE) for sub-bid or subcontracting businesses. Staff has evaluated the outreach documentation submitted by Ohno Construction Company and determined that it has passed all six indicators as required for the effort to obtain sub- bid/subcontracting participation by MBE, WBE, SBE, EBE, DVBE and

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OBE businesses is in compliance with the BIP outreach requirements. The outreach documentation package is on file in the Board Office, and a synopsis of the said package is attached to this Report (Attachment No. 1).

City Staff has reviewed the bid submitted by Ohno and found it to be in order. City Staff recommends that the Board find Ohno to be the lowest responsive and responsible bidder and award the construction contract for the Project to Ohno Construction Company for a total construction contract amount of \$8,840,581.00. The budgeted amount for construction contingency is \$884,058.10, which is 10% of the total amount of the construction contract. The total amount of the total construction budget, which includes the construction contract amount and the construction budget contingency, is \$9,724,639.10.

PROJECT FUNDING

Funds are available for construction and constructions contingency from the following funds and accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT.NO</u>	<u>AMOUNT</u>
State Specified Grant	205/89/89WRKP	\$4,607,500.00
State Grant LOSPP	205/89/89WRKN	\$1,455,000.00
RAP Budget Deferred Maint.	302/89/89727H-RI	\$1,545,000.00
RAP Budget Deferred Maint.	302/89/89727H-RO	\$2,117,139.10
Total Fund Allocation for Construction		\$8,840,581.00
Total Fund Allocation for Contingency		\$884,058.10
Total Fund Allocation for Construction and Contingency		\$9,724,639.10

As the table of available funding sources above indicates, \$8,840,581.00 is available for encumbrance to the construction contract, and \$884,058.10 is currently available for encumbrance for the construction contingency.

The 2021-22 Adopted Budget included \$75,00,000.00 in the Unappropriated Balance for RAP to make capital improvements at City parks and facilities (Council File No. 21-0935). In response, RAP developed a capital improvement plan to utilize the \$75,000,000.00 in funds to complete various park projects citywide. This Project is one of the Park Projects that RAP has identified for the use of these funds.

Upon approval of this Report, \$97,477.79 in Quimby Fees currently allocated to the proposed Project can be transferred from the Rio de Los Angeles State Park Account No. 89460K-AZ to the Quimby Account No. 89460K-00 in order to be made available for future projects. Additionally, \$1,940,604.08 in Park Fees can be decommitted from the proposed Project in order to be made available for future projects. Staff has identified additional funding for the proposed Project from the Deferred Maintenance Funds and the aforementioned Quimby and Park Fees are no longer needed for this Project.

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TREES AND SHADE

The landscaping design for the Project requires the removal of one existing (14" diameter) Western sycamore (*Platanus racemose*) species tree that intrudes into the walking path area, and the installation of 31 new trees. The new trees to be planted include five 36-inch box *Fraxinus veluntina*, fan-tex ash; ten 24-inch box *Quercus agrifolia*, coast live oak; nine 24-inch box *Quercus engelmannii*, Engelmann oak; and seven five-gallon *Juglans californica*, southern California walnut.

The Western Sycamore is a protected tree under the City's Protected Tree Ordinance and as a tree greater than 10" in diameter requires replacement according to a 1:1 diameter at dbh ratio that can be achieved through one or more trees. The ten 24-inch box coast live oak; nine 24-inch box Engelmann oak; and seven five-gallon southern California walnut trees will achieve and exceed this replacement requirement to comply with the City's Protected Tree Ordinance. RAP's tree preservation policy mandates that all protected trees that are removed must be replaced with species that are protected. The replacement trees listed above are all protected species. RAP Forestry Division has reviewed the proposed tree removal and the proposed replacement tree planting plan and concurs with the recommendation to remove the tree and the proposed planting of the replacement trees.

Approximately 580 square feet of tree canopy is proposed to be removed (not including dying or invasive trees), and approximately 5,120 square feet of tree canopy is projected to be provided by the new trees after five years, assuming a survival rate of 75 percent.

In addition to the new proposed shade trees, new shade structures for the picnic area and bleachers will provide 3,193 square feet of shade.

ENVIRONMENTAL IMPACT

This Project was previously evaluated for environmental impact in accordance with the California Environmental Quality Act (CEQA), and the Board has determined that it is categorically exempt from the provisions of CEQA (Report No. 24-004). A Notice of Exemption was filed with the Los Angeles County Clerk on January 23, 2024 (2024 - 015994). Since the Project and the environmental conditions of the site have not changed, staff recommend that the Board of Recreation and Parks Commissioners take no further CEQA action.

FISCAL IMPACT

The Project is funded by the aforementioned funding resources. RAP will determine if the Project adds to RAP's staffing and budget needs and will request additional staff and budget in a future year budget request as needed.

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STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

Goal No. 3: Create and Maintain World Class Parks and Facilities

Outcome No. 2: Long-term park system planning is guided by community engagement, data, and a commitment to equity.

Key Metric: Complete capital improvement plan.

Target: 60% by 2023

This Report was prepared by Edward Belden, Project Manager, BOE Clean Water Division; reviewed by Luz Rabelo, Civil Engineer, Christopher Johnson, Principal Civil Engineer, BOE Clean Water Division, Ohaji Abdallah, Proposition K Program Manager, BOE Architectural Division; and Darryl Ford, Superintendent, Planning, Maintenance and Construction Branch, Department of Recreation and Parks.

LIST OF ATTACHMENTS

Attachment No. 1 - BIP Evaluation Result for Ohno Construction Company

**CITY OF LOS ANGELES
GUIDELINES FOR EVALUATION OF THE BUSINESS INCLUSION PROGRAM (BIP) OUTREACH CHECKLIST**

Bidder: Ohno Construction Company Date: 02/26/2024

Project Name: Rio De Los Angeles State Park Fields Maintenance Improvements Project – Federal Proj. No. B-23-MC-06-0521-NI47-19

W.O. Number: E1908950

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Credit ✓
2 Pre-Bid Meeting	a) Attend pre-bid meeting and be listed on the attendance sheet, or b) Submit a letter either by e-mail, mail, or fax to the Bureau of Engineering, Project Award and Control (PAC) on certifying it is informed of the BIP project requirements and has participated in a City-sponsored or City approved matchmaking event in the past 12 months. Note: If the RFB states that the pre-bid meeting is mandatory, then attendance at the pre-bid meeting is the only way to pass this indicator.		✓
3 Work Areas	Proof of this must be demonstrated in Indicator 4. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓
4 Written Notice to Sub-contractors	E-mail or fax notification in each of the selected potential work areas to available MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs for each anticipated work area to be performed. The notification must be performed using the BAVN's BIP Outreach Reports system. The notification may be to potential sub-bidders/ subcontractors either currently registered on the BAVN or added to the BAVN by the bidder. Letters must contain areas of work selected to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. Bidders are required to send notifications to a sufficient number of firms in each potential sub work area as determined by the City. Typically, the sufficient number of firms is determined by the total number of potential sub-bidders/ subcontractors in each sub work area.		✓
5 Plans, specifications and requirements	Include, in Indicator 4, information detailing how, where, and when the bidder will make the required information available to interested potential sub-bidders/ subcontractors. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓
6 Negotiate in Good Faith	a) Copies of all potential MBE/WBE/SBE/EBE/DVBE/OBE bids or quotes received must be submitted prior to award of a contract; and b) Online Summary Sheet must be completed, listing the bids or quotes received, the name of the sub-bidder/ subcontractor who submitted the bid or quote, and a brief reason given for selection/ non-selection of each subcontractor. The reasons for selection/non-selection should be included in the Notes section of the online Summary Sheet. If the bidder elects to perform a listed work area with its own forces, they must include a bid/ quote for comparison purposes and an explanation must be provided and included on the Summary Sheet. All bids/ quotes received, regardless of whether or not the bidder outreached to the sub-bidder/ subcontractor, must be submitted. To this extent, the City expects the bidder to submit a bid/ quote from each sub-bidder/ subcontractor listed on the Summary Sheet. The Summary Sheet must be performed using the BAVN's BIP Outreach Reports system and must be submitted by 4:30 p.m. the following City working day after the date bids are received by the Board of Public Works. If a bid/quote is submitted by a sub-bidder/subcontractor that is not registered on the BAVN, the contractor is required to add that firm to their Summary Sheet.	Negotiations in Good Faith Completed. All supporting documents submitted.	✓
7 Bonds	Include, in Indicator 4, information about the bidder's efforts to assist with bonds, lines of credit, and insurance. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓
Prime % = 41.84%			
MBE%= <u>1.83%</u> WBE%= <u>1.80%</u> SBE%= <u>18.95%</u> EBE%= <u>0.00%</u> DVBE%= <u>0.00%</u> OBE%= <u>40.46%</u>			

RESPONSIVE