

APPROVED

JAN 04 2024

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 24-003

DATE January 04, 2024

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RESEDA SKATE FACILITY – RESEDA ICE SKATING AND ROLLER RINK (PRJ21167) (PRJ21326) (W.O. #E170121F) PROJECT – REQUEST TO INCREASE CONSTRUCTION CONTINGENCY

B. Aguirre M. Rudnick
B. Jones for C. Santo Domingo DF
B. Jackson N. Williams

[Signature]
General Manager

Approved X With corrections Disapproved Withdrawn

RECOMMENDATIONS

- 1. Authorize the City Engineer to negotiate and issue a change order in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), which will result in a cumulative total dollar amount for change orders of \$1,405,985, or 7.92% of the original contract award amount;
2. Approve an increase to the construction contract contingency amount for the Reseda Skate Facility – Reseda Ice Skating and Roller Rink (PRJ21167) (PRJ21326) (W.O. #E170121F) from the current amount of \$1,773,491, or 10% of the original contract amount, to a not to exceed amount of \$3,545,792, or 20% of the original contract amount.
3. Authorize the City Engineer to negotiate and approve future change orders up to the new construction contingency amount; and,
4. Authorize RAP's General Manager or Designee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

The Reseda Ice Skating and Roller Rink Project (Project) is located at 18128 and 18210 Sherman Way, in the Reseda area of the City, and includes the development of an ice-skating rink and a roller hockey rink. Due to the facilities and features proposed for the Project, the Project will meet the standards for a Community Park, as defined in the City's Public Recreation Plan.

The Project is currently in the Construction Phase and is approximately 20% complete. The anticipated completion date is within the first quarter of 2025.

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### BACKGROUND

On July 21, 2022, the Department of Recreation and Park Commissioners (Board) approved Report No. 22-197 awarding the Project's construction contract to Ford E.C., Inc. (Ford) in the amount of \$17,732,165 with a construction contingency of \$1,773,491 for a total construction contract commitment of \$19,505,656. Due to funding availability, the construction contract was awarded with a funding shortfall of \$2,227,669, which included a funding clause that limits the City's contractual liability to the amount of available funds.

On April 20, 2023, the Board approved Report No. 23-078 committing an additional \$2,230,000 to this Project, filling the contractual funding gap. The total funding for the Project is \$19,507,987 with a construction contingency of \$1,773,491.

The Geotechnical Report and subsequent Soils Management Plan (SMP) identified and provided protocol for the abatement of the previously discovered contamination (pesticides) on site. The SMP requires Ford to develop a Health and Safety Plan (HASP), which includes identifying any potential hazards for workers at the site. The SMP and HASP require the testing of all exported soil and upon testing, it was discovered that the site contained previously unforeseen Petroleum Hydrocarbons. This discovery required a Phase 2 site assessment and testing, requiring Ford to stockpile soil for further testing and to design and install a vapor barrier and monitoring system. A total of thirteen (13) change orders were negotiated for work related to the soil and vapor mitigation, totaling approximately \$1,000,000.

The total amount of executed change orders is \$1,155,985, which is 65% of the contingency, leaving \$617,506 to address any future change orders. Considering that the Project is at 20% construction completion, it is recommended that the contingency be increased by \$1,772,301, for a total construction contingency of \$3,545,792 (20% of the bid amount).

During the design phase, the design team consulted with the potential facility operator (Operator) on equipment related to operating the ice rink. The Operator recommended the use of a propane-fuel Zamboni machine, which was originally intended to be procured at no cost to the Project as part of their financial contribution to the Project's Furniture, Fixture, and Equipment cost. However, after the construction contract was awarded, the agreement executed between RAP and the Operator is for the Operator to manage the facility on behalf of RAP without any capital investment from the Operator (Report No. 23-166).

The Project design was approved prior to the passing of the City's Electrification Ordinance, in which new buildings in Los Angeles are generally required to be entirely electric. To voluntarily comply with the City's Electrification Ordinance, the Zamboni machine was changed to the electric model, and the additional work to install the electric conduits and the charger resulted in a change order in the amount of Two Hundred Fifty Thousand Dollars (\$250,000).

### PROJECT FUNDING

An additional \$1,800,000 is available from Council Approval of MICLA FY 23-24 to cover the additional contingency request.

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FUNDING SOURCE MATRIX

The funds below have been used to award the contract and contingency for this Project.

Previously Approved Funding Table			
Source	Fund/Dept/Acct	Amount	Percentage
Park Fees	302/89/89716H	\$654,608.01	3%
Park Fees	302/89/89718H	\$7,439,891.99	39%
Prop K – Specified	43K/10/10SPAS	\$2,565,288.00	13%
Prop K - Inflation	43K/10/10SIBF	\$1,056,531.00	5%
Prop K - Gap	43K/10/10RPBM	\$4,291,668.00	22%
CIEP	100/54/00T785	\$1,000,000.00	5%
MICLA FY 21-22	298/50/50VPMB	\$1,000,000.00	5%
MICLA FY 22-23	298/50/50WPBB	\$1,500,000.00	8%
<b>Total</b>		<b>\$19,507,987.00</b>	<b>100%</b>

Revised Funding Table			
Source	Fund/Dept/Acct	Amount	Percentage
Park Fees	302/89/89716H	\$654,608.01	3%
Park Fees	302/89/89718H	\$7,439,891.99	35%
Prop K – Specified	43K/10/10SPAS	\$2,565,288.00	12%
Prop K - Inflation	43K/10/10SIBF	\$1,056,531.00	5%
Prop K - Gap	43K/10/10RPBM	\$4,291,668.00	20%
CIEP	100/54/00T785	\$1,000,000.00	5%
MICLA FY 21-22	298/50/50VPMB	\$1,000,000.00	5%
MICLA FY 22-23	298/50/50WPBB	\$1,500,000.00	7%
MICLA FY 23-24	298/50/50YPBB	\$1,722,301.00	8%
<b>Total</b>		<b>\$21,280,288.00</b>	<b>100%</b>

TREES AND SHADE

Per Report No. 22-197, a total of thirteen (13) trees will be removed as part of the Project. The RAP arborist determined that all of the trees are eligible to be removed. The Project includes the installation of ten (10) new trees, including two (2) Coastal Live Oak, five (5) Red Push Pistache, and three (3) Maverick Mesquite. All of the trees will be located in the outdoor roller rink and parking lot.

At the time of construction completion, the new trees will provide approximately 80 square feet of canopy coverage. Five (5) years after construction, it is anticipated that those trees will provide approximately 145 square feet of canopy coverage.

ENVIRONMENTAL IMPACT

The Board of Recreation and Parks Commissioners approved the proposed Project on July 21, 2022 (Report No. 22-197) and determined that the Project is exempt from the provisions of the California Environmental Quality Act (CEQA). The proposed Board action consists of an increase to the construction contract contingency amount (and related actions), for which the underlying

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Project has previously been evaluated for environmental significance and processed according to the requirements of City of Los Angeles CEQA Guidelines, with small changes to the original Project that do not cause any additional significant impact on the environment.

Based on these considerations, RAP Staff recommends that the Board determines that the proposed activity is exempt from the provisions of CEQA pursuant to Article 5, Section 15061(b)(3) of California CEQA Guidelines and Article II, Section 2(i) of City of Los Angeles CEQA Guidelines. RAP Staff will file a Notice of Exemption with the Los Angeles County Clerk upon the Board's approval.

### FISCAL IMPACT

The approval of this increase to the construction contract contingency amount (and related actions) for this Project will have no fiscal impact on RAP's General Fund. The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Park Fees or funding sources other than RAP's General fund. The maintenance of the proposed park improvements will be performed by the contracted facility operator with no overall impact on the Department's maintenance staff.

### 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. 1:** Newly developed open space park projects and the redesign of signature City Parks

**Result:** This Project would allow for the construction of the most cost-efficient design for the new Reseda Skate Facility that also meets all the programming and operation and maintenance requirements. The new Reseda Skate Facility will serve approximately 5,563 City residents.

This Report was prepared by Ray Araujo P.E., Project Manager, Civil Engineer, David Wang, Architect, Project Manager, BOE Architectural Division; and reviewed by Ohaji Abdallah, Interim Prop K Program Manager, BOE Architectural Division, and Darryl Ford, Superintendent, Planning, Maintenance, and Construction Branch.