

REPORT OF GENERAL MANAGER

NO. 12-051

DATE February 15, 2012

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SOUTHEAST VALLEY ROLLER AND SKATEBOARD RINK – PHASE I (SKATEBOARD RINK/SKATEPARK) (W.O. #E170125F) PROJECT – ADOPTION OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND REJECTION OF BIDS AND RE-BID

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u>mf</u>
V. Israel	_____	N. Williams	_____

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Review, consider, and adopt the Initial Study (IS) and Mitigated Negative Declaration (MND), and associated Mitigation Monitoring and Reporting Plan for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) (W.O. # E170125DF project, on file in the Board Office and in the custody of the Department of Recreation and Parks’ Superintendent of Planning, Construction, and Maintenance Division, located at 221 North Figueroa Street. and the City Clerk located at 200 North Spring Street; finding that on the basis of the whole record of proceedings in the project, including any comments received and incorporated into the IS/MND, that there is no substantial evidence that the project will have a significant effect on the environment, and that all potentially significant environmental effects of the project have been properly disclosed and evaluated in the IS/MND and mitigated in compliance with the California Environmental Quality Act (CEQA) and the State and City CEQA Guidelines, and reflects the independent judgment and analysis of the Department of Recreation and Parks (RAP);
2. Direct Staff to file a Notice of Determination for the adopted IS/MND with the Los Angeles City Clerk and the Los Angeles County Clerk within 5 days of the Board’s approval;

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3. Reject all bids received on October 25, 2011, for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) (W.O. # E170125F) project, pursuant to Section 10.15(c) of the Los Angeles Administrative Code and Paragraph 3, page 3A of the original Instructions to Bidders;
4. Approve the re-bid documents for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) (W.O. # E170125F) project;
5. Authorize the Bureau of Engineering (BOE) staff to solicit bids from all the firms on the Pre-Qualified On-Call Skate Park/Skate Plaza Design-Build list for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skate Park) (W.O. #E170125F) project; and,
6. Approve the date to be advertised for receipt of bids as Tuesday, March 27, 2012, at 3:00 p.m. in the Board Office.

### SUMMARY:

On May 4, 2011, the Board approved the bid documents and call for bids for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) (W.O. # E170125F) project, located at 12477-12511 Sheldon Street, Sun Valley, CA 91352 (Board Report No. 11-118). On June 21, 2011, two bids were received for the project. After receipt of the bids, it was determined that the project would be re-bid in order to modify the scope to increase the size of the skate plaza, install shade structures, and to add a storage area.

On September 7, 2011, the Board rejected the two original bids, and approved the re-bid documents with the expanded scope and call for re-bids for the Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) Project (Board Report No. 11-230). The scope for the re-bid included: the design and construction of a new at-grade streetscape skate plaza with approximately 25,000 square feet of skateable area with elements to include hubbas, stairs, flat rails, manual pads, ledges, bumps, kickers, grass pads, tranny ramps, and hand rails; designated areas for beginner, intermediate, and advanced skaters; a new parking lot; a pre-fabricated restroom building with storage area; shade structures; landscaping and irrigation; drinking fountain; security lighting; and Americans with Disabilities (ADA) pathways.

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The project was re-bid and on October 25, 2011, two bids were received for this project. The bid amounts received are as follows:

<u>Bidders</u>	<u>Base Bid</u>
California Landscape & Design, Inc. dba California Skateparks	\$1,456,650
Spohn Ranch, Inc.	\$2,192,875

In accordance with the requirements of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared based on an Initial Study, which determined that all potentially significant environmental effects would be mitigated to a level less than significant. The MND was circulated to all interested parties and responsible agencies for a 20-day review and comment period from November 10 to November 25, 2011. No substantive comments were received on environmental issues. However, all comments have been incorporated into the final MND, copies of which have been provided to the Board for its review and consideration. A Mitigation Monitoring and Reporting Plan has been prepared and incorporated into the MND (Appendix B) that specifies all the mitigation measures identified in the MND, which will either reduce or eliminate the potentially significant environment impact of the project, in accordance with Section 15097 of the State CEQA Guidelines.

Implementing the mitigation measures affects the cost of design and construction of the project. The bidders must consider the MND in preparing their bid proposals to more accurately reflect the cost of implementing the mitigation measures. Because the bids were received on October 25, 2011 and the MND was not finalized until December 2011, it is now recommended that the Board reject all bids, adopt the MND, and re-bid the project so that the new bids can reflect the cost of implementing the mitigation measures.

The current re-bid project will once again utilize the RAP Board approved On-Call Skate Park/Skate Plaza Design-Build List (Board Report No. 08-306). The bid documents are not being advertised to the general public as they will only be issued to the seven pre-qualified design-build firms on the list. It is therefore recommended that the Board authorize BOE to utilize the On-Call Skate Park/Skate Plaza Design-Build List to solicit bids for the project.

The revised City Engineer's estimate for the project is \$1.65 million due to consideration of MND.

Funds are available from the following funding accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT NO.</u>
Proposition K Year 14	43K/10/10G289
Quimby	302/89/89460K-XF

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The re-bid package has been approved by the City Attorney's Office.

In September 2011, counsel for Spohn Ranch, Inc., filed a complaint with the Bureau of Contract Administration (BCA), Department of Public Works, against California Skateparks, Inc., an entity that is related to California Landscape and Design, Inc., who had submitted a bid for this project. On December 16, 2011, pursuant to the City's Contractor Responsibility Ordinance (CRO), the Bureau of Contract Administration transmitted its report to the Department of Recreation and Parks regarding their response to the complaint. Since the project will be re-bid, the issue of the CRO complaint does not have to be considered by the Board at this time.

FISCAL IMPACT STATEMENT:

The Department will request \$31,000 for yearly maintenance of this facility. This amount would include one part-time employee, materials, and supplies. This would provide adequate maintenance seven days a week, year round. If the funding is not granted, this facility will be included in the existing Valley Region routes, resulting in reduction of core functions on the existing routed facilities. This may also impact the hours of operation of these facilities.

This report was prepared by Gary Lam, Project Manager, Bureau of Engineering (BOE) Architectural Division. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE, and Michael A. Shull, Superintendent, Planning and Development Division, Department of Recreation and Parks.