

REPORT OF GENERAL MANAGER

NO. 05-82

DATE April 6, 2005

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUBSTITUTION OF SUBCONTRACTORS – TOBIAS AVENUE PARK ACQUISITION (#1351A), CONTRACT NO. 3134

* K. Chan	<u>kc</u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
B. Jensen	_____		



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board approve the substitution of subcontractors as requested, pursuant to Los Angeles Administrative Code §10.14 (3)c.

SUMMARY:

The Department is in receipt of a request from Ryco Construction, Inc., (Ryco), general contractor for the Tobias Avenue Park Acquisition (#1351A), Contract No. 3134, to substitute the following subcontractors:

Omega Landscape Design: To be replaced by Kato Landscape, Inc., for completion of landscape irrigation. Omega Landscape Design claimed that insolvency and cost increases due to the delayed start date prevent them from performing the subcontract work.

California Fence and Supply: To be replaced by Quality Fence Co., Inc., for fence supplies. California Fence and Supply claimed that cost increases due to the delayed start date and the acquisition of subsequent projects resulting in a shortage of personnel prevented them from performing the subcontract work.

Pursuant to Section 10.14 of the Los Angeles Administrative Code, both subcontractors were notified of the substitution request. No objection was filed by Omega Landscape Design. California Fence and Supply, upon receipt of the substitution request, submitted a letter stating that they could perform the subcontract work for the price quoted by Quality Fence Co., Inc.

REPORT OF GENERAL MANAGER

PG. 2

NO. 05-82

Staff referred the matter to the City Attorney's office and was advised that because California Fence and Supply originally stated they would not perform according to their written bid, Ryco had a legal basis for requesting a substitute bidder. In addition, California Fence and Supply has no legal right of first refusal or to match any other bid. It is therefore recommended that the Board allow the general contractor to hire their subcontractor of choice, Quality Fence Co., Inc., and proceed with the substitution.

Prepared by Lisa Shinsato