

REPORT OF GENERAL MANAGER

NO. 05-139

DATE June 11, 2005

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HUBERT HUMPHREY RECREATION CENTER - CHILD CARE CENTER ADDITION (W.O. #E170284F) - REVIEW OF BIDS AND AWARD OF CONTRACT

J. Combs	<u> <i>JH</i> </u>	H. Fujita	<u> </u>
*S. Huntley	<u> </u>	B. Jensen	<u> </u>
J. Kolb	<u> </u>	F. Mok	<u> </u>
K. Regan	<u> </u>		


General Manager

Approved Disapproved Withdrawn

RECOMMENDATION:

That the Board:

1. Accept the base bid of ABEAM Construction, Inc., in the amount of \$898,800.00 as the lowest responsible bidder for the Hubert Humphrey Recreation Center - Childcare Center Addition (W.O. #E170284F);
2. Authorize the Chief Accounting Employee to encumber funds in the amount of \$898,800.00 from the following fund and account numbers under the awarding authority of this Board Report;

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCOUNT NO.</u>	<u>AMOUNT</u>
Prop K - Year 8	43K/10/W457	\$600,000.00
Prop K - Year 9	43K/10/TBD**	\$298,800.00**

**Future funding conditional upon City Council's approval of the Engineer's Report for Prop K and appropriation for Year 9 Prop K funds.

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3. Request the Staff to prepare a contract including a "funding clause" limiting the City's liability for contract payments to the amount of funding appropriated by the City for this contract, as well as so limiting the contractor's obligation to perform the contract, as further described in this report, after which the Board President and Secretary be authorized to execute same after the appropriate signatures by the other parties thereto and approval of form by the City Attorney have been obtained thereon.

SUMMARY:

On February 16, 2005, the Board approved final plans and call for bids for the Hubert Humphrey Recreation Center – Child Care Center Addition (W.O. # E170284F), located at 12560 Filmore Street, Pacoima, CA, 91331 (Board Report No. 05-46). The plans provide for the addition to and interior improvements of a child care center. The following is a general list of the improvements:

1. Construction of a 700 square feet addition.
2. Construction of a 1,000 square feet canopy.
3. Construction approximately 3,300 square feet play area including landscaping.
4. Conversion of 1,000 square feet covered patio into a classroom.
5. Expansion of the existing fire sprinkler system throughout the existing building and new addition.
6. Resurface / re-stripe the parking lot to provide the additional required parking spaces.

On April 12, 2005 the following bids were received:

<u>Designer</u>	<u>Estimate</u>
Bureau of Engineering	\$926,800.00

<u>BIDDER</u>	<u>BID AMOUNT</u>
1 Abeam Construction, Inc.	\$ 898,800.00
2 HMI Construction Service	\$ 1,058,000.00
3 Trimax Construction Corporation	\$ 1,118,000.00
4 Gonzales Construction	\$ 1,125,962.00
5 Metro Builders and Engineers Group, Limited	\$ 1,194,763.43
6 Tobo Construction, Inc.	\$ 1,296,000.00

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ABEAM Construction, Inc., submitted the lowest base bid, as shown above. The project was presented to the Prop K Steering Committee on May 26, 2005, and they are recommending that the Board award the Base Bid at \$898,800.00 at this time.

Currently, there is only \$784,179.00 available in Prop K funds, as indicated below. The remaining funds required to fully encumber the contract are contingent upon approval of the Year 9 Engineer's Report for the allocation of Prop K funds for the fiscal year 2005-06. The Steering Committee was made aware that the award is contingent upon the approval of next years funding in the Prop K program. The contract will provide that the City's liability for contract payments under this contract shall only be to the extent of the City appropriation to fund the contract. If the City does appropriate the additional funding through City Council approval of the Year 9 Engineer's Report for the Prop K program, the City's liability for contract payments shall be extended to the extent of such appropriation, subject to the terms and conditions of this contract. The Contractor will not be required to do any work in excess of the amount of the current funding, plus additional funding appropriated by the City, if any, for this project.

<u>Funding Source</u>	<u>Budget</u>	<u>Appropriation</u>	<u>Fund/Dept/Acct</u>	<u>Avail Balance</u>
Environmental	\$ 500.00	\$	NA	\$.00
Prop K - Yr 7	\$ 199,975.00	\$ 199,975.00	43K/10/V457	\$ 2,198.00
Prop K - Yr 8	\$ 785,415.00	\$ 785,415.00	43K/10/W457	\$ 781,981.00
<u>Prop K - Yr 9</u>	<u>\$ 1,014,110.00</u>	<u>\$</u>	<u>43K/10/TBD</u>	<u>\$</u>
Total	\$ 2,000,000.00	\$ 985,390.00		\$ 784,179.00

The City Attorney and staff have reviewed the bids submitted by ABEAM Construction, Inc., and found them to be in order. ABEAM Construction, Inc., is the lowest responsible bidder.

Staff has reviewed the outreach effort made by ABEAM Construction, Inc., and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained a MBE/WBE participation of 4% and satisfied 91% of the 100-point requirements outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

Staff reviewed the responsiveness and work performance of Abeam Construction, Inc., on other jobs within the municipal community 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 complied with by the bidder.

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FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget. The assessments of the future operations and maintenance costs have yet to be determined.

This report was prepared by David Takata, Project Manager, and reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; and by Bradley M. Smith, P.E., Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: ABEAM Construction, Inc.

Bid Date: April 12, 2005

Project Name: HUBERT HUMPHREY RECREATION CENTER - CHILD CARE CENTER ADDITION, W.O. # E170284F

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 subcontractors, 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) 847-5172, or by mail to the Bureau of Engineering, Project Award and Control Division, 600 S. Spring, 6 th Floor, Los Angeles, Ca. 90014		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.	No proof of publication	9	0
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.		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.		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.		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.		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	7
TOTAL POINTS ACHIEVED			91	
MBE =4% WBE = 0% OBE = 43%			MBE/WBE ACHIEVED: 4%	

PRIME=53%