

REPORT OF GENERAL MANAGER

NO. 05-295

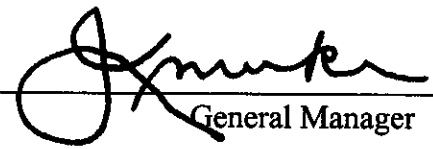
DATE November 2, 2005

C.D. 4 & 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: YUCCA PARK PHASE II – OUTDOOR COURTS (W.O. # E170930F) – REVIEW OF BIDS AND AWARD OF CONTRACT

J. Combs _____	J. Kolb _____
H. Fujita _____	F. Mok _____
S. Huntley _____	K. Regan _____
B. Jensen _____	*M. Shull <u>MSH</u>



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Find that C.S. Legacy Construction, Inc., whose base bid was \$556,580.00, is the lowest responsive and responsible bidder for the Yucca Park Phase II – Outdoor Courts Project (W.O. # E170930F);
2. Award the contract in the amount of \$556,580.00 to C.S. Legacy Construction, Inc., all according to plans and specifications;
3. Authorize the Chief Accounting Employee to encumber funds in the amount of \$556,580.00 from Fund and Account numbers as indicated under the awarding authority of this Board Report; and,

<u>Funding</u>	<u>Fund/Dept/Acct</u>	<u>Amount</u>
Prop K - Yr 8	43K/10/W487	\$ 0.00
Prop K - Yr 9	43K/10/Y487	\$ 296,999.00
Prop 12 - MH	205/88/017M	\$ 314,339.54

4. Authorize the Board President and Secretary to execute the contract subject to City Attorney approval as to form.

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SUMMARY:

On April 6, 2005 (Board Report No. 05-78), the Board approved plans and called for bids for the Yucca Park Phase II – Outdoor Courts project (W.O. # E170930F), located at 6671 Yucca Street, Los Angeles, CA 90028. On June 15, 2005 (Board Report No. 05-162), the Board rejected all bids received on May 17, 2005 as those bids all far exceeded the available construction budget.

On July 13, 2005 (Board Report No. 05-197), the Board approved final (revised) plans, and a call for re-bids for the project. Plans for this project were prepared by David Evans and Associates, Inc., a design consultant to the Department of Recreation and Parks. The plans and specifications were revised to modify the design of the project to be more cost effective for the re-bid. Specially, installation of park benches and replacement of colored concrete deck are listed as deductive alternates. The estimated construction cost was \$520,000.00.

The following is a list of the outdoor park improvements to be made to the park facilities:

1. New synthetic turf mini-soccer field.
2. New full-size concrete basketball court and colored concrete deck (Deductive Alternative No. 4).
3. Picnic tables, benches (Deductive Alternative No. 3), and drinking fountains (Deductive Alternative No. 2).
4. Children's play area and play structure (Deductive Alternative No. 1).
5. New landscaping and irrigation system.
6. Security fencing around the park.
7. Relocation of field lighting.

On September 20, 2005, the following bids were received:

<u>Bidders</u>	<u>Base Bids</u>	<u>Ded. Alt. No.1</u>	<u>Ded. Alt. No.2</u>	<u>Ded. Alt. No.3</u>	<u>Ded. Alt. No.4</u>
C.S. Legacy Construction Inc.	\$556,580.00	\$25,000.00	\$8,500.00	\$2,000.00	\$5,000.00
Thomsen Landscape	\$590,830.00	\$32,000.00	\$4,300.00	\$3,600.00	\$800.00
G. Coast Construction Inc.	\$626,777.00	\$20,000.00	\$5,000.00	\$2,000.00	\$5,000.00
Environmental Construction Inc.	\$645,000.00	\$20,000.00	\$4,000.00	\$20,000.00	\$1,600.00
Los Angeles Engineering Inc.	\$706,239.00	\$16,000.00	\$6,000.00	\$2,000.00	\$4,000.00
Ohno Construction Co.	\$737,400.00	\$31,300.00	\$8,400.00	\$2,500.00	\$6,700.00
Ryco Construction Inc.	\$911,119.00	\$22,000.00	\$7,000.00	\$1,400.00	\$6,000.00

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C.S. Legacy Construction, Inc., submitted the lowest base bid, as shown above. Four (4) deductive alternates were also included in the bid packages, but because there are sufficient funds to award the Base Bid and to allow for contingencies during the construction of the project, it is recommended that the project be awarded with none of the deductive alternates being exercised. The project was presented to the Proposition K -L.A. for Kids Steering Committee on October 27, 2005, and it was recommended that the Board award the contract in the amount of \$556,580.00.

Staff has reviewed the outreach effort made by C.S. Legacy Construction, Inc., and, based on the documents submitted, has determined that a "good faith" effort has been made. The contractor obtained 80 of the 100-points outlined by the City's MBE/WBE/OBE Good Faith Outreach Program, thereby satisfying the 75 point minimum requirement. The contractor achieved an MBE / WBE / OBE participation of 1.29% / 0% / 24.65% respectively. The Outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

There are sufficient funds available to award the contract for this project in the following accounts:

<u>Funding Source</u>	<u>Fund/Dept/Acct</u>	<u>Budget</u>	<u>Appropriation</u>	<u>Available Balance</u>
Prop K - Yr 8	43K/10/W487	\$ 1,100.00	\$ 1,100.00	0.00
Prop K - Yr 9	43K/10/Y487	\$ 298,900.00	\$ 298,900.00	\$ 296,999.00
Prop 12 - MH	205/88/017M	\$ 500,000.00	\$ 404,489.00	\$ 314,339.54
		\$ 800,000.00	\$ 704,489.00	\$ 611,338.54

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

Staff notes that C.S. Legacy Construction, Inc., has no previous experience with the City. This is a newly conceived company by a former employee of Terra-Cal Company, which has done many jobs with the City previously. 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.

In accordance with the requirements of the California Environmental Quality Act (CEQA), a Negative Declaration was prepared in June 1997 for the original Yucca Park project which included a youth center, outdoor game courts, a mini-soccer field, a children's play area, a picnic area and other related improvements. The project is situated on the park property immediately north of Yucca Street, between Las Palmas Avenue and Cherokee Avenue.

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In 1998, the Department of Recreation and Parks sought to expand the park through the acquisition of commercial property on the south side of Yucca Street. This resulted in project design changes whereby the youth center buildings were to be sited on the newly acquired property and Yucca Street was to be partially vacated. Consequently, a Subsequent Negative Declaration was prepared in February 1999 to address these changes. A Notice of Determination was filed with the Los Angeles City Clerk and the Los Angeles County Clerk on February 23, 1999. Since that time, other modifications to the project design have occurred, principally switching the location of the youth center buildings with the soccer field and picnic area, and salvaging and upgrading the original basketball court lighting for use on the new court. Since these changes did not generate potentially new or significant environmental impacts, no additional CEQA review was required. The outdoor improvements proposed to be implemented in the Yucca Park Phase II project are consistent with the project scope addressed in the Subsequent Negative Declaration.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget. All funds are provided by the above-listed funding sources specifically identified and approved for use on this project or at this Recreation and Parks facility. The assessments of the future operations and maintenance costs have yet to be determined.

This report was prepared by Willis Yip, Project Manager, and reviewed by Neil Drucker, Program Manager, Bureau of Engineering's Recreational and Cultural Facilities Program; and by Bradley M. Smith, P.E., Chief Deputy City Engineer, Bureau of Engineering.

GUIDELINES FOR EVALUATION OF GOOD FAITH EFFORT CHECKLIST

Bidder: C.S. Legacy Construction, Inc. **Bid Date:** September 20, 2005

Project Name: Yucca Park Phase II – Outdoor Courts , W.O. # E170930F

Indicator	Required Documentatton	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 sub-contractors, 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.	Submitted copy of sign in sheet from previous pre bid. Did not attend the most recent one. No fax receive requesting excuse/waiver	10	0
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.		9	9
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	0
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			80	
MBE =1.29% WBE=0% OBE=24.65%			MBE/WBE ACHIEVED:	1.29%

PRIME= 80%