

REPORT OF GENERAL MANAGER

NO. 06-174

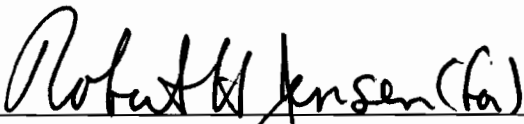
DATE June 15, 2006

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEOL INTERNATIONAL PARK — DODGER DREAM FIELD PROJECT
(W.O. #E170238F) – SUBSTITUTION OF SUBCONTRACTOR

J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	*M. Shull	_____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board hold a hearing to determine whether to allow a substitution as requested, pursuant to Los Angeles Administrative Code Section 10.14 (3)b, inasmuch as a letter of objection was received.

SUMMARY:

The Department is in receipt of requests from Los Angeles Engineering, Inc., general contractor for the Seoul International Park — Dodger Dream Field Project (W.O. #E170238F), Contract No. 3160, to substitute the following subcontractors:

Forever Green Athletic Fields of the West LP, with Surface America, Inc., dba A-Turf to perform the installation of synthetic turf subcontract work on this project. The request is being made inasmuch as Forever Green Athletic Fields of the West LP became insolvent when it lost its qualifying license.

Pursuant to Section 10.14 of the Los Angeles Administrative Code, Forever Green Athletic Fields of the West LP has been notified of the substitution request. It appears that the subcontractor's license expired as of May 26, 2006; they may not be able to do the subcontract work. However, the Department has received a timely written objection to the substitution (see attached) via fax on June 5, 2006. In accordance with Section 10.14(3), "if written objections are filed, the awarding authority shall give five days' notice to the prime contractor and to the listed subcontractor of a hearing by the awarding authority on the prime contractor's request for substitution. The determination of the awarding authority shall be final."

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PG. 2

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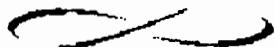
The fax dated June 5, 2006, from Forever Green Athletic Fields, Inc. states the subcontractor was formerly licensed as a limited partnership, but when the Responsible Managing Officer (RMO) unexpectedly resigned, the subcontractor re-organized as a corporation and was issued a new California contractor's license. Issues to be considered by the Board during the hearing will include whether the subcontractor is still essentially the same entity that bid the job originally, and whether pursuant to Los Angeles Administrative Code Section 10.14 (3) factual circumstances exist that satisfy the conditions specified in the Code for substitution of a subcontractor.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget.

Prepared by Sonia Bond, Commission Executive Assistant I, Commission Office

FOREVER GREEN



ATHLETIC FIELDS INC.

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BOARD OF RECREATION
AND PARK COMMISSIONERS

21 JUN -5 7:12:09

VIA FACSIMILE: 213-928-9048

Monday, June 5, 2006

**Ms. Mary E. Alvarez
Commission Executive Assistant
Board of Recreation and Park Commissioners
Department of Recreation and Parks
1200 West 7th Street
Suite 762
Los Angeles, CA 90017**

**Re: Contract No. 3160
Seoul International Place – Dodger Dream Field Project
3250 West San Marino Street
Los Angeles, CA 90006**

Dear Ms. Alvarez:

We received your letter dated May 31, 2006 this morning concerning the request from Los Angeles Engineering Construction, Inc., general contractor for the above referenced project, to substitute Surface America, Inc. dba A-Turf for our firm's work for the synthetic turf installation sub-contract for this project.

You cite that the request is "necessary in order to prevent further delays to the project, in as much you (Forever Green) have ceased operations."

Pursuant to Section 10.14 of the Los Angeles Administrative Code, we have five business days to submit a written objection.

Please be advised that Forever Green Athletic Fields of the West, LP. and its successor Forever Green Athletic Fields, Inc. hereby object to the substitution.

As we have previously discussed with the staff of the Department of Recreation and Parks, we have resolved a licensing problem that occurred when the RMO unexpectedly resigned from Forever Green Athletic Fields of the West, LP. California Contractor License No. 820569.

We immediately applied for a new license as Forever Green Athletic Fields, Inc. and received California Contractor's license No. is 869652. We notified the Department of Recreation and Parks and Los Angeles Engineering Construction, Inc. in December, 2005.

We had expected that Los Angeles Engineering Construction, Inc. would have proposed Forever Green Athletic Fields, Inc. to continue this work in a manner consistent with other projects elsewhere in California with other general contractors.

Please feel free to call me, should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Keith Day". The signature is written in a cursive, flowing style.

Keith Day

CC: Steven Beardsley