

APPROVED

REPORT OF GENERAL MANAGER

NOV 07 2008

NO. 08-297

DATE: November 7, 2008

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VENICE BEACH SKATE PARK (#1029C)(W.O. #E1601726) - REVIEW OF BIDS
AND AWARD OF CONTRACT

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<i>Carroll S</i>

Regan

General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Find the bid of GeoCon Engineering, Inc., to be non-responsive for its failure to meet the minimum qualification requirements;
2. Find California Landscape & Design, Inc., dba California Skateparks (California Skateparks), with a base bid of \$2,265,000, to be the lowest responsive and responsible bidder for the Venice Beach Skate Park (#1029C)(W.O. #E1601726) project;
3. Award the contract including Additive Alternate No. 1, in the amount of \$100,000, resulting in the total award amount of \$2,365,000, to California Skateparks, all according to the plans and specifications;
4. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$2,365,000 from the following fund and account numbers under the awarding authority of this Board Report; and,

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<u>FUND SOURCE</u>	<u>FUND/DEPT/ ACCOUNT</u>	<u>ENCUMBRANCE AMOUNT</u>
Quimby	302/89/460K-VE	\$ 1,700,000
Venice Area Surplus Property Sales Fund	434/50/S215	\$ 631,000
CIEP – General Fund	100/54/A736	\$ 23,000
Damson Oil Facility Restoration Fund	302/89/120K	\$ 11,000
TOTAL		\$ 2,365,000

5. Direct staff to prepare a contract and authorize the Board President and Secretary to execute the contract, subject to approval as to form by the City Attorney.

SUMMARY:

On June 18, 2008, the Board approved the final plans and call for bids for the Venice Beach Skate Park (#1029C)(W.O. #E1601726) project, located at 42 S. Market Street, Los Angeles, CA 90291 (Board Report No. 08-170). The plans call for the construction of a new skate park facility with the project scope outlined below:

1. A new in-ground concrete skate park approximately 16,000 square feet in size, with an entry plaza and surrounding wind/seat walls.
2. Removal of an existing rock revetment on the beach.
3. New power supply to the skate park and nearby life guard tower.
4. Landscaping and irrigation.

In addition, three Additive Alternates were identified, with the work associated with each Additive Alternate described as follows:

Additive Alternate No. 1:

Installation of “Lithocrete” finish and the “Venice” logo in “Litho-Mosaic” finish at the circular concrete entry plaza.

Additive Alternate No. 2:

Construction of new semi-circular concrete secondary entry area and bike racks off the existing bike path.

Additive Alternate No. 3:

Construction of the free standing poured-in-place concrete seat wall in the center of the turf area.

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On August 26, 2008, the Board received a total of two (2) bids as follows:

Bidders	Base Bid	Add. Alt. #1	Add. Alt. #2	Add. Alt. #3
GeoCon Engineering, Inc.	\$2,094,000	\$122,950	\$28,500	\$27,500
California Skateparks	\$2,265,000	\$100,000	\$50,000	\$40,000

The bid documents stated that the determination of the lowest bidder would be based on the Base Bid amount without the consideration of any Additive Alternate.

GeoCon Engineering, Inc., submitted the lowest Base Bid as indicated above, however, the bid was deemed non-responsive due to its failure to meet the minimum qualification requirements as defined in the Supplementary General Requirements of the bid package. All qualifying bidders were required to submit with the bids evidence of having completed at least five (5) in-ground, poured-in-place concrete public skate parks for government agencies in the State of California in the last five (5) years. Of the five completed skate park projects submitted by GeoCon Engineering, Inc., only three projects met the minimum qualification requirements set forth in the Supplementary General Requirements.

In addition to meeting all other bid requirements, California Skateparks did submit evidence that they met the minimum qualification requirements. Therefore, California Skateparks is the lowest responsive and responsible bidder. A summary of the review and verification of the qualification documentations submitted by the bidders is attached to this report.

There are sufficient funds to award Additive Alternate No. 1. It is therefore recommended that the Board award the Base Bid (\$2,265,000) plus Additive Alternate No. 1 (\$100,000), for a total award amount of \$2,365,000.

Staff has reviewed the City's Minority/Women/Other Business Enterprise Program (MBE/WBE/OBE) outreach effort made by California Skateparks, and based on the documentation submitted, has determined that a "good faith" effort has been made. California Skateparks obtained a MBE/WBE participation of 19.24% and satisfied one hundred (100) out of the 100-point requirements outlined by the Board's outreach program which requires a score of 75 points out of 100 to achieve a "good faith" effort. The outreach document package is on file in the Board Office, and a synopsis of the said package is attached. The City Attorney and staff have reviewed the bids submitted by California Skateparks and found them to be in order. California Skateparks is the lowest responsive and responsible bidder.

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Staff reviewed the responsiveness and work performance of California Skateparks on past Department projects 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 met by the bidder.

In accordance with the California Environmental Quality Act (CEQA), staff has determined that the subject project has been previously evaluated for environmental impacts, and has prepared a Mitigated Negative Declaration (MND) for the project. The MND was adopted by the Board on September 6, 2000, and a Notice of Determination was filed with the Los Angeles City and County Clerks on September 11, 2000. Staff finds that the project has not substantially changed from that previously evaluated, which otherwise would have required additional mitigation, and that the environmental conditions at the site have not substantially changed. Therefore, no additional mitigation and no additional CEQA documentation is required.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund as the project's costs will be fully funded by the above-listed funds specifically identified and approved for this project. Future operations and maintenance costs will be assessed upon completion of the project and addressed in the future budget request.

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

GOOD FAITH EFFORT CHECKLIST- EVALUATION RESULTS

Bidder: CALIFORNIA LANDSCAPE & DESIGN, INC

Bid Date: 8/26/2008

PROJECT: VENICE BEACH SKATE PARK - W.O. #E1601726

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 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) 847-0703, or by mail to the Bureau of Engineering, Project Award and Control Division, 1149 S. Broadway, 1 st Floor, Los Angeles, Ca. 90015.		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.		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	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			100	

MBE/WBE % ACHIEVED: 19.24%

MBE= 15% WBE= 4.24% OBE= 4.55% PRIME=76.21%

RESPONSIVE!

VENICE BEACH SKATE PARK - BIDDER PRE-QUALIFICATION REVIEW

GEOCON ENGINEERING, INC.

A	COMPANY QUALIFICATION	NUMBER OF REFERENCE PROJECTS SUBMITTED (5 REQUIRED)	5	BIDDER MET MINIMUM PRE-QUALIFICATION REQUIREMENTS
		NUMBER OF REFERENCE PROJECT(S) THAT MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	3	
		NUMBER OF REFERENCE PROJECT(S) THAT DID NOT MEET MINIMUM PRE-QUALIFICATION REQUIREMENTS	2	
B	STAFF QUALIFICATION	NUMBER OF REFERENCE PROJECTS SUBMITTED (3 REQUIRED)	3	BIDDER MET MINIMUM PRE-QUALIFICATION REQUIREMENTS
		NUMBER OF REFERENCE PROJECT(S) THAT MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	2	
		NUMBER OF REFERENCE PROJECT(S) THAT DID NOT MEET MINIMUM PRE-QUALIFICATION REQUIREMENTS	1	
		RESUME SUBMITTED	YES	

BIDDER IS RESPONSIVE

BIDDER IS NON-RESPONSIVE

COMPANY QUALIFICATION

A All qualifying bidding contractors shall have completed a minimum of five (5) in-ground, pour-in-place concrete public state parks for government agencies in the last five (5) years in the State of California, and shall complete and submit with bid the "Contractor's Minimum Qualifications - Experience with Concrete State Park Construction" forms.

PROJECT NAME	PRE-QUALIFICATION CRITERIA				REMARKS	CONTACT PERSON	INITIAL CONTACT DATE
	1	2	3	4			
1 Morse Park Elk Grove, CA	Bidder completed this skate park as a prime contractor and/or specialty contractor	The skate park is in-ground, pour-in-place concrete construction	This is a public skate park built for government agency and located in California	This skate park was completed within the last five (5) years	According to staff of City of Elk Grove, Morse Park is not a skate park, rather, it is a large multi-use park (soccer field, baseball fields, softball fields, dog park, playgrounds, basketball courts, jogging trails, etc.) that includes 3 small on-grade skating elements.	Sheri Nobilett Senior Landscape Architect 916-405-5337 Cosumnes Community Services District City of Elk Grove	8/28/2008
	YES	YES	YES	YES (2007)	All the 3 concrete skating elements, including an elongated shallow bowl, were constructed on-grade, not in-ground, therefore this project does not meet the minimum pre-qualification requirements, and the bidder is deemed non-responsive as a result.	Zack Wormhoudt Wormhoudt, Inc. (Designer of Record) 831-426-8424	9/9/2008
2 Cannery Park Hayward, CA	YES	YES	YES	YES (2007)	According to staff of City of Hayward, Cannery Park is not a skate park, rather, it is a large multi-use park that includes some skating elements (on-grade skating seat walls and 2 small in-ground bowls).	Larry Lapore Superintendent 510-455-1261 Hayward Area Rec. & Park District	9/10/2008

VENICE BEACH SKATE PARK - BIDDER PRE-QUALIFICATION REVIEW

PROJECT NAME	PRE-QUALIFICATION CRITERIA				REMARKS	CONTACT PERSON	INITIAL CONTACT DATE
	1	2	3	4			
3 Belvedere Skate Park Los Angeles, CA	YES	YES	YES	YES (2007)	According to the L.A. County staff, this is an in-ground, pour-in-place concrete skate park, close to 24,000 s.f. in size and consists of 3 in-ground bowls 7-10' deep. The project size and construction value are comparable to the Venice Skate Park.	Andy Lopez Project Manager 213-639-6058 Dept. of Parks & Rec. County of L.A.	9/18/2008
4 Madera Skate Park Madera, CA	YES	YES	YES	YES (2007)	According to the staff of City of Madera, this is an in-ground, pour-in-place concrete skate park approx. 22,000 s.f. in size, featuring a unique "inverted dome".	Michael McHatten Project Manager 559-461-5491 City of Madera	8/29/2008
5 Diane Feinstein Skate Park Orange Cove, CA		YES	YES	YES (2004)	According to the staff of City of Orange Cove, this is an in-ground, pour-in-place concrete skate park close to 38,000 s.f. However, the contract was awarded to KS Stratton Construction, not GeoCon. This project was completed by KS Stratton Construction in November 2004. George Zadrozny was involved with this project while he was an employee of KS Stratton. Shortly after the completion of this project, in January 2005, the owner of KS Stratton decided to shut down the business and George Zadrozny left KS Stratton. GeoCon Engineering, Inc. was incorporated in March 2006 and George Zadrozny is its president. Thus, GeoCon was neither the prime contractor nor the subcontractor on this project.	Ron Yamabe Project Manager 559-876-6300 x1560 City of Orange Cove	8/29/2008

STAFF QUALIFICATION

B All qualifying bidding contractors shall have under their employment and must assign a qualified Project Manager or Superintendent for this project who will be on site at all times during construction and will oversee all work done. The person to be assigned as Project Manager or Superintendent for this project must have experience in constructing a minimum of three (3) in-ground, pour-in-place concrete skate parks. All qualifying bidding contractors shall complete and submit with bid the "Contractor's Minimum Qualifications - Project Manager or Superintendent Experience with Concrete Skate Park Construction" form, and the resume of the person to be assigned as Project Manager or Superintendent for this project.

Name of person to be assigned as Project Manager or Superintendent	PRE-QUALIFICATION CRITERIA				REMARKS
	2	3	4		
George Zadrozny	YES	1. Belvedere Skate Park 2. Madera Skate Park 3. Morse Park	Reference projects listed (3 required)	This skate park is in-ground, pour-in-place concrete construction	See above. See above. See above.

VENICE BEACH SKATE PARK - BIDDER PRE-QUALIFICATION REVIEW

CALIFORNIA SKATE PARKS

A	COMPANY QUALIFICATION	NUMBER OF REFERENCE PROJECTS SUBMITTED (5 REQUIRED)	5	BIDDER MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	YES
		NUMBER OF REFERENCE PROJECT(S) THAT MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	5		
		NUMBER OF REFERENCE PROJECT(S) THAT DID NOT MEET MINIMUM PRE-QUALIFICATION REQUIREMENTS	0		
B	STAFF QUALIFICATION	NUMBER OF REFERENCE PROJECTS SUBMITTED (3 REQUIRED)	3	BIDDER MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	YES
		NUMBER OF REFERENCE PROJECT(S) THAT MET MINIMUM PRE-QUALIFICATION REQUIREMENTS	3		
		NUMBER OF REFERENCE PROJECT(S) THAT DID NOT MEET MINIMUM PRE-QUALIFICATION REQUIREMENTS	0		
		RESUME SUBMITTED	YES		

BIDDER IS RESPONSIVE

BIDDER IS NON-RESPONSIVE

COMPANY QUALIFICATION

All qualifying bidding contractors shall have completed a minimum of five (5) in-ground, pour-in-place concrete public skate parks for government agencies in the last five (5) years in the State of California, and shall complete and submit with bid the "Contractor's Minimum Qualifications - Experience with Concrete Skate Park Construction" forms.

PROJECT NAME	PRE-QUALIFICATION CRITERIA				REMARKS	CONTACT PERSON	INITIAL CONTACT DATE
	1	2	3	4			
1 Tulare Skate Park Tulare, CA	Bidder completed this skate park as a prime contractor and/or specialty contractor	The skate park is in-ground, pour-in-place concrete construction	This is a public skate park built for government agency and located in California	This skate park was completed within the last five (5) years	According to staff of City of Tulare, this is an in-ground, pour-in-place concrete skate park, approx. 30,000 s.f. in size. The size, scope and construction value of this project are comparable to the Venice Skate Park project.	Robert Doi Supervisor 559-684-4323 Dept. of Parks & Rec. City of Tulare	9/12/2008
2 Lake Cunningham Skate Park San Jose, CA	YES	YES	YES	YES (2008)	According to staff of City of San Jose, this is an in-ground, pour-in-place concrete skate park close to 40,000 s.f. in size	Loren Rondell Project Manager 408-535-8418 City of San Jose	9/12/2008

VENICE BEACH SKATE PARK - BIDDER PRE-QUALIFICATION REVIEW

PROJECT NAME	PRE-QUALIFICATION CRITERIA				REMARKS	CONTACT PERSON	INITIAL CONTACT DATE
	1	2	3	4			
3 Pedlow Skate Park Los Angeles, CA	YES	YES	YES	YES (2006)	According to staff, this is an in-ground, pour-in-place concrete skate park, approx. 25,000 s.f. in size.	Gary Lam Project Manager BOE Recreation & Cultural Facilities Program 213-473-9712	9/11/2008
4 Ganvanza Skate Park Los Angeles, CA	YES	YES	YES	YES (2007)	According to staff, this is an in-ground, pour-in-place concrete skate park approx. 17,000 s.f. in size.	Gary Lam Project Manager BOE Recreation & Cultural Facilities Program 213-473-9712	9/11/2008
5 Volcom Skate Park Costa Mesa, CA	YES	YES	YES	YES (2006)	According to staff of City of Costa Mesa, this is an in-ground, pour-in-place concrete skate park close to 25,000 s.f. in size.	Bart Mejia Construction Manager 714-754-5291 City of Costa Mesa	9/11/2008

STAFF QUALIFICATION	
B	All qualifying bidding contractors shall have under their employment and must assign a qualified Project Manager or Superintendent for this project who will be on site at all times during construction and will oversee all work done. The person to be assigned as Project Manager or Superintendent for this project must have experience in constructing a minimum of three (3) in-ground, pour-in-place concrete skate parks. All qualifying bidding contractors shall complete and submit with bid the "Contractor's Minimum Qualifications - Project Manager or Superintendent Experience with Concrete Skate Park Construction" form, and the resume of the person to be assigned as Project Manager or Superintendent for this project.

Name of person to be assigned as Project Manager or Superintendent	PRE-QUALIFICATION CRITERIA				REMARKS
	2	3	4	5	
Nikolai Samarin	Resume of person to be assigned as Project Manager or Superintendent submitted YES	Reference projects listed (3 required) 1. Ganvanza Skate Park 2. Pedlow Skate Park 3. Volcom Skate Park	This skate park is in-ground, pour-in-place concrete construction YES YES YES	See above. See above. See above.	