

A G E N D A

BOARD OF RECREATION AND PARK COMMISSIONERS  
OF THE CITY OF LOS ANGELES

Wednesday, June 2, 2010 at 9:30 a.m.

EXPO Center (Formerly known as L.A. Swim Stadium)  
Community Hall Room  
3980 S. Menlo Avenue, Los Angeles, CA 90037

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM.

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED, FOR A CUMULATIVE TOTAL OF UP TO FIFTEEN (15) MINUTES FOR EACH ITEM. ALL REQUESTS TO ADDRESS THE BOARD ON PUBLIC HEARING ITEMS MUST BE SUBMITTED PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM. COMMENTS BY THE PUBLIC ON ALL OTHER MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD WILL BE HEARD DURING THE "PUBLIC COMMENTS" PERIOD OF THE MEETING. EACH SPEAKER WILL BE GRANTED TWO MINUTES, WITH FIFTEEN (15) MINUTES TOTAL ALLOWED FOR PUBLIC PRESENTATION.

1. APPROVAL OF THE MINUTES:

Approval of the Minutes of the Meetings of May 17, 2010

2. GENERAL MANAGER'S REPORTS:

- 10-130 Cahuenga Peak/Hollywood Sign - Amendment to Prior Board Action Relative to the Property Sale and Gift Agreement
- 10-131 Downey Pool Replacement (W.O. #E1906491); Lafayette Park - Recreation Center (W.O. #E170317F) - Acceptance of a Stop Notice and Partial Release of a Stop Notice on Construction Contracts
- 10-132 Arroyo Seco - Outdoor Refurbishment Project (W.O. #E170490F) - Review of Bids and Award of Contract
- 10-133 Delano Park - Synthetic Soccer Field (PRJ #20259) (W.O. #E170483F) - Review of Bids and Award of Contract
- 10-134 Lincoln Park - Outdoor Facilities Refurbishment and Erosion Control Project (W.O. #E170491F) - Review of Bids and Award of Contract
- 10-135 Oro Vista Park - Park Development (W.O. #E170480F) - Review of Bids and Award of Contract
- 10-136 Reseda Park - Lake Rehabilitation Project (W.O. #PRJ1200K) - Review of Bids and Award of Contract

June 2, 2010

- 10-137 Branford Recreation Center - Outdoor Refurbishment (W.O.#E170236F) Project - Memorandum of Understanding between the Department of Recreation and Parks, the Bureau of Engineering, and the Department of General Services
- 10-138 Elysian Park - Improvements to Athletic Fields and Trails, Road Refurbishment, Lighting and Restrooms (W.O. #E170199F) - Memorandum of Understanding between the Department of Recreation and Parks, the Bureau of Engineering and the Department of General Services
- 10-139 Poinsettia Recreation Center - Phase I Building and Landscape Refurbishment Project (W.O. #E170265F) - Memorandum of Understanding Between the Department of Recreation and Parks, the Bureau of Engineering and the Department of General Services
- 10-140 Tommy Lasorda Field of Dreams - Improvements to Athletic Fields, Field House and Restrooms (W.O. #E170346F) - Memorandum of Understanding between the Department of Recreation and Parks, the Bureau of Engineering and the Department of General Services
- 10-141 Rescission of Awards to Contractors for Proposition K Projects and Authorization to the General Manager to Execute a Memorandum of Understanding between the Department of Recreation and Parks, the Department of General Services, and the Bureau of Engineering for Proposition K Work As Needed to Obligate Funds Before June 30, 2010
- 10-142 Los Angeles Center for Enriched Studies - Facilities Use Permit for the Continued Shared Use of Los Angeles Unified School District Aquatics and Recreation Facilities
- 10-143 Supplemental Agreement to Personal Services Contract No. 3209 with Arthur M. Manask & Associates, Inc. to Extend the Term
- 10-144 Wabash Recreation Center - Installation of Mural
- 10-145 Proposition 84 Nature Education Facilities Grant Program - City Council Resolutions and Authorization to Submit Grant Applications
- 10-146 Signature Authority as Acting General Manager and Acting Chief Accounting Employee

June 2, 2010

- 10-147 Transfer of Expenditures to Bogdanovich Trust Fund for Fiscal Year 2010-2011
- 10-148 Reimbursement for Petty Cash, Expenses, and Refund Resolutions for Fiscal Year 2010-2011
- 10-149 Reimbursement of Salaries and Related Expenses from the Municipal Recreation Program Fund and Grant Fund Accounts - Resolution for Fiscal Year 2010-2011
- 10-150 Various Donations to Operations East - Metro Region
- 10-151 Various Communications

3. UNFINISHED BUSINESS:

- 10-093 Pershing Square Parking Garage - Inclusion in the City of Los Angeles (City) Proposed Public Parking Structure System and Long Term Concession Lease for City Public Parking Structure System

Approval of the Minutes of the Meeting of May 5, 2010

4. COMMISSION TASK FORCES:

- Commission Task Force on Concessions (Commissioners Stanley and Williams)
- Commission Task Force on Facility Repair and Maintenance (Commissioner Sánchez and Werner)

5. PRESENTATIONS:

- Bureau of Engineering - Project Update - Status Report on Current Projects
- Bureau of Contract Administration, General Services Division - Status Report on Subcontractor Approval Activity

6. GENERAL MANAGER'S ORAL REPORT:

Report on Department Activities and Facilities

7. FUTURE AGENDA ITEMS:

Requests by Commissioners to Schedule Specific Items on Future Agendas

June 2, 2010

8. PUBLIC COMMENTS:

Any comments which require a response or report by staff will be automatically referred to staff for a report at some subsequent meeting.

9. NEXT MEETING:

The next scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, June 16, 2010 at 9:30 a.m., at Martin Luther King Jr. Therapeutic Center, 3916 S. Western Avenue, Los Angeles, CA 90062.

10. ADJOURNMENT:

Under the California State Ralph M. Brown Act, those wishing to make audio recordings of the Commission Meetings are allowed to bring tape recorders or camcorders in the Meeting.

Sign language interpreters, assistive listening devices, or any auxiliary aides and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For additional information, please contact the Commission Office at (213)202-2640.

Finalization of Commission Actions: In accordance with City Charter, actions that are subject to Section 245 are not final until the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session and if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Commission Meetings can be heard live over the telephone through the Council Phone system. To listen to a meeting, please call one of the following numbers:

from Downtown Los Angeles	(213) 621-CITY (2489)
from West Los Angeles	(310) 471-CITY (2489)
from San Pedro	(310) 547-CITY (2489)
from Van Nuys	(818) 904-9450

For information, please go to the City's website:  
<http://ita.lacity.org/lacityview35/>

Information on agenda items may be obtained by calling the Commission Office at (213) 202-2640. Copies of the agenda and reports may be downloaded from the Department's website at [www.laparks.org](http://www.laparks.org).

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REPORT OF GENERAL MANAGER

NO. 10-130

DATE June 2, 2010

C.D. 12

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CAHUENGA PEAK/HOLLYWOOD SIGN – AMENDMENT TO PRIOR BOARD ACTION RELATIVE TO THE PROPERTY SALE AND GIFT AGREEMENT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull PSGA for

[Signature]  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Rescind the Board's action to approve Recommendation No. 2 in Board Report No. 10-124, dated May 17, 2010, for the Property Sale and Gift Agreement (PSGA) with the Trust for Public Land (TPL);
2. Approve a revised PSGA, substantially in the form on file in the Board Office, that contains the terms and conditions for the acquisition, subject to the approval of the City Attorney as to form;
3. Direct the Board Secretary to transmit the PSGA to the City Attorney for review and approval as to form;
4. Approve the phased acquisition and conveyance of Cahuenga Peak, a privately owned, 138 acre vacant parcel adjacent to Griffith Park in the Hollywood area of the City of Los Angeles (Assessor Parcel Numbers 5577-008-001, 002; 5581-010-001,002; and 5581-005-001), as described in the PSGA;
5. Authorize extending the closing of escrow date if needed;
6. Authorize the Board President and Secretary to execute the PSGA upon receipt of the necessary approvals;

## REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-130

7. Direct the Board Secretary toward the anticipated successful close of escrow, to accept the grant deed to the property in a possible phased acquisition schedule, which upon close of escrow is to be set apart and dedicated as park property in perpetuity, and authorize the Board Secretary to sign the Acceptance of the Deed; and,
8. Authorize the General Services Department, and the Department of Recreation and Parks' Chief Accounting Employee to make technical corrections as necessary to implement the intent of the Council and to establish the necessary accounts to acquire the project site, and to accept and transfer the necessary monies to fund the acquisition to the appropriate City Department or escrow company account in order to expeditiously effectuate the acquisition of the Cahuenga Peak site.

### SUMMARY:

On May 17, 2010, the Board of Recreation and Parks Commissioners (Board), through Board Report No. 10-124, approved the PSGA with TPL for the acquisition of Cahuenga Peak. The Cahuenga Peak site was once owned by Howard Hughes and was subsequently put up for sale. The City of Los Angeles (City) had hoped to acquire said land but the property was purchased by a Chicago group. In 2008 the property was listed at \$22 million. Real Estate prices have fallen and value of the property is now within an acquisition price that the City can manage. The City now intends to proceed with the Cahuenga Peak acquisition. The PSGA Agreement contains the general terms and conditions for the acquisition and conveyance of approximately 138 acres of open space wilderness to be dedicated as park property in perpetuity, to the City of Los Angeles, Department of Recreation and Parks. The Close of Escrow is scheduled for June 14, 2010. TPL shall purchase from the owner and sell to the City of Los Angeles (City) the Cahuenga Peak site for \$11,700,000. Funds for the acquisition will come from public funds totaling \$5,720,576 and private donations totaling \$5,979,424.

The Sources of funding will remain the same. Public funding will come from: Proposition 40 Per Capita (\$837,200); Proposition 40 Roberti-Z' Berg-Harris (\$840,107); Proposition K (\$755,000); Real Property Trust Fund (\$9,237); Public Works Trust Fund (\$434,160); Quimby (\$544,872); Mountains Reservation and Conservation Authority (\$900,000); plus \$1,400,000 coming from the Wildlife Conservation Bond (WCB) Funds and the Santa Monica Monica Mountains Conservancy (SMMC) Proposition 84 for a total of \$5,720,576 in public funding. The remainder of the funding will be provided through private donations totaling \$5,979,424 for a grand total of \$11,700,000.

Following the Board's actions of May 17, 2010, staff was made aware that \$1,400,000 in public funds would not be available for release by the State Treasurer before the close of escrow in June 2010. The \$1,400,000 that is needed for the acquisition is a combination of the State of California WCB funds in the amount of \$700,000 and SMMC funds in the amount of \$700,000. It is anticipated

## REPORT OF GENERAL MANAGER

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that these funds will be made available at a later time. In order to insure that the acquisition for the entire 138 acres Cahuenga Peak site takes place, a phased acquisition of the site is being proposed. The City Attorney has indicated that the proposed changes/additions to the PSGA require that they be submitted for reconsideration and approval by the Board. Primarily the recommendations would recommend that the Board rescind the previous Board action as it relates to the prior version of the PSGA; authorize the extension of the Closing Escrow date, if required for any reason; and approve the recommendation for a phased acquisition and conveyance of Cahuenga Peak.

Some of the more pertinent recommended changes or additions to the PSGA are to the following Sections in the agreement that was previously approved by the Board on May 17, 2010: Section 1.5; Section 1.5.1; Section 1.5.2; 1.5.3; 1.5.4 and Section 4.2. The proposed changes will allow for a phased acquisition that would occur in two phases. The intent is for TPL to acquire the 138 acres by close of escrow date and then convey property to City. If the \$1,400,000 in State funds is not available on or before 10 days prior to close of escrow, City may elect by written notice to TPL, to use an alternative funding source to acquire said property or purchase the property in phases as indicated in Section 1.5 of the PSGA. During Phase I, City would proceed to close escrow on 122 of the 138 acres as described in Section 1.5.1 of the PSGA. The cost for the City of the Phase I would be \$4,320,576. During Phase II, the City would purchase the remainder of 16 acres using the \$1,400,000 in State funds as indicated in Section 1.5.2. The phased acquisition would mean that the overall purchase price the property would remain unchanged, but be broken down as follows: Phase I cost would be \$10,300,000 and the Phase II cost would be \$1,400,000 for a total of \$11,700,000.

Staff recommends that the Board approve the proposed recommendations listed in this report. All other prior actions remain the same and are necessary for the completion of this project.

There are no changes to the CEQA findings previously approved by the Board.

The Assistant General Manager of Operations East and the Councilmember for the 4th District concur with staff's recommendations.

### FISCAL IMPACT STATEMENT:

There are no additional costs associated with these recommended changes. The Department's cost for future maintenance will require a budget increase which will be requested through the Department's standard budget process. Those costs at this time are unknown.

This report was prepared by John Barraza, Management Analyst II in the Real Estate and Asset Management Unit.

REPORT OF GENERAL MANAGER

NO. 10-131

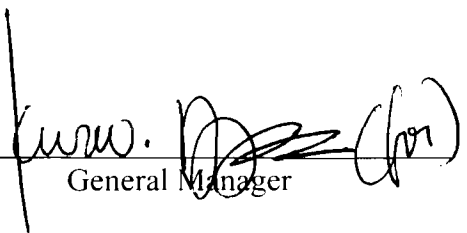
DATE June 2, 2010

C.D. 1, 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DOWNEY POOL REPLACEMENT (W.O. #E1906491); LAFAYETTE PARK - RECREATION CENTER (W.O. #E170317F) - ACCEPTANCE OF A STOP NOTICE AND PARTIAL RELEASE OF A STOP NOTICE ON CONSTRUCTION CONTRACTS

R. Adams	_____	F. Mok	_____
V. Israel	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u>ms</u>
S. Huntley	_____		

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Accept the following Stop Notice and direct staff to withhold the amount claimed, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available, and to notify the contractor, sureties, and other interested parties that the amount of said claim plus 25% will be withheld; and,
2. Accept the Partial Release of Stop Notice.

SUMMARY:

STOP NOTICE:

The Department is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 3103 and 3181, on the following contract:

<u>Contract 3279</u>	CD 1	General Contractor:	Horizons Construction Co. Int'l, Inc.
Downey Pool Replacement (W.O. #E1906491F)		Claimant:	MDT Materials, Inc.
Project Status: 85%			



REPORT OF GENERAL MANAGER

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Project Impact: none Amount: \$6,205.00

RELEASE OF STOP NOTICE:

The Department is in receipt of a Partial Release of Stop Notice in the amount of \$1,822.98 filed by Adkison Engineers, Inc., dba Adkan Engineers. The amount currently being withheld for the original stop notice is \$12,243.16. The Board's acceptance of this Partial Release of Stop notice will leave a remaining balance of \$10,420.18 to be withheld. The acceptance of the Partial Release of Stop Notice releases the Board from any and all liability for withholding funds in the amount of \$1,822.98 from the general contractor or the surety:

<u>Contract 3237</u>	CD 10
Lafayette Park - Recreation Center (W.O. #E170317F)	General Contractor: Western Alta Construction
Project Status: 65% Complete	Claimant: Adkison Engineers, Inc., dba Adkan Engineers
Project Impact: none	Amount Presently on Hold: \$12,243.16
	Partial Release at this Time \$1,822.98
	Leaving a Balance to be Withheld of: \$10,420.18

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund, as funds have already been appropriated for this purpose.

This report was prepared by LaTonya D. Dean, Commission Executive Assistant.

REPORT OF GENERAL MANAGER

NO. 10-132

DATE June 2, 2010

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: **ARROYO SECO- OUTDOOR REFURBISHMENT PROJECT (W.O. #E170490F)  
- REVIEW OF BIDS AND AWARD OF CONTRACT**

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull PPG for

*V. Israel for*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Find Y & M Construction, Inc., (Y&M) with a base bid of \$309,120, to be the lowest responsive and responsible bidder for the Arroyo Seco – Outdoor Refurbishment (W.O. #E170490F) project;
2. Award the contract to Y & M Construction, Inc, for a total award amount of \$309,120, all according to the plans and specifications;
3. Receive and file correspondence contained in Attachment “A” (correspondence from E. Avico, dated May 12, 2010);
4. Authorize the Chief Accounting Employee to encumber \$309,120 in available funds from the following fund and account numbers under the awarding authority of this Board Report; and,

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCOUNT NO.</u>	<u>ENCUMBRANCE AMOUNT</u>
Proposition K – YR 13	43K/10/F855	\$ 309,120
Total:		\$ 309,120

## REPORT OF GENERAL MANAGER

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

### SUMMARY:

On April 7, 2010, the Board of Recreation and Park Commissioners (Board) approved the final plans and call for bids for the Arroyo Seco – Outdoor Refurbishment (W.O. #E170490F) Project, located at 5566 Via Marisol, Los Angeles, CA 90042 (Board Report No. 10-065). The project components include replacement of existing light fixtures with new energy-efficient on existing six light poles, installation of twelve new light poles and fixtures to illuminate the parking lot and paths to the tennis courts, installation of two new wall-mounted lights inside the tunnel on Avenue 60, removal of existing play equipment and installation of new play equipment and the installation of a new “Smart” automated irrigation system.

On May 11, 2010, ten (10) bids were received for this project. The lowest responsive and responsible bidder is Y & M, with a base bid amount of \$309,120, which is \$190,880 below the City Engineer’s cost estimate of \$500,000.00. The bids received are as follows:

<u>Bidders</u>	<u>Base Bid</u>
Y & M Construction, Inc.	\$309,120
E. Avico	\$378,862
Oceanstate Development, Inc.	\$383,000
C.S. Legacy Construction, Inc.	\$384,457
Simgel Co., Inc.	\$394,720
K&H Construction, Inc.	\$471,694
Pima Corporation	\$472,482
Jasz Co	\$493,000
Vincor Construction, Inc.	\$494,000
Horizon Construction Company.International, Inc.	\$637,800

E. Avico (Avico) filed a bid protest (Attachment “A” ), claiming that, Y&M failed to list on Schedule A multiple subcontractors required for the project; and that Y & M failed to complete that form; and that Y&M listed T. J. Janca (who, according to Avico, is not a playground installer) to perform playground installation.

Based on the reading of previous opinion on similar issue, staff has determined that it is not mandatory to list all subcontractors required to complete this project. In addition, the City Attorney has previously opined that there is no legal reason that suppliers need to be identified in Schedule “A”. The prime contractor states that T.J. Janca has the license to perform, and has performed, playground installation. It is the prime contractor’s responsibility to provide a qualified

REPORT OF GENERAL MANAGER

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installer and certified by the manufacturer. In addition, the bid plans state that the manufacturer’s representative for each piece of play equipment installed shall visit the project site and provide a signed verification that the play equipment he represents is installed as indicated in the manufacturer’s installation instructions. Therefore, Avico’s bid protest is determined to have no merit.

The bid documents stated that the determination of the lowest bidder would be based on the Base Bid amount. Y & M submitted the lowest bid, as shown above. It is recommended that the project be awarded to Y & M for a total construction contract amount of \$309,120. The funds are available from the following accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT NO.</u>	<u>ENCUMBRANCE AMOUNT</u>
Proposition K – YR 13	43K/10/F855	<u>\$309,120</u>
Total:		\$309,120

Staff has reviewed the subcontractor outreach effort made by Y & M, and based on the documents submitted, has determined that a “good faith” effort has been made. Y & M, satisfied 90 of the 100-point requirement 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. The City Attorney has reviewed the bid submitted by Y & M, and found it to be in order.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the project will consist of the refurbishment of an existing park facility, and therefore, is exempt from the provisions of the California Environment Quality Act (CEQA) pursuant to Article III, Section 1, Class I(1, 12) and Class I I(3) of the City CEQA Guidelines.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department’s General Fund as the project’s construction costs will be fully funded by the above listed funding sources specifically identified and approved for this project. The assessments of the future operations and maintenance costs have yet to be determined and would be addressed in future budget requests.

This report was prepared by Ejike Mbaruguru, Project Manager, Recreation and Cultural Facilities Program, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction, Department of Recreation and Parks.

**GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK**

Bidder: Y & M Construction, Inc.

Bid Date: May 11, 2010

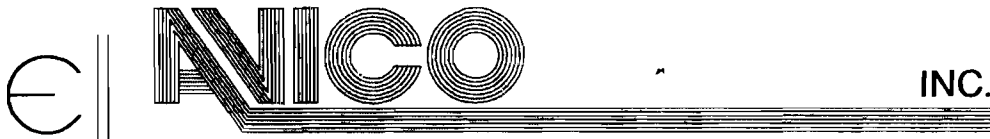
PROJECT: Arroyo Seco – Outdoor Refurbishment (W.O. # E170490F)

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 <sup>st</sup> Floor, Los Angeles, Ca. 90015.		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	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
<b>TOTAL POINTS ACHIEVED</b>			<b>90</b>	

**MBE/WBE % ACHIEVED: 0 %**

MBE= 0%      WBE= 0%      OBE= 21%      PRIME= 82%

**RESPONSIVE**



Architectural, Structural Engineering Consultants & Construction Management  
 Lic # 673967

BOARD OF RECREATION  
 AND PARK COMMISSIONERS  
 2010 MAY 17 AM 10:14

May 12, 2010

City of Los Angeles  
 Board of Recreation and Parks  
 221 North Figueroa Street, Suite 1510  
 Los Angeles CA 90012

Attn : Ms. Mary Alvarez  
 Re : Bid Protest  
 Project No : W.O. #E170490F  
 Project Name : Arroyo-Seco Outdoor Refurbishment

Dear Ms. Alvarez

Please consider this letter E. Avico Inc formal bid protest to the low bid submitted by Y & M Construction, Inc. on May 11, 2010.

E. Avico Inc. realizes that the City of Los Angeles, Board of Recreation and Parks is presently reviewing the bids submitted for this project and will likely make the following discoveries during their review.

Y & M Construction, Inc. failed to provide the following:

- 1./ Failed to list multiple subcontractors required to complete this project. Those subcontractors/suppliers not listed are: Playground equipment, playground surfacing, etc. to name a few. Per Ordinance No. 150,595. Section 10-14 "Provisions Pertaining to Listing of subcontractors Page 17..." "All Subcontractors and suppliers who will do work on this project valued in excess of one-half of one percent or \$10,000.00 whichever is greater, must be listed, regardless if they are MBE/WBE or not."
- 2./ Failure to complete the form. Per Instruction to bidders check list Section #2 it states..." (1) Blank spaces in the proposal must be properly filled in...(2)Section #7 (e) Have you listed on Schedule "A" all subcontractors, and suppliers and your firm regardless of the amount of money involved....."

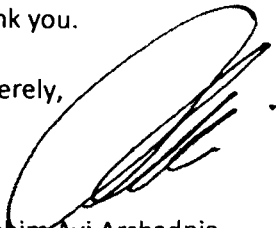
We realize certain items can be self-performed, but several items cannot be performed without the required specialty licenses. Y & M Construction has listed T.J. Janca to perform playground installation. This company does playground surfacing and not installation.

These are just a few examples of the level of non-responsiveness discovered by E. Avico Inc. just at first glance. We are certain that the City of Los Angeles Board of Recreation and Parks will also discover the same bid violation.

We thank you in advance for reviewing this Bid Protest and look forward to speaking with you in more detail on this matter.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ebrahim Avi Arshadnia', written over a large, light-colored oval scribble.

Ebrahim Avi Arshadnia  
Vice President

**T.J. Janca Construction, Inc.**

General Contractor California  
License 774195 - B&C-81/D-12

**Pro-Tect Turf Inc.**

Licensed Contractor Arizona  
AZ License 148918/K-05

**Exclusive Distributors and Installers of Pro-Tect Turf™**

May 11, 2010

TO: ALL PRIME CONTRACTORS

SUBJECT: Playground Safety Surfacing  
Arroyo Seco Outdoor Refurbishment – Los Angeles, CA  
TJC #10-3379

Dear Estimator:

We have compiled the costs for the resilient safety surfacing using Pro-Tect Turf™. Our quote of **\$25,835.00** (\$11.92 per sq. ft.) is based on the following:

- Approximately 2,168 sq. ft. of Pro-Tect Turf™;
- Thickness as required for critical fall height. Unless otherwise noted, not to exceed 3½”.
- 100% designs and wear course colors per plans and specs.
- Prevailing wages.
- Use of aromatic binder.
- Use of California recycled tires.
- Removal of our construction debris.
- Standard five-year warranty.

**Excludes:**

- Concrete or sub-base prep.
- Aliphatic binder.
- HIC and GMAX testing.


**Terms:** Due 30 days from completion.

Square foot measurement is a minimum. If additional material and labor is required, it will be invoiced at the per sq. ft. charge noted above.

Please add T.J. Janca Construction, Inc., exclusive distributor and installer of Pro-Tect Turf™ to your bid list for future resilient playground surfacing.

Should you have any questions, please call.

Very truly yours,

  
Stephen Hughes  
Estimator



REPORT OF GENERAL MANAGER

NO. 10-133

DATE June 2, 2010

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DELANO PARK – SYNTHETIC SOCCER FIELD (PRJ #20259)  
(W.O. #E170483F) – REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull *[Signature]*

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Find Park West Landscape, Inc., with a base bid of \$665,000 to be the lowest responsive and responsible bidder for the Delano Park – Synthetic Soccer Field (PRJ #20259) (W.O. #E170483F) project;
2. Award the contract to Park West Landscape, Inc., for a total contract amount of \$665,000, all according to the plans and specifications;
3. Authorize the Chief Accounting Employee to encumber \$665,000 from the following fund and account numbers under the awarding authority of this Board Report;

<u>Funding Source</u>	<u>Fund/Dept./Acct. No.</u>	<u>Encumbrance Amount</u>
Proposition K Year 13	43K/10/F867	\$315,000
CDBG – 34 <sup>th</sup> Year	424/22/E427	<u>\$ 350,000</u>
Total:		\$ 665,000

4. Authorize the Department’s Chief Accounting Employee to request the Community Development Department (CDD) to process a transfer of the Community Development Block Grant (CDBG) Funds in an amount up to \$350,000 from Department 22, Fund 424, Account E427 to Department of Recreation and Parks (RAP) Department 88, Fund 205,

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-133

Account TBD to encumber and process payment for the project stated in this report;

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

SUMMARY:

On March 3, 2010 the Board approved final plans and call for bids for the Delano Park – Synthetic Soccer Field (PRJ #20259) (W.O. #E170483F) project, located at 15100 Erwin Street, Van Nuys, CA 91411 (Board Report No. 10-027). Plans for this project were prepared by design consultant, Land Images Landscape Architecture under the direction of the Bureau of Engineering (BOE), Recreational and Cultural Facilities Program. The proposed scope of work calls for improvements to the existing soccer field involving the removal and replacement of the existing soccer field with a synthetic turf soccer field. The detailed scope includes the removal of the existing soccer field and preparation of the site including site grading; installation of site drainage; installation of the new synthetic turf soccer field and goals; installation of surrounding landscape and irrigation; construction of adjacent concrete pad and walkway; and installation of player benches.

On April 20, 2010, eleven bids were received for this project. The lowest responsive and responsible bidder is Park West Landscape, Inc., with a base bid amount of \$665,000 which is \$205,000 below the City Engineer’s cost estimate of \$870,000. The bid amounts received are as follows:

<u>Bidders</u>	<u>Base bid</u>
Park West Landscape, Inc.	\$ 665,000.00
Western Group, Inc.	\$ 670,000.00
Asphalt, Fabric & Engineering, Inc.	\$ 681,585.00
Landshapes	\$ 684,300.00
R.G. West Corporation	\$ 726,000.00
Ohno Construction Company	\$ 772,852.00
C.S. Legacy Construction, Inc.	\$ 774,902.00
Y&M Construction	\$ 788,799.20
Pima Corporation	\$ 791,550.00
Robert L. Reeves Construction Co.	\$ 816,656.00
Ian Thomas Group, Inc.	\$1,189,000.00

REPORT OF GENERAL MANAGER

PG. 3                      NO. 10-133

The bid specifications stated the low bidder would be determined to be the responsible and responsive bidder submitting the lowest base bid. Park West Landscape, Inc., submitted the lowest base bid, as shown above. It is recommended that the project be awarded to Park West Landscape, Inc., for a total construction contract of \$665,000.

<u>Funding Source</u>	<u>Fund/Dept./Acct. No.</u>
Proposition K YR 13	43K/10/F867
CDBG – 34 <sup>th</sup> Year	424/22/E427
Quimby	302/89/460K-DB

Staff has reviewed the subcontractor outreach effort made by Park West Landscape, Inc., and based on the documents submitted, has determined that a “good faith” effort has been made. Park West Landscape, Inc. satisfied 90 of the 100-point requirement outlined by the Board’s Outreach Program. Per the Board’s policy a score of 70 points or above satisfies the “good faith effort” requirements. The Outreach Document Package is on file in the Board Office and a synopsis of said package is attached.

The City Attorney and staff have reviewed the bid submitted by Park West Landscape, Inc., and found it to be in order. Staff recommends that the Board find Park West Landscape, Inc., to be the lowest responsive and responsible bidder.

Staff reviewed the responsiveness and work performance of Park West Landscape, Inc. 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 complied with by the bidder.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements will not have a significant impact on the environment. This project has been determined to be Categorical Exempt per City CEQA Guidelines Article III, Section 1a, Class 1(13) (existing facilities). A Notice of Exemption was filed with the Los Angeles City Clerk's Office on July 11, 2008, and posted by the County Clerk's Office on July 11, 2008.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department’s budget because the project’s constructed costs will be fully funded by the above listed funding sources specifically identified and approved for use of this project. The assessments of the future operations and maintenance costs have yet to be determined and would be addressed in future budget requests.

REPORT OF GENERAL MANAGER

PG. 4

NO. 10-133

This report was prepared by Sean Phan and Gary Lam, Project Manager, Recreational and Cultural Facilities Program; Bureau of Engineering. Reviewed by Neil L. Drucker, Program Manager, Recreational and Cultural Facilities Program; Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and by Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

**GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK**

Bidder: Park West Landscape, Inc.

Bid Date: April 20, 2010

PROJECT: Delano Park – Synthetic Soccer Field (W.O. #E170483F)

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 <sup>st</sup> Floor, Los Angeles, Ca. 90015.	Did not submit sign in sheet with excuse letter per Section 18, item no. 2 of bid pkg.	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	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
<b>TOTAL POINTS ACHIEVED</b>			<b>90</b>	
<b>MBE/WBE % ACHIEVED:</b>			<b>0%</b>	

MBE= 0%      WBE= 0%      OBE= 57.60%      PRIME= 41.50%

**RESPONSIVE**

REPORT OF GENERAL MANAGER

NO. 10-134

DATE June 2, 2010

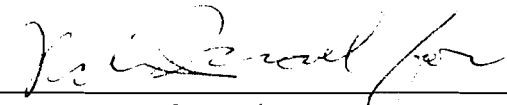
C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LINCOLN PARK – OUTDOOR FACILITIES REFURBISHMENT AND EROSION CONTROL PROJECT (W.O. #E170491F) – REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull PPD fu

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Find Simgel Co., Inc., with a base bid of \$396,000, to be the lowest responsive and responsible bidder for the Lincoln Park – Outdoor Facilities Refurbishment and Erosion Control (W.O. #E170491F) project;
2. Award the contract to Simgel Co., Inc., for a total contract amount of \$396,000, all according to the plans and specifications;
3. Authorize the Chief Accounting Employee to encumber \$396,000 in available funds from the following fund and account numbers under the awarding authority of this Board Report; and,

<u>Funding Source</u>	<u>Fund/Dept./Acct No.</u>	<u>Award Amount</u>
Proposition K – Yr 13	43K/10/ F262	<u>\$396,000</u>
Total Funding:		\$396,000

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-134

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

SUMMARY:

On March 3, 2010, the Board approved the final plans and call for bids for the Lincoln Park – Outdoor Facilities Refurbishment and Erosion Control (W.O. #E170491F) project, located at 3501 Valley Boulevard, Los Angeles, CA (Board Report No. 10-049). The project components include refurbishment of athletic and picnic facilities, roadways, erosion control and irrigation. Plans for this project were prepared by the Bureau of Engineering (BOE), Architectural Division.

On May 4, 2010, seven (7) bids were received for this project. The lowest responsive and responsible bidder was determined to be Simgel Co., Inc., with a base bid amount of \$396,000, which is \$204,000 below the City Engineer’s cost estimate of \$600,000. The bid amounts received are as follows:

Bidders	Base Bid
Simgel Co., Inc.	\$396,000.00
C.S. Legacy Construction, Inc.	\$400,586.00
Oceanstate Development, Inc.	\$433,000.00
Y&M Construction, Inc.	\$446,035.00
LSC Construction	\$489,752.08
E. Avico, Inc.	\$497,990.00
Landshapes	\$530,500.00

Oceanstate Development, Inc., filed a bid protest (Attachment A), claiming that the first bidder (Simgel Co., Inc.) did not list any suppliers or subcontractors; and that the second bidder, C.S. Legacy Construction, Inc., did not list any suppliers for the exercise equipment and park furnishings, or subcontractors at all, as required per Schedule “A” in the Bid Documents. The protest letter also claimed that since this information was not listed, it should not be counted towards the 50% required to be performed by the prime contractor, as required in Addendum #2 to the bid documents, therefore, both the first and second bidders should be deemed non-responsive and their bids be rejected. The bid documents required that the exercise equipment be from Greenfields Equipment.

Simgel Co., Inc. provided a response letter (Attachment B), in which an electronic mail (email) from the manufacturer states “Yes, a general contractor, in this case Simgel Co., Inc. can install the Greenfields Equipment, as in this particular case of Lincoln Park, a Greenfield representative will be present on site at the day of installation.”

REPORT OF GENERAL MANAGER

PG. 3 NO. 10-134

Therefore, as Simgel Co. Inc., or any other General Contractor can install the Greenfields Equipment, no installer needs to be specified. The Greenfields Equipment is specifically identified in the bid package, therefore, it does not need to be identified in Schedule "A". In addition, the City Attorney has previously opined that there is no legal reason that suppliers need to be identified in Schedule "A". Oceanstate's bid protest is determined to have no merit.

It is recommended that the project be awarded to Simgel Co., Inc. for a total construction contract amount of \$396,000. The available in the following account:

<u>Funding Source</u>	<u>Fund/Dept./Acct No.</u>	<u>Award Amount</u>
Proposition K – Yr 13	43K/10/ F262	<u>\$396,000</u>
Total Funding:		\$396,000

Staff has reviewed the subcontractor outreach effort made by Simgel Co., Inc. and based on the documents submitted, has determined that a "good faith" effort has been made. Simgel Co., Inc., satisfied 90 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 Simgel Co., Inc., on past Department projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance has indicated that there have been no labor compliance violations and that all other legal requirements have been complied with by the bidder.

The City Attorney and staff have reviewed the bid submitted by Simgel Co., Inc., and found it to be in order. Staff recommends that the Board find Simgel Co., Inc., to be the lowest responsive and responsible bidder.

Staff has determined that the project will consist of the construction and placement of new accessory structures including retaining walls and walkways, and minor alteration to the condition of the land, including grading on slopes less than 15% for the purpose of new gardening, tree planting, or landscaping. Therefore, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3 (6) Class 4 (1, 3) and 11 (3), of the CEQA Guidelines.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's General Fund as the project's construction costs will be fully funded by the above listed funding sources specifically identified and approved for this project. The assessments of the future operations and maintenance costs have yet to be determined and would be addressed in future budget requests.



REPORT OF GENERAL MANAGER

PG. 4            NO. 10-134

This report was prepared by Ray Araujo, Project Manager, Recreation and Cultural Facilities Program, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; Deborah Weintraub, 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 DRAFT WORK**

Bidder: Simgel Co. Inc. Bid Date: May 4, 2010

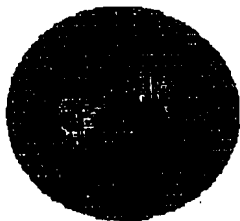
PROJECT: Lincoln Park Outdoor Facilities Refurbishment (W.O. #E170491F)

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 <sup>st</sup> Floor, Los Angeles, Ca. 90015.		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	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	10
<b>TOTAL POINTS ACHIEVED</b>			<b>90</b>	

**MBE/WBE % ACHIEVED: 0%**

MBE= 0%      WBE= 0%      OBE= 0%      PRIME= 100%

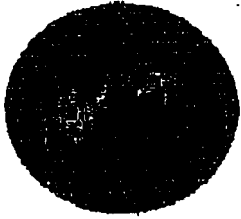
**RESPONSIVE**



# OCEANSTATE DEVELOPMENT, INC.

<b>FAX- URGENT</b>	
To: Mary E. Alvarez	Fax #: 213-202-2610
From: Rick A. Cardello	Date: 5/6/10
Re: Protest for Lincoln Park Bid	
Pages: 2	
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> As per your request	
Please see attached.	

3034 W. Main St.  
Alhambra CA 91802  
Phone: 626-293-8000 Fax: 626-293-8001



# OCEANSTATE DEVELOPMENT, INC.

## Protest

May 6, 2010

City of Los Angeles  
The Secretary of the Board  
Of Recreation and Parks Commissioners  
221 N. Figueroa St. Suite 1510  
Los Angeles CA 90012

RE: Lincoln Park, Bid May 4, 2010

On review of the low bid for Lincoln Park it is obvious that there are no supplier and or subcontractors listed for many trades. First bidder did not list any supplier or subcontractor at all, second bidder did not list any supplier for exercise equipment and park furnishing. As per plan, they are specifically called out naming the supplier for each product. ~~As per Schedule 2, all subcontractors and suppliers who will perform work are required to be listed.~~

It is our opinion that the cost of these should not be counted toward the 50 percent required by the prime contractor as per Addendum 2. Both bid 1 and bid 2 are non-responsive and should be rejected.

After we are allowed to review the complete bid packages for the first two bids, further protest maybe forth coming. Please review and respond.

Respectfully,

Rick A. Cardello  
President



# SIMGEL CO. INC.

General Building Contractor  
State License #638371

Date: May 12, 2010

Fax No. : 213-202-2610

Total pages: 4

To: The City of Los Angeles  
Recreation and Parks Commission Board Office  
221 North Figueroa Street , Room 1510  
Los Angeles , CA. 90012

BOARD OF RECREATION  
AND PARK COMMISSIONERS  
2010 MAY 12 PM 1:24

Attention: Ms. Mary Alvarez , Secretary of The Board

Ref.: Lincoln Park- Outdoor Facilities Refurbishment And Erosion Control Project  
W.O. # B 170491F

Dear Ms. Mary Alvarez ,

We have been notified that there is a protest against our Bid for the above project for not listing Suppliers and subcontractors working on the project.

Please take this letter as our respond for this protest.

On page 16 of the bid package ,states that :All Subcontractors and Suppliers who will DO WORK on this project valued in excess of one-half of one percent or \$10,000.00 whichever is grater , must be listed , regardless if they are MBE/WBE or not.

*(On page 16 doesn't say to mention suppliers who don't work on project( Bare supplier).*

There are some suppliers who work on site . For example : On Arroyo Seco Park Project , with The City of Los Angeles, Dep. Of Recreation and Parks ( Bided May 11/2010 ) the plans are asking for a Supplier for the Play Equipment ( from Landscape Structure) .This supplier has his own certified installers and no other company could install them. In this case we should list the Supplier .Or for example an Elevator company or Air conditioning supplier or equipment supplier who supplies and also is involved in work on site should be list the supplier because they DO WORK on site. They send they certified crew for installation work.

But for Lincoln Park Project the case is different. We discussed the installation of Exercise Equipment with the Supplier ( Greenfield Fitness ) before Bid and they confirmed that Simgel Co. Inc. as a General contractor can install the Equipment and Greenfield Fitness is only bare supplier and we don't need to list them. A copy of their confirmation is enclosed . This supplier is spelled out on the plans and we are obligated to use them and there is no option that we can introduce. There are always suppliers who

supply material or equipment and we never list them like: Concrete, Rocks , Base , Asphalt, Sand, Steel tubes, conduits, Concrete pull boxes , Blocks , Steel posts....etc. The exercise equipment will be sent to the site in a container ( purchased from Supplier) and will be assembled and installed by Singel Co. Inc. ( the general contractor )on site.

We have performed several projects successfully for The City of Los Angeles , Department of Recreation and Parks ( as mentioned in B Attachments City of Los Angeles responsibility Questionnaire ) Hanson Dam with Mr. Sam Vohra – Griffith Park Soccer Field Restroom Building with Mr. Richard Practor and Gary Hallajian – Venice Parking Lot and Wilshire – LaBrea Parking lots with Mr. Sam Agajanian ....etc. and we had never listed bare supplier in Schedule A. For Griffith park and Hanson Dam Park The plans have been asking for Concrete blocks from Angeles block or Concrete with special strength or roof panels from Specific supplier. We did get the contract and finished the project without listing suppliers who don't work on site. . We have to order the specified material or equipment then after approval submittal we can use it . That is what we did for these two Park Projects with the very same spec. for Lincoln Park. The purpose of this Schedule for listing supplier is for reaching the goal of MBE/WBE for supplier ½ of listed amount would be considered and for subcontractor %100 of amount.

Even the Labor Compliance is not considering the labors working on the Equipment or Supplier yard under converge of Prevailing wage and other City Labor codes , ordinances and requirements unless they work on site of project. So the definition of NO WORK ON PROJECT on page 16 means working on site project not the supplier's yard.

It is very standard practice not to list suppliers who don't work on project site. Greenfield Fitness is also a supplier who doesn't do work on project and don't need to be listed .

We have a background of 19 years work for public work agencies and successfully finished several projects for The City of Los Angeles ( Dep. Of Rec. and Park and Public Works) within the time and budget ,following all rules and regulations without getting even one Non-Compliance note or violation. We are also member of Concrete and labor Unions and we are pretty much qualified to perform this project with the best quality per plan and spec.

Sincerely  
Singel Co. Inc.  
Emanuel Sasonies ( President )



2010 MAY 12 PM 1:24

BOARD OF RECREATION  
AND PARK COMMISSIONERS

**SCHEDULE "A"  
SUBCONTRACTORS AND SUPPLIERS**

The Prime Contractor shall perform, with its own organization, Contract work amounting to at least 20 percent of the Base Bid Price, unless otherwise instructed.

PROJECT TITLE <i>Lincoln Park Outdoor Facility</i>		PROJECT No. <i>W.O.#E170491F</i>	NAME OF PERSON COMPLETING THIS FORM <i>Emmanuel SAsiones</i>		
BIDDER (NAME OF FIRM) <i>SIMGEL Co. Inc.</i>		ADDRESS / CITY / STATE / ZIP CODE <i>2035 Westwood Blvd #212 LA CA 90025</i>			
CONTRACTOR'S LICENSE NO. <i>63871</i>	LICENSE CATEGORIES <i>A, B, C8</i>	EXPIRATION DATE <i>2/29/2013</i>	YEARS IN BUSINESS <i>19</i>	TELEPHONE No. <i>310-475-7663</i> FAX No. <i>310-475-3831</i>	
Type of Ownership: <input type="checkbox"/> Sole Ownership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture		Is Bidder an MBE or WBE as defined in the MBE/WBE & Other Business Outreach Program? MINORITY Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> WOMEN Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			

**DOLLAR PARTICIPATION OF ALL SUBCONTRACTORS AND SUPPLIERS**

All subcontractors and suppliers who will do work on this project valued in excess of one-half of one percent or \$10,000.00 whichever is greater, must be listed, regardless if they are MBE/WBE or not. (Per Ordinance No. 150,595, Section 10.14 "Provisions Pertaining to Listing of Subcontractors Page 17").

DESCRIPTION OF BASE BID WORK TO BE PROVIDED DIRECTLY BY PRIME BIDDER: <i>Partial Demo - Grade, Concrete, Stone</i>	DOLLAR VALUE OF BASE BID TO BE PERFORMED BY PRIME BIDDER: <i>\$ 396,000.00</i>
---	---

SUBCONTRACTORS OR SUPPLIERS NAME, ADDRESS TELEPHONE NO.	SUB	SUPPLIER	CONTRACTOR LICENSE NO.	DESCRIPTION OF WORK OR SUPPLIES TO BE PROVIDED (*if supplying or subcontracting for add/deduct alternate items, please note herein)	MBE	WBE	DBE	DOLLAR VALUE OF SUBCONTRACTOR SUPPLIES (*note if add/deduct item)
	<input type="checkbox"/>	<input type="checkbox"/>						Base: \$ Add's: \$ Ded's: \$
	<input type="checkbox"/>	<input type="checkbox"/>						Base: \$ Add's: \$ Ded's: \$
	<input type="checkbox"/>	<input type="checkbox"/>						Base: \$ Add's: \$ Ded's: \$

CONTINUED ON NEXT PAGE

**PERCENTAGE OF MBE/WBE PARTICIPATION**

Total combined dollar value of MBE/WBE subcontractors and suppliers portions of work. Do not include prime bidder's portion unless it is a Joint Venture, in which case the value of work to be performed by one of the Joint Venturer's who is an MBE or a WBE may be included.

TOTAL MBE'S / MOUNT: \$ 0.00 = 0.00 %

BASE BID AMOUNT: 396,000.00

TOTAL WBE'S / MOUNT: \$ 0.00 = 0.00 %

BASE BID AMOUNT: 396,000.00

*Emmanuel SAsiones*  
Signature of Person Completing Form

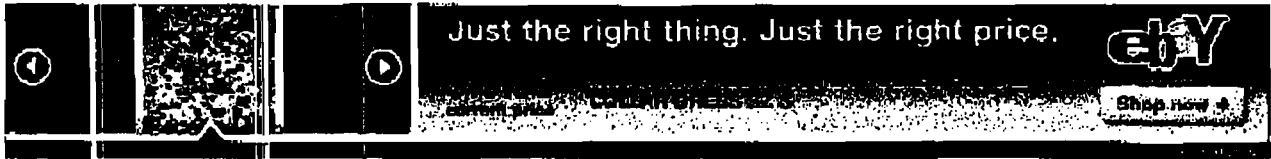
*President* Title      *4/27/10* Date

BOARD OF RECREATION AND PARK COMMISSIONERS  
11:24

Hi, Singel | Sign Out | All New Mail | Help

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**E** Get Debt Wise from Equifax

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- Folders [A-Z]
- Inbox (81)
- Drafts (49)
- Sent
- Spam (210) [Empty]
- Trash [Empty]
- My Photos
- My Attachments

Re:

Tuesday, May 11, 2010 12:20 PM

From: "Sam Mendelsohn" <Sam@Greenfieldsfitness.com>  
To: "Emanuel Sasoones" <simgelcompany@yahoo.com>

Emanuel

Yes, a general contractor, in this case Singel Co. Inc. can install the Greenfields Equipment, as in this particular case of Lincoln Park, a Greenfields representative will be present on site at the day of installation.

Thank you

Sam

On Tue, May 11, 2010 at 11:02 AM, Emanuel Sasoones <simgelcompany@yahoo.com> wrote:

Sam,

Please confirm, as we discussed over the phone before the bid date as well, that Singel Co. Inc., as a general contractor, can install the exercise equipment ourselves. This is a formality that the City wants to make sure that we can install them ourselves since we did not list an installer as a subcontractor.

Truly

Emanuel Sasoones  
Singel Co. Inc.

— On Tue, 5/4/10, Sam Mendelsohn <Sam@Greenfieldsfitness.com> wrote:

From: Sam Mendelsohn <Sam@Greenfieldsfitness.com>  
Subject: Re:  
To: sasoones@sbcglobal.net  
Date: Tuesday, May 4, 2010, 12:31 PM

Here you go.

Thank you

Sam Mendelsohn

**Bed & Breakfast package**  
from Doubletree Hotels

Breakfast for up to 2 adults & 2 children

BOARD OF RECREATION AND PARK COMMISSIONERS  
2010 MAY 12 PM 1:24



REPORT OF GENERAL MANAGER

NO. 10-135

DATE June 2, 2010

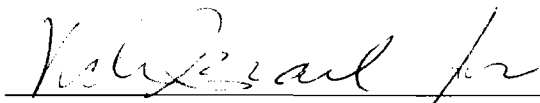
C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ORO VISTA PARK - PARK DEVELOPMENT (W.O. #E170480F) - REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull 7/10/10

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Find Maccor Construction, to be non-responsive to the bid requirement by failing to achieve a minimum "good faith" effort (GFE) evaluation score of 75 points;
2. Find E. Avico Inc., with a base bid of \$226,418.93, to be the lowest responsive and responsible bidder for the Oro Vista Park - Park Development (W.O. #E170480F) project;
3. Award the contract including Additive Alternates No. 1 and No. 2 in the amounts of \$37,856 and \$12,096 respectively, resulting in a total award amount of \$276,370.93 to E. Avico Inc., all according to the plans and specifications; and ,
4. Authorize the Chief Accounting Employee to encumber \$ 276,370.93 in available funds from the following fund and account number under the awarding authority of this Board Report;

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT</u>	<u>ENCUMBERANCE AMOUNT</u>
Proposition K - Yr 13	43K/10/F478	\$ 276,370.93

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

## REPORT OF GENERAL MANAGER

PG. 2

NO. 10-135

### SUMMARY:

On April 7, 2010, the Board of Recreation and Parks approved the final plans and call for bids for the Oro Vista Park - Park Development (W.O. #E170480F) project, located at 11101 North Oro Vista Avenue, Sunland, CA 91040 (Board Report No. 10-066). The Department of Public Works, Bureau of Engineering staff prepared plans for this project, and the City Engineer's estimate for the construction cost of the base bid for this project is \$ 280,000.

The following is a general list of the improvements that are to be completed:

1. Construction of an equestrian and trail staging area with permeable surface parking for cars and horse trailers.
2. Landscape with native plants appropriate to the location, including a demonstration garden.
3. Picnic tables and, if funding permits, a shade structure.
4. Amenities for equestrians.
5. Trails linking to existing hiking and riding trails.

The demolition of the residential structure formerly located on site was completed by the Department of General Services in 2009. The following improvements were included in the bid as additive alternates in order to gain flexibility in providing the maximum scope possible with the available funding.

### ADDITIVE ALTERNATES

Additive Alternate No. 1 - Planting and irrigation in the demonstration garden.

Additive Alternate No. 2 - Information signs in the demonstration garden.

Additive Alternate No. 3 - Shade Structure.

Additive Alternate No. 4 - Entry Pilaster.

Additive Alternate No. 5 - Grubbing and clearing of the natural paths.

On May 11, 2010, eight (8) bids were received for this project. The bid amounts received are as follows:

REPORT OF GENERAL MANAGER

PG. 3 NO. 10-135

Bidders	Bid Amount	Bid Add. Alt. #1	Bid Add. Alt. #2	Bid Add. Alt. #3	Bid Add. Alt. #4	Bid Add. Alt.#5
Maccor Construction	\$176,000	\$17,000	\$10,000	\$18,000	\$5,000	\$12,000
E. Avico Inc.	\$226,418.93	\$37,856	\$12,096	\$20,048	\$10,080	\$47,600
K & H Construction Inc.	\$247,905	\$32,361	\$7,576	\$36,458	\$6,825	\$15,240
Oceanstate Development, Inc.	\$258,000	\$22,000	\$5,000	\$20,000	\$10,000	\$12,500
C.S. Legacy Construction Inc.	\$258,710	\$8,803	\$9,680	\$30,798	\$5,957	\$34,610
KASA Construction, Inc.	\$259,000	\$17,000	\$12,000	\$26,000	\$7,000	\$12,000
Vincor Construction, Inc.	\$286,000	\$190,000	\$3,200	\$28,000	\$10,500	\$7,200
Y & M Construction, Inc.	\$298,700	\$13,000	\$15,000	\$21,000	\$5,000	\$32,700

The Bid Documents indicated that the bid would be awarded to the lowest responsive and responsible bidder based on the base bid submitted.

The first apparent low bidder, Maccor Construction, received a score of only 36 out of 100 GFE evaluation points based on the documentation they submitted; therefore, their bid is Non-Responsive for failing to achieve a minimum “good faith” effort (GFE) evaluation score of 75 points.

The lowest responsive and responsible bidder is E. Avico Inc., with a base bid amount of \$226,418.93. Staff has reviewed the subcontractor outreach effort made by E. Avico Inc, and based on the documents submitted, has determined that a “good faith” effort has been made. E. Avico Inc., satisfied 90 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. E. Avico Inc. is therefore deemed responsive. The outreach document package is on file in the Board Office, and a synopsis of the said package is attached.

The City Attorney has reviewed the bid submitted by E. Avico Inc., and found it to be in order.

Since the base bid submitted by E. Avico Inc. is below the City Engineer’s estimate and funding is available, staff is recommending exercising Additive Alternate No.1 in the amount of \$37,856 and Additive Alternate No. 2 in the amount of \$12,096, for a total contract amount \$276,370.93.

Sufficient funds are available to award the contract and for project contingencies from the following fund sources.

REPORT OF GENERAL MANAGER

PG. 4                      NO. 10-135

<u>Funding Source</u>	<u>Fund/Dept./Acct. No.</u>
Proposition K – Yr 13	43K/10/F478
RAP*	205/88/EM06

\* Transfer from CD 2 via Council Action under Council File 09-1148

Staff reviewed the responsiveness and work performance of E. Avico Inc. and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance, has indicated that there have been no labor compliance violations and that all other legal requirements have been complied with by the bidder.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements will not have a significant impact on the environment. This project has been determined to be Categorical Exempt per City CEQA Guidelines Article III, Section 1a, Class 1(11) (existing facilities) and Class 11(2, 3) (accessory structures). A Notice of Exemption was filed with the Los Angeles City Clerk's Office on July 11, 2008, and posted by the County Clerk's Office on July 11, 2008.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's General Fund as the project's construction costs will be fully funded by the above listed funding sources specifically identified and approved for this project. The assessments of the future operations and maintenance costs have yet to be determined and would be addressed in future budget requests.

This report was prepared by Jaime Contreras, Project Manager, Recreational and Cultural Facilities Program, BOE. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

**GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK**

Bidder: E. Avico Inc.

Bid Date: May 11, 2010

PROJECT: Oro Vista Park-Park Development (W.O. # E170480F)

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	
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 <sup>st</sup> 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	0
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
<b>TOTAL POINTS ACHIEVED</b>			<b>90</b>	

**MBE/WBE % ACHIEVED: 0%**

MBE= 0%

WBE=0%

OBE= 30.03%

PRIME=69.96%

**RESPONSIVE**

**GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK**

Bidder: MACCOR Construction, Inc.

Bid Date: May 11, 2010

PROJECT: Oro Vista Park-Park Development (W.O. # E170480F)

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	
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 <sup>st</sup> Floor, Los Angeles, Ca. 90015.		10	0
3 Work Areas	Proof of this must be demonstrated in either Indicator 4 or 5.		13	0
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	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	0
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	0
<b>TOTAL POINTS ACHIEVED</b>			<b>36</b>	

**MBE/WBE % ACHIEVED: 6%**

MBE= 0%      WBE= 6%      OBE= 50%      PRIME=64%

**Non-Responsive**

REPORT OF GENERAL MANAGER

NO. 10-136

DATE June 2, 2010

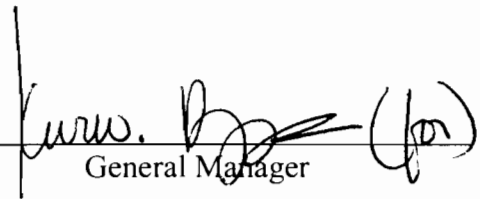
C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RESEDA PARK - LAKE REHABILITATION PROJECT (W.O. #PRJ1200K) - REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull msf

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Find Metro Builders and Engineers Group Ltd., with a base bid of \$721,711 to be the lowest responsive and responsible bidder for the Reseda Park - Lake Rehabilitation Project (W.O. #PRJ1200K);
2. Award the contract to Metro Builders and Engineers Group Ltd., for a total contract amount of \$721,711 all according to plans and specifications;
3. Authorize the Chief Accounting Employee to encumber funds in the amount of \$721,711 from the following fund and account number under the awarding authority of this Board Report; and,

<u>Funding Source</u>	<u>Fund/Dept./Acct. No.</u>	<u>Encumbrance Amount</u>
Proposition 40 Specified	205/89/YX08	\$721,711

4. Direct Staff to prepare a contract for the Reseda Park – Lake Rehabilitation Project (W.O. #PRJ1200K) and authorize the Board President and Secretary to execute the contract, subject to City Attorney approval as to form.

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-136

SUMMARY:

On January 20, 2010, the Board approved final plans and call for bids for the Reseda Park – Lake Rehabilitation Project (W.O. #PRJ1200K) located at 18411 Victory Boulevard, Reseda, CA 91335 (Board Report No. 10-018). Plans for this project were prepared by the Department of Recreation and Parks’ consultant, URS Corporation with an estimate of \$625,000. The project scope of work consists of draining of the lake and removal of bottom sediments, installation of new lake filtration and aeration system, construction of new skimming weir system, refurbishment of existing water fountain nozzles on the lake island, construction of new lake drain vault and maintenance hole, construction of new gravity flow sewer line connection from existing wet wells to existing sewer line in Reseda Boulevard, and installation of new floating islands within the lake.

On April 13, 2010, three bids were received for this project. The lowest responsive and responsible bidder is Metro Builders and Engineers Group Ltd., with a bid amount of \$721,711, which is \$96,711 over the City’s cost estimate of \$625,000. The following three bids were received:

<u>Bidder</u>	<u>Bid Amount</u>
Metro Builders and Engineers Group, Ltd.,	\$721,711
West Valley Investment Group	\$794,000
PPC Construction, Inc.	\$849,180

Metro Builders and Engineers Group, Ltd., submitted the lowest base bid as shown above.

There are funds currently available to award the contract for this project in the following account:

<u>Funding Source</u>	<u>Fund/Dept./Acct. No.</u>	<u>Encumbrance Amount</u>
Proposition 40 Specified	205/89/YX08	\$721,711 <sup>(1)</sup>

NOTE: <sup>(1)</sup> Funds will be cash flowed from the Proposition 12/40 Cash Flow Account and reimbursed by the State.

Staff has reviewed the outreach effort made by Metro Builders and Engineers Group Ltd., and, based on the documents submitted, has determined that a “good faith” effort has been made. The contractor obtained a MBE/WBE participation of 0% and satisfied 100 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.



## REPORT OF GENERAL MANAGER

PG. 3                      NO. 10-136

The City Attorney and staff have reviewed the bid submitted by Metro Builders and Engineers Group, Ltd., and found it to be in order. Staff recommends that the Board find Metro Builders and Engineers Group, Ltd., to be the lowest responsive and responsible bidder.

Staff reviewed the responsiveness and work performance of Metro Builders and Engineers Group, Ltd., 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 complied with by the bidder.

Staff has determined that implementation of the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (1, 4, 11), Class 3 (4,5), Class 4 (3) and Class 11 (1,6) of the City CEQA Guidelines.

### FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's General Fund for the construction of this project. The assessments of the future operations and maintenance costs have yet to be determined.

This report was prepared by Alice Gong, Project Manager, Department of Public Works, Bureau of Sanitation, and reviewed by David Attaway, Environmental Section Manager, Department of Recreation and Parks and by Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

**GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK**

Bidder: Metro Builders and Engineers Group, Ltd.

Bid Date: April 13, 2010

PROJECT: Reseda Park Lake Rehabilitation Project (W.O. #E1907353/ PROJ. #PRJ1200K)

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 <sup>st</sup> 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
<b>TOTAL POINTS ACHIEVED</b>			<b>100</b>	

**MBE/WBE % ACHIEVED: 0%**

MBE= 0%      WBE= 0%      OBE= 68.38%      PRIME= 32.00%

**RESPONSIVE**

REPORT OF GENERAL MANAGER

NO. 10-137

DATE June 2, 2010

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BRANFORD RECREATION CENTER - OUTDOOR REFURBISHMENT (W.O. #E170236F) PROJECT - MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING, AND THE DEPARTMENT OF GENERAL SERVICES

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull *M. Shull*

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD), to provide for construction services for the Branford Recreation Center - Outdoor Refurbishment (W.O. #E170236F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department's Chief Accounting Employee, subject to City Council and Mayor approval, to request the City Administrative Office (CAO) to include in the CAO report to the City Council a recommendation that the following appropriations, in the amount of \$715,000 be approved for the construction of the Branford Recreation Center - Outdoor Refurbishment (W.O. #E170236F) project;

REPORT OF GENERAL MANAGER

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From:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ ACCOUNT. NO.</u>	<u>APPROPRIATED AMOUNT</u>
Proposition K YR 13	43K/10/F246	<u>\$715,000</u>
Total		<u>\$715,000</u>

To:

GSD Account F140, and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 50,000
1101 – Hiring Hall Salaries	\$200,000
1121 – Hiring Hall Fringe Benefits	\$ 80,000
3180 – Construction Materials and Supplies	<u>\$385,000</u>
TOTAL	<u>\$715,000</u>

and transfer cash to GSD on an as-needed-basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for review and approval as to form; and,
4. Authorize the General Manager to execute the proposed MOU prior to June 30, 2010, subsequent to approval of the City Attorney as to form.

SUMMARY:

The Branford Recreation Center is located at 13306 Branford Street, Arleta, CA 91331. The proposed improvements include refurbishment of four baseball diamonds, repaving of the parking lot and walkway, and improvement of irrigation systems. In addition, the drinking water fountain will be replaced.

The Branford Recreation Center - Outdoor Refurbishment (W.O. #E170236F) project is a Proposition K specified project. The project was initially funded for construction in Proposition K Year 13 (2009-2010). Due to the suspension of the State grant funds because of the State's cash flow problems, a number of Proposition K projects funded in the current year with State grants funding had to be placed on hold, and the Proposition K funds had to be reprogrammed to a future year. The project design is nearing completion and the project therefore would have been scheduled

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to go out to bid in the next fiscal year. Since additional projects had to be programmed to the current fiscal year and the Branford Recreation Center - Outdoor Refurbishment (W.O. #E170236F) project is close to being ready for construction, Proposition K fund will be programmed to this project in the current fiscal year to avoid permanent loss of the Proposition K funding.

Due to the reprogramming of Proposition K funds to the current fiscal year, the project must now have the construction contract awarded before the end of the current Fiscal Year 2009-2010 (by June 30, 2010). There is now insufficient time remaining to proceed through the normal bid and award process. In order to meet the construction award schedule without losing the Proposition K funding, it is recommended that GSD be selected to construct the project, in accordance with Section 22.535(a)(5) of the Los Angeles Administrative Code.

Approved project funds are available for the construction work in the following fund and accounts:

<u>FUNDING SOURCES</u>	<u>FUND/DEPT./ACCOUNT NO.</u>	<u>APPROPRIATED AMOUNT</u>
Proposition K - YR 13	43K/10/F246	\$ 715,000
Total		\$ 715,000

The Proposition K funds needed to complete construction will be appropriated to GSD upon Council approval. The funds will be transferred to GSD from the Proposition K account on an as-needed-basis, upon receipt and approval of the expenditure reports submitted by GSD.

Upon execution of the MOU and approval of the fund appropriation and transfer to GSD Accounts, GSD will begin work immediately. Completion of construction is estimated to take one hundred eighty (180) calendar days.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements refurbishment of exiting park facilities and will not have any significant impact on the environment. The project has been determined to be Categorically Exempt pursuant to Article III, Section 1(a), Class 1(1) of the City CEQA Guidelines.

FISCAL IMPACT STATEMENT:

Adequate funds for the proposed construction project are available, therefore, no fiscal impact to the Departmental of Recreation and Parks General Funds is anticipated. The assessment of the future operations and maintenance cost has yet to be determined.

## REPORT OF GENERAL MANAGER

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

REPORT OF GENERAL MANAGER

NO. 10-138

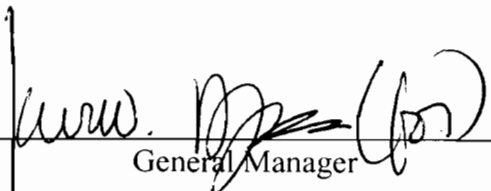
DATE June 2, 2010

C.D. 1 and 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ELYSIAN PARK – IMPROVEMENTS TO ATHLETIC FIELDS AND TRAILS, ROAD REFURBISHMENT, LIGHTING AND RESTROOMS (W.O. #E170199F) – MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING AND THE DEPARTMENT OF GENERAL SERVICES

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	
V. Israel	_____		

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) to provide construction services for the Elysian Park – Improvements to Athletic Fields and Trails, Road Refurbishment, Lighting, and Restrooms (W.O. #170199F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department’s Chief Accounting employee, subject to Mayor and City Council Approval, to request the City Administrative Officer (CAO) to include in the CAO report to the City Council that a transfer of the following appropriation, in the amount of \$800,000 be approved for the construction of the Elysian Park – Improvements to Athletic Fields and Trails, Road Refurbishment, Lighting, and Restrooms (W.O. #E170199F) project;

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10- 138

From:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT NO.</u>	<u>APPROPRIATION AMOUNT</u>
Proposition K Yr 13 <sup>(1)</sup>	43K/10/F231	\$ 400,000
Proposition K Yr 14 <sup>(1)</sup>	43K/10/TBD	\$ 100,000
Proposition K Yr 15 <sup>(1)</sup>	43K/10/TBD	<u>\$ 300,000</u>
Total:		\$ 800,000

Notes:

<sup>(1)</sup> Availability of funds pending approval by the City Council of the Engineer's Report for Fiscal Year 2010-11, which includes reprogramming and inflation of Proposition K funds for this project.

To:

GSD Account F140 and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 75,000
1101 – Hiring Hall Salaries	\$250,000
1121 – Hiring Hall Fringe Benefits	\$100,000
3180 – Construction Materials and Supplies	<u>\$375,000</u>
Total	\$800,000

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for expedited review and approval as to form; and,
4. Authorize the General Manager to execute the MOU prior to June 30, 2010, subsequent to the approval of the City Attorney as to form.

SUMMARY:

Elysian Park is located at 835 Academy Road, Los Angeles, California 90012. The project will repair and upgrade restrooms, improve athletic fields, reconstruct and restore trails and roads.



## REPORT OF GENERAL MANAGER

PG. 3                      NO. 10-138

The deteriorated restroom structure and plumbing fixtures will be reconstructed and brought up to current building codes. The athletic fields will be repaired to improve drainage, irrigation, and field grass. The access road pavement will be repaired and repaved to enhance drainage. The eroded trails will be reconstructed and any overgrown vegetation blocking the path will be cleared out.

The Elysian Park – Improvements to Athletic Fields and Trails, Road Refurbishment, Lighting, and Restrooms (W.O. #170199F) project is a Proposition K specified project. The project was initially funded for construction in Proposition K Year 13 (2009-2010). Due to the suspension of the State grant funds because of the State's cash flow problems, a number of Proposition K projects funded in the current year with State grants funding had to be placed on hold, and the Proposition K funds had to be reprogrammed to a future year. The Elysian Park project design is complete and the project was originally scheduled to go out to bid in the next fiscal year. Since additional projects had to be programmed to the current fiscal year and the Elysian Park project is ready for construction, Proposition K funds were programmed to this project in the current fiscal year to avoid permanent loss of the Proposition K funding.

Due to the reprogramming of Proposition K funds to the current fiscal year, the project must now have the construction contract awarded before the end of the current Fiscal Year 2009-2010 (i.e. by June 30, 2010). There is now insufficient time remaining to proceed through the normal bid and award process. In order to meet the construction award schedule without losing the Proposition K funding, it is recommended that GSD be selected to construct the project, in accordance with Section 22.535(a) (5) of the Los Angeles Administrative Code.

GSD has not prepared a construction cost estimate for the project. The BOE construction cost estimate for the project is \$650,000. A construction contingency in the amount of \$150,000 is also being recommended for appropriation to GSD, however, use of the contingency will require advance written approval by the BOE Project Manager or his designated representative. Upon approval of the Board and the City Council, a total of \$800,000 from Proposition K funds will be requested for appropriation to GSD.

Upon execution of the MOU and the approval of the fund appropriation and transfer to GSD accounts, GSD will begin work immediately. Completion of construction is estimated to take three hundred sixty-five (365) calendar days.

In accordance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements to athletic fields and trails, roadways, lighting, and restrooms will not have any significant impact on the environment. The project has been determined to be Categorically Exempt pursuant to Article III, Section 1(a)(1), Class 1, Category 1 of the City CEQA Guidelines.

## REPORT OF GENERAL MANAGER

PG. 4

NO. 10-138

Council Districts 1 and 13, the Park Rangers and Metro Region staff support the recommendations as set forth in this report.

### FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund, however, future operations and maintenance costs will be included in future Department budget requests.

This Board Report was prepared by Shashi Bhakta, Recreational and Cultural Facilities Program, Bureau of Engineering, and reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Development Division, Department of Recreation and Parks.

REPORT OF GENERAL MANAGER

NO. 10-139

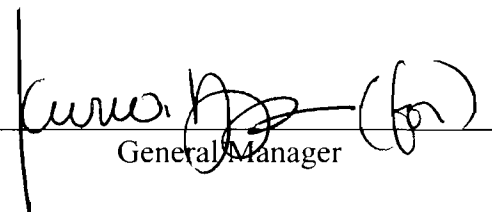
DATE JUNE 2, 2010

C.D. 5

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: POINSETTIA RECREATION CENTER – PHASE I BUILDING AND LANDSCAPE REFURBISHMENT PROJECT (W.O. #E170265F) – MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING AND THE DEPARTMENT OF GENERAL SERVICES

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>mf</u>
V. Israel	_____		

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) to provide construction services for the Poinsettia Recreation Center – Phase I Building and Landscape Refurbishment (W.O. #170265F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department’s Chief Accounting employee, subject to Mayor and City Council Approval, to request the City Administrative Officer (CAO) to include in the CAO report to the City Council that a transfer of the following appropriation, in the amount of \$607,750, be approved for the construction of the Poinsettia Recreation Center - Phase I Building and Landscape Refurbishment (W.O. #170265F) project:

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-139

From:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT NO.</u>	<u>APPROPRIATION AMOUNT</u>
Proposition K – Year 13	43K/10/F219	\$150,000
Proposition K – Year 14 <sup>(1)</sup>	43K/10/TBD	\$100,000
Proposition K – Year 15 <sup>(1)</sup>	43K/10/TBD	\$100,000
Proposition K – Year 16 <sup>(1)</sup>	43K/10/TBD	<u>\$257,750</u>
Total:		<u>\$607,750</u>

Notes:

<sup>(1)</sup> Availability of funds pending approval by the City Council of the Engineer's Report for Fiscal Year 2010-11, which includes reprogramming of Proposition K funds for this project.

To:

GSD Account F140 and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 61,000
1101 – Hiring Hall Salaries	\$125,000
1121 – Hiring Hall Fringe Benefits	\$ 50,000
3180 – Construction Materials and Supplies	<u>\$371,750</u>
Total	<u>\$ 607,750</u>

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for expedited review and approval as to form; and,
4. Authorize the General Manager to execute the MOU prior to June 30, 2010, subsequent to the approval of the City Attorney as to form.

SUMMARY:

The Poinsettia Recreation Center is located at 7341 Willoughby Avenue, Los Angeles, CA 90046 within Council District 5. The recreation center is highly utilized by the community and hosts a variety of recreational features such as indoor and outdoor basketball courts, tennis courts, handball courts, an indoor gym, a children's play area, baseball fields, and a multi-purpose athletic field.

## REPORT OF GENERAL MANAGER

PG. 3                      NO. 10-139

The proposed project's scope of work will make general building and landscape refurbishments to add to and improve upon the features of the recreation center. Specifically, the project's scope of work entails the construction of an enclosure for the existing patio area at the recreation center to create a new community room, the re-modeling of the men and women's restrooms to add partitions, the replacement of the indoor gymnasium flooring, and the replacement of the existing basketball backboards and rims with new backboards and rims. The landscape refurbishment work includes the re-grading of the existing athletic field to smooth out the grade, the installation of a "smart" irrigation system, the replacement of the rotted wooden bleachers with new permanent aluminum bleachers, and the installation of shade paneling at the dugouts.

Due to the reprogramming of Proposition K funds to the current fiscal year, the project must now have the construction contract awarded prior to the end of the current Fiscal Year 2009-10 (by June 30, 2010). There is now insufficient time remaining to proceed through the normal bid and award process. In order to meet the construction award schedule without permanently losing the Proposition K funding for this project or any other purpose, it is recommended that GSD be selected to construct the project, in accordance with Section 22.535(a) (5) of the Los Angeles Administrative Code.

GSD has not prepared a construction cost estimate for the project. The BOE total construction cost estimate for the projects is \$552,500. A construction contingency, in the amount of \$55,250, is also being recommended for appropriation to GSD, however, use of the contingency will require advance written approval by the BOE Project Manager or his designated representative. Upon approval of the Board and the City Council, a total of \$607,750 from Proposition K funds will be requested for appropriation to GSD.

Upon execution of the MOU and the approval of the fund appropriation and transfer to GSD accounts, GSD will begin work upon the issuance of a Notice-to-Proceed (NTP) for the project. Completion of construction is estimated to take two hundred seventy (270) calendar days for the project.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the proposed project has been determined to be categorically exempt pursuant to Article III, Section 1, Class 1(5), Class 4(3), Class 11(3), and Class 16(1) of the City CEQA Guidelines.

Council District 5 and the Metro Region staff support the recommendations as set forth in this report.

REPORT OF GENERAL MANAGER

PG. 4            NO. 10-139

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund, however, future operations and maintenance costs will be included in future Department budget requests.

This Board Report was prepared by Gary Lam, Project Manager, Recreational and Cultural Facilities Program, Bureau of Engineering. Reviewed by Neil L. Drucker, Program Manager, Recreational and Cultural Facilities Program; Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

REPORT OF GENERAL MANAGER

NO. 10-140

DATE June 2, 2010

C.D. 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TOMMY LASORDA FIELD OF DREAMS - IMPROVEMENTS TO ATHLETIC FIELDS, FIELD HOUSE AND RESTROOMS (W.O. #E170346F) - MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING AND THE DEPARTMENT OF GENERAL SERVICES

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
\*M. Shull *ms*

*[Signature]*  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) to provide construction services for the Tommy Lasorda Field Of Dreams - Improvements to Athletic Fields, Field House And Restrooms (W.O. #E170346F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department's Chief Accounting employee, subject to Mayor and City Council Approval, to request the City Administrative Officer (CAO) to include in the CAO report to the City Council that a transfer of the following appropriation, in the amount of \$950,000, be approved for the construction of the Tommy Lasorda Field Of Dreams - Improvements to Athletic Fields, Field House And Restrooms (W.O. #E170346F) project;

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-140

From:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT NO.</u>	<u>APPROPRIATED AMOUNT</u>
Proposition K Year 13 <sup>(1)</sup>	43K/10/F860	<u>\$ 950,000</u>
Total:		<u>\$ 950,000</u>

Notes:

<sup>(1)</sup> Availability of funds pending approval by the City Council of the Engineer's Report for Fiscal Year 2010-11, which includes reprogramming of Proposition K funds for this project.

To:

GSD Account F140 and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 50,000
1101 – Hiring Hall Salaries	\$300,000
1121 – Hiring Hall Fringe Benefits	\$120,000
3180 – Construction Materials and Supplies	<u>\$480,000</u>
Total:	<u>\$950,000</u>

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for expedited review and approval as to form; and
4. Authorize the General Manager to execute the MOU prior to June 30, 2010, subsequent to the approval of the City Attorney as to form.

SUMMARY:

The Tommy Lasorda Field of Dreams is located at 1900 North Waterloo Street, Los Angeles, California 90039. This project will replace the portable restroom with new male and female restrooms conforming to ADA standards. The storage bin will be replaced with a field house, and improvements will be made to the athletic fields.

The Tommy Lasorda Field Of Dreams - Improvements to Athletic Fields, Field House and Restrooms (W.O. #E170346F) project is a Proposition K specified project. The project was initially funded for construction in Proposition K Year 13 (2009-2010). Due to the suspension of the State grant funds because of the State's cash flow problems, a number of Proposition K



## REPORT OF GENERAL MANAGER

PG. 3                      NO. 10-140

projects funded in the current year with State grants funding, including this one, had to be placed on hold, and the Proposition K funds had to be reprogrammed to a future year. Also, the land is owned by the California Department of Transportation and leased by the City of Los Angeles. The renewal of lease by the agencies required an extended period of time which contributed to the reprogramming of this project. The project design is nearing completion and the project therefore would have been scheduled to go out to bid in the next fiscal year. Since additional projects had to be programmed to the current fiscal year and the Tommy Lasorda Field of Dreams is close to being ready for construction, Proposition K funds will be programmed to this project in the current fiscal year to avoid permanent loss of the Proposition K funding.

Due to the reprogramming of Proposition K funds to the current fiscal year, the project must now have the construction contract awarded before the end of the current Fiscal Year 2009-2010 (by June 30, 2010). There is now insufficient time remaining to proceed through the normal bid and award process. In order to meet the construction award schedule without losing the Proposition K funding, it is recommended that GSD be selected to construct the project, in accordance with Section 22.535(a) (5) of the Los Angeles Administrative Code.

GSD has not prepared a construction cost estimate for the project. The BOE construction cost estimate for the project is \$770,000. A construction contingency in the amount of \$180,000 is also being recommended for appropriation to GSD, however, use of the contingency will require advance written approval by the BOE Project Manager or his designated representative. Upon approval of the Board and the City Council, a total of \$950,000 from Proposition K funds will be requested for appropriation to GSD.

Upon execution of the MOU and the approval of the fund appropriation and transfer to GSD accounts, GSD will begin work immediately. Completion of construction is estimated to take three hundred sixty-five (365) calendar days.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed project will consist of the construction of a new restroom that is accessory to an existing park and will not have any significant impact on the environment. The project is therefore Categorically Exempt under CEQA pursuant to Article III, Section 1(k)(3), Class 11(3) of the City CEQA Guidelines.

Council District 13, the Central Region staff, and the Park Rangers support the recommendations as set forth in this report.

REPORT OF GENERAL MANAGER

PG. 4            NO. 10-140

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund, however, future operations and maintenance costs will be included in future Department budget requests.

This Board Report was prepared by Shashi Bhakta, Project Manager, Recreational and Cultural Facilities Program, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

REPORT OF GENERAL MANAGER

NO. 10-141

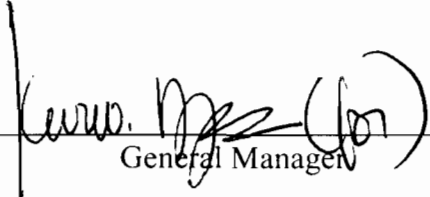
DATE June 2, 2010

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RESCISSION OF AWARDS TO CONTRACTORS FOR PROPOSITION K PROJECTS AND AUTHORIZATION TO THE GENERAL MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE DEPARTMENT OF GENERAL SERVICES, AND THE BUREAU OF ENGINEERING FOR PROPOSITION K WORK AS NEEDED TO OBLIGATE FUNDS BEFORE JUNE 30, 2010

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

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

- I. Authorize the General Manager to rescind the award of any construction contract awarded during the remainder of this fiscal year, funded in whole or in part by Proposition K, if the contractor has not executed a written contract with the City, and provided the required payment and performance bonds and proof of adequate insurance coverage, within ten days of the contract and bond forms being delivered to the contractor, but in no event later than June 25, 2010; and,
  
2. After rescission of any such award, authorize the General Manager to execute a Memorandum of Understanding (MOU) by June 30, 2010, for the construction of that project with the Department of General Services (GSD) for construction services and with the Bureau of Engineering (BOE) for construction management, substantially in the form on file in the Board Office in each case to incorporate the scope of the project from the contract for which the award has been rescinded, subject to the approval of the City Attorney as to form.

## REPORT OF GENERAL MANAGER

PG 2

NO. 10-141

### SUMMARY:

Proposition K is a City of Los Angeles approved proposition which assesses owners of residential properties \$25,000,000 per year for thirty years to be spent on park improvement projects. One significant condition of this funding requires that money for project construction identified in a particular fiscal year must be obligated by way of an executed contract, prior to the end of the fiscal year. The current fiscal year ends June 30, 2010. If all of the funds are not obligated prior to June 30, 2010, the assessment must be reduced by the amount not obligated, and these funds will be forever lost to the City for any purpose.

In June 2010, the Board of Recreation and Park Commissioners will vote to award five (5) Proposition K funded construction projects to the lowest responsible and responsive bidder. Per the bid document, the General Contractor will be required to provide the Department with payment and performance bonds, proof of insurance and appropriate licensing, and to execute the contract between the City and the General Contractor for the work within ten (10) days of receipt of the contract and bond forms from the Board Secretary.

If the General Contractor(s) awarded any of the five (5) Proposition K projects are unable to obtain and provide the City with the necessary payment and performance bonds, and insurance and to execute the contract, within the ten (10) days allotted for this effort, but in no event later than June 25, 2010, there would be insufficient time for another Board meeting to be held to rescind the award and award the contract to another entity.

As a result, the Department believes that a contingency plan is necessary in the unlikely event that any of the General Contractors are unable to timely execute their respective Contract Agreements. The proposed contingency plan consists of authorizing the General Manager to execute a MOU between RAP, BOE and GSD, which would formally obligate the funds and transfer construction of the project to GSD, whose construction division has successfully completed many projects of varying scope for RAP and is authorized to do so by Los Angeles Administrative Code Section 22.535(a)(5).

A sample MOU is provided as Attachment A and a list of the Proposition K Projects, which remain unexecuted, is provided in Attachment B.

### FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget by transferring as many as five (5) Proposition K contracts from private contractors to GSD as it is anticipated that GSD could perform the contracts for the amount bid.

REPORT OF GENERAL MANAGER

PG 3

NO. 10 -141

This report was prepared by Glenn Morimoto, Sr. Management Analyst I, Recreational and Cultural Facilities Program, Bureau of Engineering, and reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent of Planning and Development, Department of Recreation and Parks.

**ATTACHMENT A**

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF RECREATION AND PARKS

THE DEPARTMENT OF GENERAL SERVICES

AND

THE BUREAU OF ENGINEERING  
OF THE DEPARTMENT OF PUBLIC WORKS  
OF THE CITY OF LOS ANGELES

FOR THE CONSTRUCTION  
OF THE

FACILITY NAME

FACILITY ADDRESS

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## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is made and entered into by and between the Department of Recreation and Parks, hereinafter referred to as RAP, Construction Forces of the Department of General Services, hereinafter referred to as GSD, and the Bureau of Engineering of the Department of Public Works, hereinafter referred to as BOE.

### **W I T N E S S E T H**

WHEREAS, on November 5, 1996, the voters of Los Angeles approved Proposition K: The Los Angeles for Kids Program, which included improvements for <Facility>; and

WHEREAS, awarding the rehabilitation and construction services of the facility enhancements at <Facility>, to GSD, is in the best interest of the City as the City could not execute a contract timely for this project when publicly bid; and

WHEREAS, GSD has successfully completed numerous rehabilitation/addition/new construction projects; and

WHEREAS, BOE will provide construction management services for the GSD for the facility enhancements at <Facility>; and

WHEREAS, RAP, GSD, and BOE wish to memorialize their understanding in an MOU regarding the terms and conditions of the services to be provided.

NOW, THEREFORE, RAP, GSD, and BOE agree to enter into and abide by the terms and conditions of this MOU.

### **ARTICLE I – THE MOU**

#### A. PURPOSE OF THE MOU

To establish the responsibility of GSD to provide construction services for the <Facility> located at <Facility Address>.

To establish the responsibility of BOE to provide construction management services and coordinate with GSD and RAP.

To memorialize how BOE will pay GSD for construction services of the <Facility> Project



B. TERM OF THE MOU

This MOU will commence upon execution by the authorized representatives of RAP, GSD, and BOE, and will expire twenty-four (24) months thereafter unless extended by written amendment per Article VIII.A.

C. REPRESENTATIVE OF THE PARTIES OF THIS MOU

The representatives of the respective parties are authorized to administer this MOU and to whom formal notices, demands, requests and communications shall be given are as follows:

1. For RAP:

Jon Kirk Mukri, General Manager  
Department of Recreation and Parks

Attn: Michael A. Shull, Superintendent  
221 North Figueroa Street, Suite 100  
Los Angeles, CA 90012

2. For BOE:

Gary Lee Moore, P.E., City Engineer  
Bureau of Engineering  
Department of Public Works

Attn.: Neil Drucker, Bureau of Engineering, Program Manager  
200 North Spring Street, Suite 2305 CH  
Los Angeles, CA 90012

3. For GSD:

Tony Royster, General Manager  
Department of General Services

Attn.: Nick Pendorf, Director of Construction  
Construction Forces  
111 East 1<sup>st</sup> Street, 6<sup>th</sup> Floor CHS  
Los Angeles, CA 90012

## **ARTICLE II – SERVICES TO BE PERFORMED BY RAP**

- A. Consider and approve the Construction documents and specifications before construction commences.
- B. Provide GSD unrestricted access to the project site through mutually agreed upon working hours and working days.
- C. Respond to GSD's Request(s) for Information when owner review and approval is required. Such responses shall be forwarded to BOE for processing.
- D. Review all applicable Shop Drawings and Submittals and approve within seven (7) working days when owner approval is required. Comments shall be forwarded to BOE for processing.
- E. Notify BOE in writing of any owner requested changes to the construction documents and if such changes are outside the current scope of work, RAP shall provide adequate funding for such changes.

## **ARTICLE III – SERVICES TO BE PERFORMED BY BOE**

- A. Obtain full construction budget appropriation to GSD through actions by the L.A. for Kids Steering Committee and City Council prior to the start of construction.
- B. Review and authorize GSD expenditures, submitted on a quarterly basis, for labor, equipment and material costs incurred by GSD.
- C. Provide a complete permitted set of construction documents and specifications as approved by RAP.
- D. Provide overall Project Management and Construction Management activities, which shall include expenditures vs. budget review, schedule review, and weekly meetings with GSD to review budget, design and construction issues.
- E. Respond and approve all of GSD's Request(s) for Information in a timely manner.
- F. Review and approve all mutually agreed upon Change Orders that fall within the budgeted 15% contingency amount, subject to RAP Commission approval, if required.
- G. Approve and process all GSD invoices for all authorized completed work.
- H. Review and approve all submittals and service contracts forwarded by GSD, including shop drawings and product data and samples, for this project in a timely manner.

- I. Advise RAP of any changes that may change the intended function or overall design characteristics of the project.
- J. Participate and prepare the final acceptance inspections of the project in conjunction with RAP. Once all noted items have been corrected, transmit final status report to RAP.
- K. After the end of construction, BOE and RAP shall review and approve "Operational and Maintenance" manuals provided by GSD prior to forwarding the information to RAP.

#### **ARTICLE IV – SERVICES TO BE PERFORMED BY GSD**

- A. Upon receipt of final plans from BOE, GSD shall conduct a Class "A" estimate to determine final costs of the project. If necessary, adjustments shall be made to the construction costs per Article VII.A.2.
- B. GSD shall perform all required work to improve the site per the final construction documents and Specifications in compliance with applicable Federal, State and City codes and regulations. For this project, GSD will only be performing the renovations necessary to bring the restroom and parking into compliance with ADA standards as shown in the final construction documents.
- C. GSD shall coordinate with BOE to establish a construction schedule. The schedule shall be subject to the approval of BOE.
- D. GSD shall immediately notify BOE in writing of issues or barriers that impede or delay the completion of the work, including changes to cost estimates and to the construction schedule.
- E. GSD shall immediately notify BOE of the need for modifications by way of a change order. All change orders are subject to the approval of BOE.
- F. GSD shall provide a monthly report, to the BOE within fourteen (14) days of the end of each month, covering all expenditures on the project during construction. The report shall include all costs for labor, equipment and materials incurred through that period.

#### **ARTICLE V – RECORD DRAWINGS**

- A. After completion of construction, GSD shall revise and correct the final Construction Documents indicating all changes made during construction based on the construction records including, but not limited to, change orders, plan

clarification/corrections and addenda. Each drawing sheet shall be prominently marked "AS-BUILT". These drawings shall be reviewed and approved by BOE.

- B. When the "AS-BUILT" drawings are approved, GSD shall deliver two (2) copies of the Record Drawings to BOE to be forwarded to RAP for its use.
- C. In addition to the Record Drawings above, BOE will deliver to RAP, one (1) updated electronic file and one (1) updated set of Mylar drawings or as required per designer's contract.

**ARTICLE VI – TIME PERIODS**

- A. It is understood and agreed in this MOU that time is of the essence. The construction phases will be completed within \_\_\_ calendar days from the issuance by BOE to GSD of a Notice-To-Proceed.
- B. The time during which GSD is delayed in its work by BOE or any other agency, whose approval is required, shall be added to the time period for completion. Delays due to unforeseen circumstances, which are not the fault or negligence of GSD, shall also be added to time period for completion.

**ARTICLE VII – PAYMENT**

**A. COMPENSATION**

- 1. Upon approval of City Council and Mayor, BOE shall authorize the expenditure of an amount not to exceed \$\_\_\_\_\_ for the complete and satisfactory performance of the terms of this MOU. These funds are available in the following accounts:

<u>Funding Sources</u>	<u>Appropriation</u>	<u>Fund/Dept./Acct. No.</u>	<u>Available Balance</u>
Prop. K - YR ___	\$ _____	_____	\$ _____

- 2. The construction cost may be adjusted as necessary upon the completion of the Class "A" estimate. BOE shall approve a cost and/or scope adjustment after authorization from the Proposition K – LA for Kids Steering Committee, and subject to approval of an Amendment to the MOU by RAP Commission per Article VII.A.2.
- 3. GSD shall be responsible for all expenditures in excess of the approved budget unless this MOU has been amended prior to expending the funds through an action of the L.A. for Kids Steering Committee and RAP Commission.

B. METHOD AND TIME OF PAYMENT

1. Upon execution of this MOU, BOE shall coordinate with the appropriate City Departments to arrange the appropriation of \$\_\_\_\_\_ into GSD salary and material accounts for construction services.
2. Scheduled payment reimbursements for GSD's services shall be made, on a quarterly basis. GSD shall provide a quarterly report detailing the expenses incurred for that quarter. The amount of the quarterly payment will be based on the number of staff hours and purchase orders directly chargeable to the project supported by timesheet records and the current hourly rate and verification of the purchase orders and if requested, GSD shall provide copies to BOE.

ARTICLE VIII – MODIFICATIONS

- A. Except as otherwise provided herein, this MOU may be altered, modified or amended only in writing, and executed by the parties hereto.
- B. Modifications or extra work requested during the construction phase shall be documented by a Change Order. The Change Order shall contain a description of the scope change or extra work, any additional costs approved by BOE and any time extensions approved by BOE. Change Orders exceeding \$25,000 shall require approval by RAP Commission prior to commencement of the work covered by the change order.
- C. This MOU contains the full and complete agreement between RAP, BOE and GSD. No verbal agreement or conversation with any officer or employee of the parties shall affect or modify any of the terms and conditions of the MOU.

IN WITNESS WHEREOF, RAP, BOE, and GSD have caused this MOU to be executed by their duly authorized representatives.

For: Department of Recreation and Parks

\_\_\_\_\_  
Jon Kirk Mukri, General Manager

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010

For: Bureau of Engineering, Department of Public Works

\_\_\_\_\_  
Gary Lee Moore, P.E., City Engineer

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010

For: Department of General Services

\_\_\_\_\_  
Tony M. Royster, General Manager

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010

Approved as to Form:  
CARMEN A. TRUTANICH, City Attorney

By: \_\_\_\_\_  
Mark L. Brown, Senior Assistant City Attorney

Date: \_\_\_\_\_

## ATTACHMENT B

<u>Project Name</u>	<u>Work Order No.</u>
1 Arroyo Seco-Outdoor Refurbishment	E170490F
2 Delano Park-Synthetic Soccer Field	E170483F
3 Lincoln Park (Outdoor Refurbishments) Ph II	E170491F
4 Oro Vista Park Development	E170480F
5 Sepulveda Basin Sports Complex-Ph I	E170217F

REPORT OF GENERAL MANAGER

NO. 109142

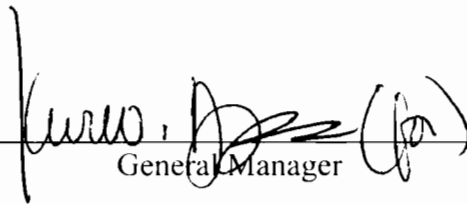
DATE \_\_\_\_\_

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES CENTER FOR ENRICHED STUDIES – FACILITIES USE PERMIT FOR THE CONTINUED SHARED USE OF LOS ANGELES UNIFIED SCHOOL DISTRICT AQUATICS AND RECREATION FACILITIES

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

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve the proposed Facilities Use Permit (Permit), substantially in the form on file in the Board Office, from the Los Angeles Unified School District (LAUSD), specifying the terms and conditions for the Department of Recreation and Parks (RAP) use of certain recreational and athletic facilities at LAUSD's Los Angeles Center for Enriched Studies (LACES), subject to the approval of the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Permit to the City Attorney for review and approval as to form; and,
3. Authorize the General Manager to execute the Permit upon receipt of the necessary approvals.

SUMMARY:

For more than forty (40) years, the City of Los Angeles (City) RAP and LAUSD have entered into various agreements involving capital improvements and the shared use of related recreation and athletic facilities at school and park sites.



REPORT OF GENERAL MANAGER

PG. 2 NO. 10-142

LACES is a 6<sup>th</sup> through 12<sup>th</sup> grade magnet middle-high school, established in September of 1977, located at 5931 West 18<sup>th</sup> Street, Los Angeles, California 90035, in Council District Ten (CD10). The LACES campus contains a comprehensive athletic complex which RAP shares as a recreation center for the recreational benefit of the community. It includes a fifty-six thousand (56,000) square foot building comprised of one large gymnasium (divisible into two smaller court areas), an auxiliary gymnasium, an indoor swim center, locker rooms, a stage, staff offices and a community/team meeting room. Outside, adjacent to the building, there is an athletic field and track, tennis, handball, and basketball courts, a parking lot, and restrooms.

The City and LAUSD started collaboration on the shared use of the recreational and athletic facilities at LACES in 1998, when RAP and LAUSD began working together on the design of the new school so that it would accommodate the public's shared use of the recreation and athletic facilities. The school's construction was completed in 2004. The Joint Use Agreement (JUA) between the RAP and LAUSD for the joint use of the recreational facilities at LACES was executed on June 4, 1998, and approved by the Board of Recreation and Park Commissioners (Board) on April 15, 1998 (Board Report No. 134-98 Revised). Joint-Use operations of the recreational facilities began on June 27, 2006 and RAP and LAUSD have continuously shared the site ever since, as a school for the academic and physical education of LAUSD students, and as a recreational hub for the general public's recreational enjoyment.

LAUSD uses the site during normal school hours Monday through Friday from 6:00 a.m. to 3:00 p.m. for physical education classes and after school from 3:00 p.m. to 6:00 p.m. for athletic events (practice and competition) and after-school programs. RAP uses the pool and athletic facilities during non-school hours from 6:00 p.m. to 9:00 p.m. Monday through Friday, and from 11:30 a.m. to 5:30 p.m. on weekends. Although the text of the JUA identifies that RAP will use the facility from 8:00 a.m. to 9:00 p.m. on weekends, LAUSD and RAP have determined that the weekend use of the facility will be from 11:30 a.m. to 5:30 p.m. This change in the scheduled weekend use of the facility will be amended at the time this Permit is executed to reflect the actual hours of use.

On April 15, 1998, the Board approved a twenty-five (25) year JUA for LACES (Board Report No. 134-98 Revised), spelling out the terms and conditions for the shared use of the school's pool and athletic facilities. However, over time it was discovered that certain JUA provisions related to LAUSD and RAP finance and accounting procedures and requirements presented operational and finance issues, primarily due to the differences in operational agency policies and protocols. In order to renegotiate such provisions without interrupting RAP operations at LACES, a Facilities Use Permit (Permit) was executed on June 27, 2006 between the RAP and LAUSD, authorizing the RAP's continued use of LACES facilities.

REPORT OF GENERAL MANAGER

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The initial Permit expired on December 31, 2006. RAP operations at LACES continued since then through the RAP General Manager's execution of five (5) Permit amendments, with the most recent expiring on December 31, 2009. A sixth amendment covering the period of January 1, 2010 through December 31, 2010 was prepared by the LAUSD for execution in the same manner as the prior amendments. However, recent City Attorney advice indicates that the General Manager does not have the authority to execute such documents without Board authorization due to budget expenditures for operations and maintenance that could exceed the limit provided by Los Angeles Administrative Code Sec. 50.1.1(a). Therefore, staff is requesting the Board's approval at this time so the Department's programmed athletic, aquatic and recreational operations at LACES may continue. Through the LAUSD letter attached hereto as Exhibit A, the Department's use of LACES has been authorized by LAUSD as an interim measure until the Permit is executed.

Department Staff determined that the approval of the proposed Permit is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (14) of the City CEQA Guidelines; this exemption allows for joint use of existing school facilities involving a negligible or no expansion of use.

The Assistant General Manager of Operations East, the Superintendent of Metro Region and the Office of Council District Ten concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

The Department's obligations related to joint use operations and maintenance at the site shall be funded through the Department's regular budget approval process.

This report was prepared by Gregory Clark, Management Analyst II, Real Estate and Asset Management.

REPORT OF GENERAL MANAGER

NO. 10-143

DATE June 2, 2010


C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT TO PERSONAL SERVICES CONTRACT NO. 3209 WITH ARTHUR M. MANASK & ASSOCIATES, INC. TO EXTEND THE TERM

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

\*F. Mok F.M.  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a proposed Supplemental Agreement to Personal Services Contract No. 3209, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and Arthur M. Manask & Associates, Inc., to extend the term of the contract from 36 months to 48 months, subject to approval of the Mayor and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ with sufficient expertise to provide these professional services and that it is more feasible to secure these services by contract;
3. Find, in accordance with Charter Section 372 and Los Angeles Administrative Code Section 10.15(a)(2), that for the temporary continuation of professional services for the concessions program, a competitive bidding process is not practical or advantageous;
4. Direct the Board Secretary to transmit forthwith the proposed Supplemental Agreement to the Mayor in accordance with Executive Directive No. 3 and, concurrently to the City Attorney, for review and approval as to form; and,
5. Authorize the Board President and Secretary to execute the Supplemental Agreement, upon receipt of the necessary approvals.

## REPORT OF GENERAL MANAGER

PG. 2

NO. 10-143

### SUMMARY:

On April 5, 2007, the Department executed Personal Services Contract No. 3209, with Arthur M. Manask & Associates, Inc. (Consultant), for a term of 36 months beginning April 5, 2007, to provide as-needed economic consulting services in order to assist the Department with the management, planning, and development of concession operations, including Requests for Proposals.

On October 3, 2007, the Department amended Personal Services Contract No. 3209 with Consultant for a term of 36 months beginning September 27, 2006.

In order to comply with Recommendation No. 2 of the Audit of Concession Contracts of the Department of Recreation and Parks, released on March 28, 2008, the Department utilized the services of the Consultant to process and to provide evaluation services of the concession operations.

As Contract No. 3209 expired September 26, 2009, a supplemental agreement to extend the term of the contract from 36 months to 48 months is necessary in order to provide the time for the Department to process and prepare payment to the Consultant and provide a variety of as-needed economic consulting services should the need arise.

### Charter Section 1022 Finding

Los Angeles City Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical and/or feasible to contract out the service.

On April 30, 2010, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City classifications that could provide these professional services. It is therefore more feasible to secure these services through an independent contractor.

### Charter Section 372 Finding

Los Angeles City Charter Section 372 requires that all contracts valued at over \$25,000 require a competitive bid process. The requirement does not apply to contracts, as determined by the contracting authority, of a temporary and occasional character for which the contracting authority finds that competitive bidding is not practicable or advantageous.

On August 28, 2006, the Department released a Request for Qualifications (RFQ) for As-Needed Economic Consultants. On November 1, 2006, the Board awarded contracts for a term of three years with five economic consultants (Board Report No. 06-327); including Arthur M. Manask & Associates, Inc. This supplemental agreement is to increase the term of that contract in order to pay for services provided by the Consultant. It is neither practicable nor advantageous to bid for this service at this time.

REPORT OF GENERAL MANAGER

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NO. 10-143

FISCAL IMPACT STATEMENT:

Funding for this contract is currently provided in Fund 302, Department 89, Account 400K. This supplemental agreement has no impact on the Department's General Fund.

This report was prepared by Raymond Chang, Senior Management Analyst I, Finance Division, Administrative Resources Section, Service Contracts Group.

PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Department of Recreation and Parks

2. Contacts:

Department: Raymond Chang Phone No. (818) 243-6488 Fax No. 818-243-6451

CAO: Veronica Salumbides Phone No. (213) 473-7561 Fax No. 213-473-7514

3. Work to be performed:

The contract is to provide as-needed economic consulting services to provide management with information to plan and develop the Department's concession operations. The contract calls for providing market research and analysis, feasibility studies, profitability analysis, product evaluation, business development, facility design, and other technical services related to the development, planning, and maintaining of concessions.

4. Is this a contract renewal? Yes  No  (Contract No. 3209)

5. Proposed length of contract: Three years with one year extension

Proposed Start Date: Contract began September 27, 2006

6. Proposed cost of contract (if known): \$99,000

7. Name of proposed contractor: Arthur M. Manask & Associates, Inc.

8. Unique or special qualifications required to perform the work:

The contractor must have expertise in planning and developing concessions, including experience with market research and analyses.

9. Are there City employees that can perform the work being proposed for contracting?

Yes  No

If yes,

a. Which class(es) and Department(s):

b. Is there sufficient Department staff available to perform the work? Yes  No

c. Is there a current eligible list for the class(es)? Yes  No  Expiration Date:

d. Estimated time to fill position(s) through CSC process?

e. Can the requesting department continue to employ staff hired for the project after project completion? Yes  No

f. Are there City employees currently performing the work? Yes  No

10. Findings

City employees DO NOT have the expertise to perform the work

City employees DO have the expertise to perform the work

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

**SUMMARY:**

The Department of Recreation and Parks is requesting Charter Section 1022 Contract Review for market research, planning, and economic forecasting for concession operations. The request is for an amendment to the original contract which began in September 2006. The amendment calls for extending the contract for an additional 12 months only. The original 1022 Contract review report was not prepared and thus this report was prepared for reference purposes.

Submitted by:

*Cathy T. Tanaka*  
Cathy T. Tanaka

Approved by:

*Shelly Del Rosario*  
Shelly Del Rosario

Date:

4-3-10

**This item not included in the package**

10-144      Wabash Recreation Center - Installation of Mural



REPORT OF GENERAL MANAGER

NO. 10-145

DATE: June 2, 2010


C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PROPOSITION 84 NATURE EDUCATION FACILITIES GRANT PROGRAM  
- CITY COUNCIL RESOLUTIONS AND AUTHORIZATION TO SUBMIT  
GRANT APPLICATIONS

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
\*S. Huntley ICA for  
V. Israel \_\_\_\_\_

F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Recommend that the City Council adopt the attached Resolution (Attachment No. 1), which authorizes the City of Los Angeles to apply for funds under the State Proposition 84, Nature Education Facilities Grant Program and designates the General Manager of the Department of Recreation and Parks, or designee, as the agent to conduct all negotiations, execute and submit all documents, including but not limited to grant applications, agreements, payment requests and so on, which may be necessary for the completion of the proposed South Los Angeles Wetlands Nature Education Project; and
2. Authorize the Department's General Manager to submit the Proposition 84 Nature Education Facilities grant application to the State of California Department of Parks and Recreation for the South Los Angeles Wetlands Nature Education Project; and
3. Support the submittal of a Proposition 84 competitive Proposition 84 Nature Education Facilities grant application by the L.A. Parks Foundation, on behalf of the Department, for the Griffith Park Horticultural Learning Center project, and approve the attached Resolution (Attachment No. 2), subject to City Council approval, acknowledging the Department's intent to accept the transfer of grant responsibilities, including operations and maintenance for the project, subject to the award of grant funds and successful project completion; and

## REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-145

4. Support the submittal of a competitive Proposition 84 Nature Education Facilities grant application by the Friends of Cabrillo Marine Aquarium (FCMA), on behalf of the Department, for the Cabrillo Marine Aquarium Exhibit Improvement and Phase II Expansion Project, and approve the attached Resolution (Attachment No. 3), subject to City Council approval, acknowledging the Department's intent to accept the transfer of grant responsibilities, including operations and maintenance for the project, subject to the award of grant funds and successful project completion;

### SUMMARY:

The \$5.4 billion Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal protection Bond Act of 2006 (Proposition 84) was passed by the voters on November 7, 2006. These funds are to be used for a number of grant programs, one of which is the Nature Education Facilities (NEF) Grant Program.

On March 1, 2010, the State released a Request for Proposals (RFP) for competitive grants for the State Proposition 84 NEF Grant Program. A total of \$93 million has been dedicated to this program and will be awarded on a competitive basis. This grant program awards grants for nature education exhibits, research facilities and equipment to non-profit organizations and public institutions including natural history museums, aquariums, research facilities and botanical gardens.

The Department is seeking approval to submit a grant application for the South Los Angeles Wetlands Nature Education Project, requesting up to \$7 million for the development of a nature education center to compliment the soon to be completed South Los Angeles Wetland Park project.

Additionally, the Department has partnered with the L.A. Parks Foundation and the Friends of the Cabrillo Marine Aquarium (FCMA) in the preparation of 2 grant applications on behalf of the Department. The first of these grant applications will be submitted by the L.A. Parks Foundation, requesting \$7 million, for the Griffith Park Horticultural Learning Center Project. The grant funds will be used to re-establish a working nursery for the Department, to include education and horticulture training spaces, demonstration areas, plant and tree exhibit and propagation areas for community and staff on 11 acres in Los Angeles' historic Griffith Park. As part of the Horticulture Learning Center, funds will also be used to replace and rebuild new greenhouses, rebuild office and classroom spaces, upgrade infrastructure, replace shade planting structure, upgrade storage areas, replace perimeter fencing, and develop a visitors and staff parking area.

The FCMA will submit the second of these grant applications, a \$7 million grant request for the Cabrillo Marine Aquarium Exhibit Improvement and Phase II Expansion Project. The funds will

## REPORT OF GENERAL MANAGER

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be used to improve and update all exhibits in the Susanne Lawrenz-Miller Exhibit Hall, including the life support system for the live animal exhibits and associated related infrastructure improvements. The project will also involve completion of the Phase II expansion project, which includes spaces for the FCMA Ocean Outreach Program, exhibit preparation and gift shop. The Department is seeking Board approval in support of these 3 projects.

Proposition 84 Grant Guidelines state that grantees must operate and maintain the projects for a requisite number of years, based on the grant award. The land tenure requirement is 20 years, for grant awards up to \$1 million, and 30 years, for grant awards in excess of \$1 million. Upon successful award and completion of these projects by the L.A. Parks Foundation and FCMA, it is intended that the City's partnering agencies will transfer the grant responsibilities to the Department, including operations and maintenance obligations, subject to approval of said transfer by State Parks. State Parks requires a City Council Resolution be submitted with the grant application packages acknowledging the City's intent to accept the transfer of grant responsibilities, should these projects be awarded funding (Attachment Nos. 2 and 3). A similar resolution from the governing bodies for the L.A. Parks Foundation and FCMA, acknowledging the transfer, is also required.

### FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact on the Department's General Fund for the completion of these projects. However, future operations and maintenance costs after project completion have yet to be fully assessed.

This report was prepared by Susan Huntley, Chief Management Analyst, Grants Administration.

**RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF LOS ANGELES  
Approving the Application for NATURE EDUCATION FACILITY PROGRAM FUNDS  
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal  
Protection Bond Act of 2006 (Proposition 84)**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Nature Education Facilities Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the PROJECT;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:  
Approves the filing of an application for the South Los Angeles Wetlands Nature Education project, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project should this grant be awarded; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project; and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Certifies that this project is consistent with the applicable city or county, or appropriate planning document, as the case may be; and
5. Delegates the authority to the General Manager, Executive Officer, or Assistant General Manager of the City of Los Angeles Department of Recreation and Parks, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project; and
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES  
COMMITMENT TO ACCEPT DESIGNATED COMPLETED PROJECTS FOR THE  
PROPOSITION 84 NATURE EDUCATION FACILITY PROGRAM SUBMITTED BY THE  
LOS ANGELES PARKS FOUNDATION

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Nature Education Facilities Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant, Los Angeles Parks Foundation (LAPF), will enter into a contract with the State of California to complete their grant funded project scopes;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

Supports the filing of a grant application by the LAPF for the Griffith Park Horticultural Center project, and, subject to approval by the Board of Recreation and Park Commissioners, should the grant funds be awarded:

1. Certifies that upon satisfactory completion of the designated project, including all accounting and project close out activities, the LAPF will transfer all grant contract obligations to the City of Los Angeles through its Department of Recreation and Parks (RAP), including operation and maintenance responsibilities for the project in accordance with the Grant Administration Guide; and
2. Delegates the authority to the General Manager, Department of Recreation and Parks, to sign and submit the amended grant contract naming the Department of Recreation and Parks as the new Grantee; and
3. Certifies that that the City has, or will have, sufficient funds to operate and maintain the project; and
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES  
COMMITMENT TO ACCEPT DESIGNATED COMPLETED PROJECTS FOR THE  
PROPOSITION 84 NATURE EDUCATION FACILITY PROGRAM SUBMITTED BY THE  
FRIENDS OF CABRILLO MARINE AQUARIUM

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Nature Education Facilities Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant, Friends of Cabrillo Marine Aquarium (FCMA), will enter into a contract with the State of California to complete their grant funded project scopes;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

Supports the filing of a grant application by the FCMA for the Cabrillo Marine Aquarium Exhibit Improvement and Phase II Expansion, and, subject to approval by the Board of Recreation and Park Commissioners, should the grant funds be awarded:

1. Certifies that upon satisfactory completion of the designated project, including all accounting and project close out activities, the FCMA will transfer all grant contract obligations to the City of Los Angeles through its Department of Recreation and Parks (RAP), including operation and maintenance responsibilities for the project in accordance with the Grant Administration Guide; and
2. Delegates the authority to the General Manager, Department of Recreation and Parks, to sign and submit the amended grant contract naming the Department of Recreation and Parks as the new Grantee; and
3. Certifies that that the City has, or will have, sufficient funds to operate and maintain the project; and
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_

REPORT OF GENERAL MANAGER

NO. 10-146

DATE June 2, 2010

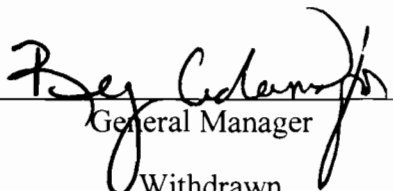
C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SIGNATURE AUTHORITY AS ACTING GENERAL MANAGER AND  
ACTING CHIEF ACCOUNTING EMPLOYEE

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

\*F. Mok am  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

  
\_\_\_\_\_  
General Manager  
Withdrawn \_\_\_\_\_

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

RECOMMENDATION:

That the Board adopt a Resolution authorizing the list of Department staff in this report as acting General Manager and Acting Chief Accounting Employee.

SUMMARY:

In the absence of the General Manager, the following individuals listed below are authorized to act as the Acting General Manager:

Regina Adams	Executive Officer
Kevin Regan	Assistant General Manager, Operations West
Vicki Israel	Assistant General Manager, Operations East
Faith Mok	Chief Financial Officer
Noel Williams	Chief Management Analyst

Since only one person is authorized as Acting General Manager at any given time, the Executive Officer would act as the Acting General Manager in the absence of the General Manager; likewise, the Assistant General Manager for Operations West would act as the Acting General Manager in the absence of the General Manager and Executive Officer; the Assistant General Manager for Operations East would act as the Acting General Manager in the absence of the General Manager, the Executive Officer and the Assistant General Manager for Operations West; and the Chief Financial Officer would act as the Acting General Manager in the absence of the General Manager, Executive Officer and both Assistant General Managers; and the Chief Management Analyst would act as the Acting General Manager in the absence of the four aforementioned employees.

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-146

In the absence of the General Manager, the following individuals are authorized to act in place of the General Manager for the purpose of signing and approving accounting documents only:

Eleanor Chang	Principal Accountant (Acting Departmental Chief Accountant)
Lilia Sanchez	Principal Accountant
Emily Lau	Senior Accountant
Putthachart Yip	Senior Auditor

In the absence of the Chief Accounting Employee, the following individuals are authorized to act as the Acting Chief Accounting Employee; however, no individual can sign in two capacities on the same document. Since only one person is authorized as the Acting Chief Accounting Employee at any given time, the Acting Departmental Chief Accountant would act as the Acting Chief Accounting Employee in the absence of the Chief Financial Officer; likewise, in the absence of the Acting Departmental Chief Accountant, the following individuals, in the order the names appear below, would act as the Chief Accounting Employee in the absence of the Acting Departmental Chief Accountant:

Eleanor Chang	Principal Accountant (Acting Departmental Chief Accountant)
Lilia Sanchez	Principal Accountant
Emily Lau	Senior Accountant
Putthachart Yip	Senior Auditor

In the absence of the Chief Accounting Employee, the following individuals are authorized to act in place of the Acting Chief Accounting Employee for the purpose of signing and approving of accounting documents only; however, no individual can sign in two capacities on the same document:

Cynthia Hirata	Senior Accountant
Cora Rho'Dess	Senior Accountant
Connie Sarmiento	Senior Accountant
Blas Rafols	Senior Accountant
Maureen Wan	Senior Accountant

FISCAL IMPACT STATEMENT:

Approval of this report results in no fiscal impact to the Department's General Fund.

This report was prepared by Eleanor Chang, Principal Accountant, Accounting and Finance Division.



REPORT OF GENERAL MANAGER

NO. 10-147

DATE June 2, 2010

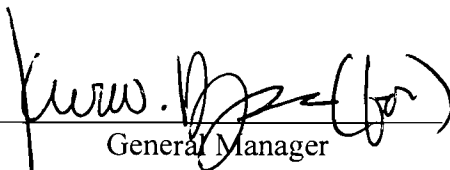
C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TRANSFER OF EXPENDITURES TO BOGDANOVICH TRUST FUND FOR FISCAL YEAR 2010-2011

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

\*F. Mok J.M.  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board adopt a Resolution authorizing the City Controller to transfer expenditures for sports and other activities associated with the Martin J. Bogdanovich Recreation Center from Municipal Sports Account, Fund 301, Department 88, to Recreation and Parks, Fund 302, Department 89, Bogdanovich Trust Account 050K, for Fiscal Year 2010-2011.

SUMMARY:

The Department received a donation of \$135,000 from several members of the Bogdanovich family in August 1998. It is the donors' wish that income generated from these funds be used for recreation programming activities with an emphasis on sports. The disbursement of funds for sports activities is generally transacted through Fund 301 – Municipal Sports Account. Expenditures for expenses such as, but not limited to, scoreboards, uniforms, and play equipment are initially posted in Fund 301 and are then transferred to Fund 302, Department 89, Account 050K for reimbursement, with approval by the Bogdanovich Advisory Committee, which was established by the family to oversee the use of the trust.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund as this is a cash flow mechanism used to reimburse the Department's Municipal Sports Account (Fund 301, Department 88) for expenditures related to sports and other eligible activities, as approved by the Bogdanovich Advisory Committee, from the Bogdanovich Trust Account (Fund 302, Department 89, Account 050K). Expenses not approved by the Bogdanovich Advisory Committee will not be reimbursed

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-147

from the Bogdanovich Trust Account and will be covered from fees collected under the Bogdanovich Recreation Center Account in the Municipal Sports Account.

This report was prepared by Eleanor Chang, Principal Accountant, Accounting and Finance Division.

REPORT OF GENERAL MANAGER

NO. 10-148

DATE June 2, 2010

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: REIMBURSEMENT FOR PETTY CASH, EXPENSES, AND REFUND  
RESOLUTIONS FOR FISCAL YEAR 2010-2011

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
V. Israel \_\_\_\_\_

\*F. Mok *F.M.*  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

*Ray Adams*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Resolutions enumerated in the body of this report be adopted in order to smoothly transition financial operations into the 2010-2011 Fiscal Year.

SUMMARY:

In order to provide authorities for certain types of expenditures, it is necessary that the following resolutions be adopted for fiscal year ending June 30, 2011.

BE IT RESOLVED, that authority be and it hereby is granted to reimburse the Petty Cash Fund in the Department of Recreation and Parks for reimbursement made to staff entitled to same during the fiscal year ending June 30, 2011.

BE IT RESOLVED, that authority be and it hereby is granted to advance to or to reimburse officers and employees of the Department of Recreation and Parks for traveling and personal expenses incurred in connection with their official duties for the fiscal year ending June 30, 2011.

BE IT RESOLVED, that authority be and it hereby is granted to reimburse officers and employees of the Department of Recreation and Parks for carfare, telephone, mileage, and transportation expenses incurred in connection with their official duties for the fiscal year ending June 30, 2011.

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-148

BE IT RESOLVED, that authority be and it hereby is granted to reimburse the Retired Senior Volunteer Program (RSVP) Account to pay transportation and meal allowance to volunteer workers entitled to same in accordance with grant contracts entered into between the City of Los Angeles, Department of Recreation and Parks and a State or Federal agency for the fiscal year ending June 30, 2011.

BE IT RESOLVED, that authority be and it hereby is granted to the General Manager of the Department of Recreation and Parks to make refunds on the Recreation and Parks fund to persons entitled to the same during fiscal year ending June 30, 2011.

BE IT RESOLVED, that the General Manager be and hereby is authorized to incur and be reimbursed for such miscellaneous work related expenditures as may be necessary in the course of conducting Department of Recreation and Parks business for taxi fares, parking fees, and other job related expenses in the amount not to exceed \$2,000 for the fiscal year ending June 30, 2011.

BE IT FURTHER RESOLVED, that such expenditures shall be properly vouched on regular City accounting forms by the General Manager and certified by the Chief Accounting Employee.

FISCAL IMPACT STATEMENT:

There is minimal fiscal impact to the Department's General Fund because most of these expenditures come from special funds.

Report prepared by Eleanor Chang, Principal Accountant, Accounting and Finance Division.

REPORT OF GENERAL MANAGER

NO. 10-149

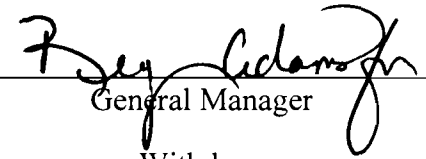
DATE June 2, 2010

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: REIMBURSEMENT OF SALARIES AND RELATED EXPENSES FROM THE MUNICIPAL RECREATION PROGRAM FUND AND GRANT FUND ACCOUNTS - RESOLUTION FOR FISCAL YEAR 2010-2011

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

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_                      Disapproved \_\_\_\_\_                      Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board adopt a Resolution authorizing the City Controller to reimburse the Department's budgetary accounts for salaries and related expenses by transfer expenditure from the Department's budgetary accounts to the appropriate Recreation and Parks Grant Fund accounts, Departmental Capital Improvement accounts, other Special Accounts, City General Fund Capital accounts for Departmental projects, and the Recreation and Parks Municipal Recreation Program Fund (MRP) for Fiscal Year 2010-2011.

SUMMARY:

Fees are collected from participants to pay for programming in sports, classes, childcare, camping, special events, and additional hours of operation on a facility-by-facility basis. The salaries for staff who run these programs are paid initially from the Department's operating budget. Adoption of this resolution will authorize the Chief Accounting Employee to request the Controller to reimburse the Department's budgetary accounts. Reimbursement comes from the Municipal Recreation Program Accounts into which the fees are deposited.

The Department manages many capital improvement projects and grant programs which provide funds for salaries and related expenses. These funds are used to employ personnel who administer these projects. In addition, many of these capital projects are constructed and/or installed by Department forces. Their salaries and related expenses are paid from the Department's budgetary accounts. It is necessary to transfer these expenditures to the

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-149

appropriate accounts on a periodic basis so that the Department's budgetary accounts are not overspent. The yearly resolution will avoid the necessity of many separate Board actions.

FISCAL IMPACT STATEMENT:

The Department's General Fund would be depleted without reimbursement of expenses from the Recreation and Parks Grant Fund accounts, Departmental Capital Improvement accounts, other Special Accounts, City General Fund Capital accounts for Departmental projects, and the Recreation and Parks Municipal Recreation Program Fund that should actually be charged for these expenses.

This report was prepared by Eleanor Chang, Principal Accountant, Accounting and Finance Division.

REPORT OF GENERAL MANAGER

NO. 10-150

DATE June 2, 2010

C.D. 1, 13, 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VARIOUS DONATIONS TO OPERATIONS EAST – METRO REGION

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
\*V. Israel \_\_\_\_\_



F. Mok \_\_\_\_\_  
K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board accept the donations as noted in the Summary of this report and that appropriate recognition be given to the donors.

SUMMARY:

Operations East, Griffith-Metro Region, has received the following donations:

Lemon Grove Recreation Center

Sandy Sutton donated \$165 to be used to subsidize youth basketball league registrations.

MacArthur Park Community Center

NUMB3RS TV Show donated two RCA Visys 2-Line Corded/Cordless Expandable Speakerphone (Model #25255RE2) with an estimated total value of \$320.03 to be used for daily operations.

NUMB3RS TV Show donated \$1,000 to be used by the MacArthur Park After-School Club.

Montecito Heights Senior Citizen Center

Sherie Chan donated Health Rider exercise equipment with an estimated total value of \$400 to be used for Senior Citizen Fitness programs.

Msgr. Ramon Garcia Recreation Center

USA Sports Photography donated \$66.96 to be used for youth sports programming.

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-150

Elysian Valley Recreation Center

West Coast Sports Associates donated \$1,998 to subsidize registration fees for the Fall Soccer Program.

FISCAL IMPACT STATEMENT:

Acceptance of these donations results in no fiscal impact on the Department's General Fund except for unknown savings as donations may offset some expenditures.

All cash donations will be deposited into various Municipal Recreation Program (MRP) accounts for program related expenses.

This report was prepared by Jason Kitahara, Sr. Recreation Director II, Metro Region.



REPORT OF GENERAL MANAGER

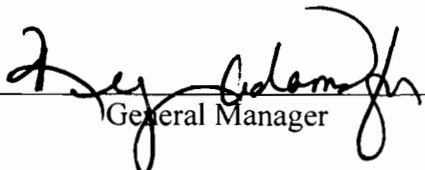
NO. 10-151

DATE June 2, 2010

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VARIOUS COMMUNICATIONS

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

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The following communications have been received by the Board and recommended action thereon is presented.

From:

1) Mayor, relative to a proposed Gift Agreement with the Friends of the Banning Museum.

2) City Controller, forwarding "Audit of Citywide Fixed Assets and Equipment."

3) City Controller, forwarding "Follow-up Audit of Concession Contracts at the Department of Recreation and Parks."

4) Rita Robinson, General Manager, Department of Transportation, relative to a confidential matter.

5) Chief Legislative Analyst, forwarding the Legislative Report for the week ending April 23, 2010.

6) Eighteen Communications, relative to issues in and around Oakwood Recreation Center.

Recommendation:

Refer to staff for further processing.

Note and file.

Note and file.

Refer to General Manager.

Note and file.

Note and file.

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-151

7) Charley Mims, President, Greater Griffith Park Neighborhood Council, to Rita Robinson, General Manager, Department of Transportation, relative to a possible parking fee at the Los Angeles Zoo in Griffith Park.

Note and file.

8) Glenn Bailey, to Ramon Barajas, relative to the permit for the Israeli Festival at Sepulveda Basin.

Note and file.

9) Wendy Arner, Fundraiser/Sales Director, Ekosandals, relative to a fundraising opportunity.

Note and file.

10) Karen Kelly, relative to supposed changes at Penmar Child Care.

Refer to General Manager.

11) Two communications, relative to the state of the nets at the tennis courts at El Sereno Recreation Center.

Refer to General Manager.

12) Two Communications relative to Private-Public Partnerships.

Refer to General Manager.

This report was prepared by Paul Liles, Clerk Typist, Commission Office.

MATTERS PENDING

Matters Pending will be carried for a maximum of six months, after which time they will be deemed withdrawn and rescheduled whenever a new staff report is received.

GENERAL MANAGER'S REPORT:

<u>ORIGINALLY PLACED ON BOARD AGENDA</u>	<u>PLACED ON MATTERS PENDING</u>	<u>DEEMED WITHDRAWN</u>
01/20/10	01/20/10	07/20/10
10-020	Old Encino Fire Station No. 83 - Transfer of Jurisdiction to Expand the Encino Community Center and Site Refurbishment	
02/17/10	03/15/10	09/15/10
10-043	Amendments to the Park Advisory Board Member Handbook	

BIDS TO BE RECEIVED

06/29/10 North Atwater Park - Expansion (W.O.#SZW00031) and Creek Restoration (W.O.#E1907211)

QUALIFICATIONS TO BE RECEIVED:

06/08/10 Specialty Concrete Structures

PROPOSALS TO BE RECEIVED:

06/08/10 Pershing Square - Winter Theme Lighting

07/20/10 Cheviot Hills Recreation Center - Tennis Professional Concession

TBD Film Production Instruction (CLASS Parks)

ON HOLD Hansen Dam Golf Course Professional Concession

ON HOLD Hansen Dam Golf Course Restaurant Concession

ON HOLD Woodley Lakes Golf Course Restaurant Concession

ON HOLD Woodley Lakes Golf Course Professional Concession