

APPROVED
MAY 07 2020

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

BOARD REPORT

NO. 20-066

DATE May 7, 2020

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: POTRERO CANYON PARK – GRADING (W.O. #E1907428) PROJECT – REQUEST AUTHORITY TO NEGOTIATE AND EXECUTE CHANGE ORDERS TO CONTRACT NO. 3644 WITH OHL USA, INC.

AP Diaz	_____	S. Piña-Cortez	_____
H. Fujita	_____	* C. Santo Domingo	<u>DP</u>
V. Israel	_____	N. Williams	_____

M. Slu

General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATION

Authorize the City Engineer to negotiate and issue three (3) change orders as described in this Report for a net credit to the City under Contract No. 3644 to OHL USA, Inc., in the amount of Six Hundred Twenty-Eight Thousand, Nine Hundred Thirty Dollars (\$628,930), which will result in a cumulative total dollar amount of change orders under the contract of Three Million, Seven Hundred Seventy-Two Thousand, One Hundred Eighty-Two Dollars (\$3,772,182) or 27.89% of the original contract award amount.

SUMMARY

On June 20, 2018 the Board of Recreation and Park Commissioners (Board) awarded Contract No. 3644 (Contract) to OHL USA, Inc (Report No. 18-124), in the amount of \$13,526,579.00 for the Potrero Canyon Park – Grading (W.O. #E1907428) Project (Project), located at 15101 Pacific Coast Highway, Los Angeles, CA 90272.

This Project is constructing a 46-acre passive park with a riparian zone containing wetland trees and plants that will run down the center of the entire length of the park through a series of large retention basins. The current phase of construction of this Project consists of grading and buttressing the canyon slopes to stabilize them and prevent any future landslides. The future landscaping phase will install all the irrigation and landscaping within the canyon.

On June 5, 2019 the Board approved a request to negotiate change orders in an amount not to exceed \$600,000 to process the onsite soil stockpile to produce granular soil required to fill the retention basins (Report No. 19-117). This request increased the cumulative dollar amount of change orders to 4.5% of the original contract amount.

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On October 23, 2019 the Board approved a request to negotiate change orders specifically for grading bid item quantity overruns in an amount not to exceed \$3,900,000 (Report No. 19-216). This request increased the cumulative dollar amount of change orders to 33.95% of the original contract amount.

In connection with the Project, a separate report which requests an increase in the project contingency amount under the Contract from 33.95% of the original contract amount to 39.00% to allow the City Engineer to issue future change orders up to a new Not-to-Exceed amount will be presented to the Board.

This Report is to request authority to issue three (3) change orders, each over \$100,000 (additive or credit) which will result in a net credit under the Contract to the City in the amount of Six Hundred Twenty-Eight Thousand, Nine Hundred Thirty Dollars (\$628,930). This is a reduction in the overall cost of the Project. These three (3) change orders are described below.

CHANGE ORDER NO. 26

Due to extensive review comments during the process of obtaining an encroachment permit from Caltrans to construct a portion of the slope at the mouth of the canyon (Unit 3) on Caltrans right of way, the City removed this scope of work from the contract. A change order to credit the City for the De-scope of the Unit 3 slope has been negotiated with the contractor in the amount of (\$387,994.00). This slope is being redesigned to avoid encroaching onto Caltrans right of way and will require substantially less grading than the original slope design. The revised plan will be included in the upcoming Landscaping project at Potrero Canyon.

CHANGE ORDER NO. 49

The Contract's last revised completion date as of 4/30/2019 was 1/26/2020. Since 4/30/2019, the following issues have delayed the completion of the project: soil quantity overruns, processing Hillcrest material and storing clean gravel at Basin 0, placing basin fill in a specific soil layering method for all basins, additional slope drainage required at Basin 0, the Contractor's delay in starting subsequent structure/sub-structure work within the basins after completing grading, and rain events. In addition, the City has deleted scopes of work from the Contract such as Unit 3 and substructure/structure work (sub-drains) in all basins which have impacted the completion date.

The net effect of these delays and impacts are calculated by the Contractor's Time Impact Analysis (TIA 2) to require 93 calendar days of time extension to complete the Project by 4/28/2020. After negotiation, a total of 93 calendar days of time extension will be granted; 56 calendar days which are compensable, and 37 non-compensable. The total compensation due to the contractor for these impacts is \$174,969.00.

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CHANGE ORDER NO. 60

Design plans for the future Landscaping phase are currently being completed. To ensure a smooth interface between the work being done as part of the current Grading phase, and the future Landscaping phase, some items of work were removed from the current project scope. These items include the soil cement access road, rip-rap grouting, and reduction in the amount of cobble within the riparian stream.

The main soil cement access road will see substantial construction traffic during the upcoming Landscaping phase and was removed from this phase to avoid damaging it later. The soil cement road will be constructed during the Landscaping phase. This resulted in a credit to the City in the amount of (\$182,288.00).

To facilitate installation of plants within areas of the riparian basins that contain rip-rap, the rip-rap will not be grouted as part of this phase. It is being evaluated whether the grout should be installed during the next phase, or eliminated altogether. The removal of the grout from this phase of the Project resulted in a credit to the City in the amount of (\$78,616.93).

During construction, a clarification to the design plans was made that resulted in substantially less cobble stone required to be placed within the riparian streams. This resulted in a net credit to the City in the amount of (\$155,000).

The deletion of these items will ensure a seamless transition to the upcoming Landscaping phase and will result in a net credit to the City in the amount of (\$415,905), and reduction of Project's overall cost.

The following is a summary of the three change orders being requested in this Report:

Change Order Number	Category	Amount
26	Unit 3 Descope	\$(387,994)
49	Time Extension 3 – Cumulative Impacts through December 31, 2019	\$174,969
60	Descoppe of Soil Cement Road, Riprap Grout, and Reduced Quantity Placement of Cobblestone	\$(415,905)
Total		\$(628,930)

To date, thirty-six (36) change orders have been executed in the amount of Four Million, Four Hundred One Thousand, One Hundred Twelve Dollars (\$4,401,112), or 32.54% of the original awarded contract amount. Three (3) of these change orders were issued under the authority of Report No. 19-117 and total \$599,776. Three (3) others were issued under the authority of

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Report No. 19-216 and total \$3,175,045. The remaining thirty (30) change orders total \$626,291, or 4.63% of the total contract amount. Three (3) additional change orders for a total credit to the City of \$(628,930) are requested as a part of this Report. The following table summarizes the change orders to date:

Summary of Change Orders as of 4/3/2020			
Category	Total No. of Change Orders	Dollar (\$) Amount	Percent (%) of Contract Amount
Change Orders under Report No. 19-117 Previously Authorized by RAP Board on June 5, 2019	3	\$599,776	4.43%
Change Orders under Report No. 19-216 Previously Authorized by RAP Board on October 23, 2019	3	\$3,175,045	23.47%
Other Change Orders	30	\$626,291	4.63%
Change Orders requested under this Report	3	\$(628,930)	(4.65)%
Total	39	\$3,772,182	27.89%

A copy of the most recent Project Change Order Log is attached (Attachment No. 1).

Although this Report is to request approval to execute change orders for a net credit to the City, the following is the current funding available for the Project:

FUNDING SOURCE

FUND/DEPT./ACCT. NO.

Potrero Canyon Trust Fund

100/54/00G998

TREES AND SHADE

This Project consists of the removal of existing vegetation from the planned grading area to facilitate the final grading of the site. Landscaping is not included in this Project. A future construction phase, planned to immediately follow the Grading phase, will include all landscaping planned for the park. Therefore, this change has no direct impact on trees or shade.

ENVIRONMENTAL IMPACT

No new work is proposed under this Report; therefore, the approval of this Report has no direct environmental impact.

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FISCAL IMPACT

This Project is funded by the aforementioned funding source and sufficient funds are available in this account to cover this request. There is no fiscal impact to RAP's General Fund as a result of this Report.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board report advances RAP's Strategic Plan by supporting:

Goal No. 1: Provide Safe Accessible parks.
Outcome No. 1: Every Angeleno has walkable access to a park in their neighborhood
Key Metric: Percentage of Angelenos with park access within a ½ mile of their home
Target: 60% by 2022

This Report was prepared by Pedro Garcia, Civil Engineer, Project Manager I, BOE Geotechnical Engineering Division, and reviewed by Neil Drucker, Assistant Division Manager, Architectural Division, BOE and Darryl Ford, Superintendent, Planning, Maintenance, and Construction Branch.

LIST OF ATTACHMENTS

Attachment No. 1 – Change Order Log, dated April 3, 2020

City of Los Angeles - Department of Public Works - Bureau of Engineering
Potrero Canyon Park - Grading
W.O. No. E1907428
CHANGE ORDER LOG

CO No.	COR No.	Subject	Payment Type	CO Cat.	COIN Date	COIN Est. (\$)	PCO ECO T&M Date	Not to Exceed (\$)	GC Proposal (\$)	GC Proposal Date	City Estimate (\$)	Agreed Amount (\$)	Agreed Date	CO Status	CO Date	Tim Ext. Cal. Days	Comments
1	001-R0	Work Site Traffic Control per CalTrans Requirements	LS	U	10/11/18	\$50,000.00	10/12/18		\$2,862.00	12/17/18	\$2,788.00	\$2,809.00	12/27/18	EXEC	1/11/2019	0	
2	002-R0	Reimbursement for Grading Permit Cost	LS	U	12/12/18	\$1,000.00	12/12/18		\$25,186.93	12/17/18	\$187.00	\$187.00	12/27/18	EXEC	1/11/2019	0	
3	007-R0	Removal of Inlet Riser @ Top of Unit 3 Slope	LS	E	01/10/19	\$50,000.00	01/11/19		\$23,348.46	04/22/19	\$19,163.00	\$19,163.00	05/02/19	EXEC	9/20/2019	0	Negotiated currently, in GC's court for signature.
4	010-R0	Reimbursement for Plumbing Permit and S-Permit	LS	E	01/14/19	\$10,000.00	01/14/19		\$383.74	05/17/19	\$383.97	\$383.97	05/20/19	EXEC	6/12/2019	0	Negotiated currently, in GC's court for signature.
5	003-R0	Pay State Water Resources Control Board Annual Permit Fee	LS	S	01/11/19	\$1,000.00	01/11/19		\$568.00	02/05/19	\$568.00	\$568.00	02/25/19	EXEC	3/4/2019	0	
6	004-R0	Work Site Traffic Control Plan - CalTrans Comment Revisions	LS	U	01/14/19	\$5,000.00	01/14/19		\$0.00	02/14/19	\$0.00	\$0.00	02/25/19	EXEC	3/4/2019	0	
7	None Specified	(VOID) Grade and Install Additional Drainage Features per PC 4 and PC 5	CAN	S	01/15/19	\$100,000.00	03/15/19							CAN			
8	005-R0	(VOID) Removal & Disposal of Stormdrain Thrust Blocks and Debris	CAN	U	02/12/19	\$50,000.00	02/27/19		\$0.00	04/10/19	\$1,305.00	\$0.00	01/01/00	CAN			
9	008-R0	(VOID) Removal of 6-12 inches Asphalt per RFI 16	LS	U	02/20/19	\$25,000.00	02/27/19		\$70,873.43	04/22/19	\$68,496.00	\$68,496.00	05/02/19	CAN		0	
10	006-R0	(VOID) Unidentified 12" Steel Pipe per RFI 31	CAN	U	03/07/19	\$5,000.00	03/07/19		\$0.00	04/10/19	\$0.00	\$0.00	01/01/00	CAN			
11	016-R0	Raise Unidentified Storm Drain MH	LS	U	03/07/19	\$5,000.00	03/07/19		\$14,720.37	08/01/19	\$7,590.00	\$11,000.00	10/15/19	EXEC	10/16/2019	0	
12	009-R0	Temporary Storm Drain Installation	TM	S	03/21/19	\$25,000.00	04/15/19	\$25,000.00	\$10,924.72	04/22/19	\$10,873.00	\$10,873.00	05/02/19	EXEC	6/12/2019	0	Negotiated currently, in GC's court for signature.
13	014-R0	Process Hillcrest Stockpile Soil - Part 1	TM	E	05/15/19	\$200,000.00	05/20/19	\$99,000.00	\$137,593.74	07/01/19	\$135,618.00	\$135,618.00	07/05/19	EXEC	10/16/2019	0	
14	011-R0	Additional Concrete Removal per RFI 007-R1	LS	S	05/08/19	\$5,000.00	05/10/19		\$5,376.58	05/17/19	\$7,296.00	\$5,513.00	05/22/19	EXEC	6/12/2019	0	
15	017-R0	Existing Manhole Shaft Differing Site Conditions	LS	U	05/08/19	\$10,000.00	05/10/19		\$12,878.18	08/01/19	\$6,695.00	\$6,000.00	09/30/19	EXEC	10/16/2019	0	
16	032-R1	Grading Modification per PC 004-R2 and PC 005	LS	S	05/22/19	(\$5,000.00)	05/22/19		\$60,498.97	11/14/19	\$24,158.00	\$52,686.00	11/25/19	EXEC	12/2/2019	0	
17	012-R0	Rain Delays_November 2018-May 2019	LS	U	05/31/19	\$0.00	06/03/19		\$0.00	06/04/19	\$0.00	\$0.00	06/05/19	EXEC	6/12/2019	32	
18	015-R0	Existing Fence Removal Due to Grading Limits - 15211 Friends/301 Alma Real	TM	U	06/04/19	\$5,000.00	06/06/19	\$5,000.00	\$8,452.99	07/23/19	\$10,005.00	\$10,005.00	08/12/19	EXEC	10/16/2019	0	
19	013-R0	Grading Modification at Properties 15229-15247 Friend Street	LS	S	06/06/19	\$25,000.00	06/06/19		\$16,143.21	06/25/19	\$19,157.00	\$16,143.00	07/05/19	EXEC	10/16/2019	0	
20	018-R0	Process Hillcrest Stockpile Soil - Part 2	TM	E	07/09/19	\$200,000.00	07/15/19	\$99,000.00	\$173,915.99	08/06/19	\$166,851.00	\$166,851.00	08/12/19	EXEC	10/16/2019	0	
21	033-R0	Grading Modification at 535 Alma Real Dr	LS	S	07/16/19	\$25,000.00	07/17/19		\$34,379.74	10/25/19	\$29,366.00	\$29,366.00	11/13/19	EXEC	11/19/2019	0	
22	035-R0	Implementation of Traffic Control per Caltrans Requirement	LS	U	07/31/19	\$50,000.00	08/07/19		\$100,489.70	11/14/19	\$93,235.00	\$98,912.00	12/10/19	EXEC	12/17/2019	0	

23	028-R0	Process Hillcrest Stockpile Soil - Part 3	TM	E	08/12/19	\$200,000.00	08/20/19	\$99,000.00	\$334,066.04	10/16/19	\$297,307.00	\$297,307.00	11/01/19	EXEC	11/7/2019	0	
24	021-R1	Time Extension 2 - Cumulative Impacts through April 30, 2019	LS	U	09/06/19	\$75,000.00	09/06/19		\$0.00	09/18/19	\$53,116.00	\$53,116.00	09/19/19	EXEC	9/30/2019	31	
25	041-R0	Unit 3 Drainage Modifications	LS	S	09/20/19	\$50,000.00	09/20/19		\$32,737.00	01/17/20	\$32,737.00	\$32,737.00	01/17/20	EXEC	1/22/2020	0	
26	037-R1	Unit 3 Descope	LS	S	09/18/19	(\$150,000.00)	09/19/19		(\$304,569.00)	12/05/19	(\$562,276.56)			UNR			
27	022-R0	(VOID) Bid Item 23 Quantity Adjustment - July Overages	LS	U	09/20/19	\$50,000.00	09/20/19		\$38,904.93	09/20/19	\$38,905.00	\$38,905.00	09/25/19	CAN		0	
28	023-R0	(VOID) Bid Item 20 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$100,000.00	09/20/19		\$99,996.50	09/20/19				CAN			
29	027-R0	(VOID) Bid Item 21 Quantity Adjustment - July Overages - Part 2	LS	U	09/20/19	\$100,000.00	09/20/19		\$99,999.00	09/23/19	\$303,213.00	\$99,999.00	09/25/19	CAN		0	
30	025-R0	(VOID) Bid Item 22 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$100,000.00	09/20/19		\$98,800.00	09/23/19				CAN			
31	024-R0	(VOID) Bid Item 21 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$150,000.00	09/20/19		\$99,999.00	09/23/19				CAN			
32	026-R0	(VOID) Bid Item 23 Quantity Adjustment - August Overages	CAN	U	09/20/19	\$25,000.00	09/20/19		\$20,805.60	09/23/19				CAN			
33	053-R0	Overtime (OT) for the Month of February 2020	TM	S	02/19/20	\$50,000.00	02/25/20	\$50,000.00	\$11,560.87	03/27/20				UNR			
34	034-R0	Additional Grading - West of Basins 3, 4, and 5	TM	U	10/02/19	\$25,000.00	10/31/19	\$25,000.00	\$20,440.61	11/01/19	\$20,441.00	\$20,441.00	11/01/19	EXEC	11/21/2019	0	
38	036-R0	Procurement of Plants for Landscaping Phase of Potrero Canyon Park Project	LS	S	10/09/19	\$100,000.00	10/10/19		\$98,390.21	11/14/19	\$91,102.00	\$91,102.00	11/21/19	EXEC	11/25/2019	0	
39	029-R0	(VOID) Bid Item Quantity Adjustments - July Overages	CAN	U	10/17/19	\$200,000.00	10/18/19		\$342,117.18	10/22/19				CAN			
40	030-R0	(VOID) Bid Item Quantity Adjustments - August Overages	CAN	U	10/17/19	\$200,000.00	10/18/19		\$921,917.17	10/22/19				CAN			
41	031-R0	Supplemental Agreement - Increase Contract Price to 133.95%	LS	S	10/22/19	\$0.00	10/22/19		\$3,045,242.00	10/24/19	\$3,045,242.00	\$3,045,242.00	10/28/19	EXEC	11/4/2019	0	
42	044-R0	Mitigation of the Time Impact Due to Rain Events for December 2019	TM	U	12/16/19	\$50,000.00	01/08/20	\$50,000.00	\$31,829.26	01/22/20	\$27,879.00	\$29,662.00	02/06/20	EXEC	2/10/2020	0	
43	040-R0	Overtime (OT) for the Month of November 2019	TM	S	11/06/19	\$50,000.00	11/12/19	\$30,000.00	\$11,968.77	01/06/20	\$3,447.00	\$3,447.00	01/08/20	EXEC	1/21/2020	0	
44	019-R1	Additional Sub-drain East of Basin 4 Per RFI 53	LS	U	11/06/19	\$25,000.00	11/06/19		\$13,894.84	01/13/20	\$7,943.00	\$11,775.00	02/14/20	EXEC	2/27/2020	0	
45	042-R0	Draining Issues with saturated soils along De Pauw St Properties	TM	U	11/18/19	\$25,000.00	11/20/19	\$35,000.00	\$9,427.12	01/17/20	\$8,574.00	\$8,574.00	02/10/20	EXEC	2/27/2020	0	
46	038-R0	Drainage features installation per PC 4-R2 and PC 14	LS	E	11/19/19	\$100,000.00	11/20/19		\$99,300.00	12/10/19	\$76,570.00	\$88,668.00	01/14/20	EXEC	1/28/2020	0	
47	039-R0	Bid Item 21 Quantity Adjustment - October	LS	U	12/03/19	\$100,000.00	12/05/19		\$99,999.00	12/10/19	\$99,999.00	\$99,999.00	12/17/19	EXEC	12/23/2019	0	
48	045-R1	Overtime (OT) for the Month of December 2019	TM	S	01/02/20	\$50,000.00	01/08/20	\$50,000.00	\$11,152.14	02/14/20	\$10,963.00	\$10,963.00	02/24/20	EXEC	3/4/2020	0	
49	043-R0	Time Extension 3 - Cumulative Impacts through December 31, 2019	LS	U	01/07/20	\$200,000.00	01/08/20		\$174,969.20	01/21/20	\$174,969.00			UNR			
50	051-R0	Mitigation of the Time Impact Due to Rain Events for December 2019 and January 2020-Part 2	TM	U	01/08/20	\$50,000.00	02/05/20	\$50,000.00	\$49,718.29	02/13/20	\$49,718.00	\$49,718.00	02/24/20	EXEC	3/9/2020	0	
51	050-R1	Overtime (OT) for the Month of January 2020	TM	S	01/08/20	\$50,000.00	01/15/20	\$50,000.00	\$8,259.15	02/13/20	\$8,259.00	\$8,259.00	03/10/20	EXEC	3/23/2020	0	
52	None Specified	Curb and Gutter Repairs adjacent to Tennis Courts	TM	S	01/22/20	\$50,000.00	02/05/20	\$30,000.00						UNR			
53	047-R0	Bid Item 21 Quantity Adjustment - December	LS	U	01/29/20	\$50,000.00	01/31/20		\$29,803.50	02/04/20	\$29,804.00	\$29,804.00	02/07/20	EXEC	2/10/2020	0	

54	049-R0	Updated Plant List	LS	U	02/04/20	\$10,000.00	02/05/20		\$4,747.23	02/07/20	\$4,747.00	\$4,747.00	02/10/20	EXEC	3/2/2020	0	
55	048-R0	Install 12" Gravel Layer and 6" Soil Cap in Each Basin	LS	E	02/05/20	(\$50,000.00)	02/05/20		\$481,330.60	02/07/20	(\$62,387.00)	(\$50,527.00)	02/14/20	EXEC	2/27/2020	0	
56	None Specified	(VOID) Descope of Rip-Rap Grout	CAN	S	02/19/20	(\$50,000.00)	02/20/20							CAN			
57	None Specified	(VOID) Soil Cement Access Road Descope	CAN	S	03/09/20	(\$150,000.00)	03/10/20							CAN			
58	052-R0	Time Extension 4 - Rain Delays on January & February 2020	LS	U	02/27/20	\$0.00	03/02/20		\$0.00	03/04/20	\$0.00			UNR			
59	054-R0	Overtime (OT) for the Month of March 2020	TM	S	03/12/20	\$50,000.00	03/26/20	\$50,000.00	\$2,047.09	04/03/20				UNR			
60	056-R0	Descope of Soil Cement Road, Riprap Grout, and Revised Meandering Cobble Stream Implementation	LS	S	04/03/20	(\$150,000.00)	4/3/2020		(\$415,904.00)	4/3/2020				NEG			
61	059-R0	Mitigation of the Time Impact Due to Rain Events for March 2020	TM	U	03/25/20	\$50,000.00								UNR			
62	055-R0	Partnering sessions		U	04/03/20	\$25,000.00								UNR			
63	None Specified	Overtime (OT) for the Month of April 2020	LS	U										UNR			

Original Contract		\$13,526,579.00	Time Extension		63	CD's	Payment Type:		LS: Lump Sum	CO Category:		U: Unforeseen	17	\$436,749.00
Original		\$0.00	Approved		17		TM: Time &			E: Errors & Om		7	\$657,463.97	
Revised		--	Approved Non		46		CAN: Canceled			S: Change in Sc		12	\$3,306,899.00	
Executed COs & UCOs		\$4,401,111.97					CO Status:		EXEC: Executed	Executed COs		36	\$4,401,111.97	
CO Percentage		32.54%					NEG:			Executed		0	\$0.00	
Revised Contract		\$17,927,690.97					UNR:			Forecasted		8	(\$664,603.60)	
Remaining		(\$4,401,111.97)					CAN: Canceled			Canceled COs		14	--	