

APPROVED

REPORT OF GENERAL MANAGER

FEB 17 2010

NO. 10-032

DATE February 17, 2010

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ASCOT HILLS PARK PHASE II PROJECT - SUPPLEMENTAL AGREEMENT TO THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY DESIGN CONTRACT NO. 3177

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

[Signature]

 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board approve a Supplemental Agreement, substantially in the form on file in the Board Office, providing for an additional year and for extra services to be paid to the Mountains Recreation and Conservation Authority (MRCA) in the amount of \$70,000 to provide additional design services, as outlined in the body of this report, for the completion of the Ascot Hills Park Phase II project.

SUMMARY:

The Ascot Hills Park project is located at 4371 Multnomah Street, Los Angeles, CA 90032, on a property owned by the Department of Water and Power (DWP) that was formerly used as a DWP training facility. A Use and Indemnity Agreement between the Department and DWP was executed on June 19, 2006 to provide Right of Entry to the Department for the development and maintenance of the new Ascot Hills Park. A proposed 20-year lease agreement for the use of the 93.51-acre site as park was approved by the Board of Recreation and Park Commissioners (Board) on August 20, 2008 (Report No. 08-239). The lease agreement is in the process of being signed by all parties for execution.

The Mountains Recreation and Conservation Authority (MRCA) is a joint-powers agency of the Santa Monica Mountains Conservancy, a State agency working to preserve parkland and open space in both wilderness and open settings in Southern California. MRCA has been involved since the inception of the project and provided assistance to the Department on community outreach efforts and securing a Proposition 40 grant for the Ascot Hills Park project. Subsequently on August 9, 2005, the Board approved Report No. 05-219, authorizing the

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Department to enter into a personal services contract with MRCA for design services related to the development of the park. The design services contract (Contract No. 3177) with MRCA was executed on January 4, 2006, for a total fee of \$348,800 for MRCA's design services, and for a term of three years.

On March 19, 2008, Board Report No. 08-73 was approved to allow extra design services to be paid to MRCA in the amount of \$35,475 to provide necessary land survey and geotechnical investigation work for the project, and to adjust the term of the contract from three years to four years.

Due to the project's size and scope of work, the Ascot Hills Park development was phased into three parts as outlined below:

Phase I (completed):

Development of approximately 40 acres, or the western half of the 93-acre site, including entry monument and gates, nature hiking trail loops, gravel parking lot, temporary portable restroom, rhino gate and security fencing, vista area and seating/rest areas with boulders.

Phase II (underway):

Development of the eastern half of the site, including site utilities, additional hiking trail loops and parking, stream restoration, native planting, interpretive signage, outdoor classroom, security lighting and irrigation.

Phase III (future, unfunded):

A new building approximately 3,000 square feet in size to serve as visitor's center and staff offices.

The combined scope of work of Phase I and Phase II represent the scope required to be completed under Proposition 40 grant agreement. Phase I has been completed and open for public use, with a dedication and grand opening ceremony held on August 19, 2006.

When the entire 93-acre site is fully developed, the Ascot Hills Park will be considered as a regional facility, and the Department recognized the importance of a building to accommodate on-site operations staff and maintenance equipment, and to provide continuous presence at the site to deter unwanted activities. On September 25, 2008, the L.A. for Kids Steering Committee (LAFKSC) approved a report that allows the addition of modular (trailer) building, approximately 2,000 square feet in size, to be added to the scope of Phase II work. The modular building will also provide space for nature interpretive exhibits and displays, as well as

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occasional community gatherings. The project was awarded Proposition K Competitive Grant (via 5th year cycle grant application) to help cover the additional costs associated with the modular building. The design work associated with the modular building was not part of the scope of services under MRCA's contract. MRCA is requesting \$70,000 in additional services to provide complete design, and preparation of plans and specifications for the proposed modular building.

The State mandated that the City would receive Proposition 40 funds on a reimbursable basis only. As such, in order to move any of the projects funded by Proposition 40 grant forward for completion, it requires cash flow loans from other funding sources, or funds from the City's Public Works Trust Fund (PWTF) account, or a combination thereof. In December 2008, the State suspended the availability of Proposition 40 funds to reimburse the City. Due to the limited capacity of the PWTF account to provide cash flow loans, the decision was to cash flow only projects in construction (those with the greatest financial risks and liabilities). Projects in design, including Ascot Hills Park Phase II project, were suspended. The design of the Phase II work was approximately 70% complete when work was suspended. Although the project has Proposition K funds that could have provided cash flow loans, the approach was opposed by the Office of the City Administrative Officer and the City Attorney's Office, as it would expose the project to a greater financial liability to return all Proposition K funds expended should the State cancel the Proposition 40 grants and the project is never completed. Although the State funding was restored in May 2009, it was not until a cash flow loan was available from the PWTF account that a report was approved by the LAFKSC on December 17, 2009 to allow design work to resume. As such, the project was placed on hold for about a year, and time extension is necessary to adjust the term of MRCA's contract from four years to five years, in order to allow sufficient time to complete the project.

Staff recommends that the Board approve the extra services in the amount of \$70,000 to Contract No. 3177 in accordance with Article II, Section 8, EXTRA SERVICES, to authorize MRCA to proceed with and complete all necessary work for the Ascot Hills Park Phase II work, as described earlier in this report; and to extend the term of the contract by one year, in accordance with Article VIII, Section 5, TERM, that at BOARD'S sole option, the term of the agreement may be extended for up to three (3) additional years to be exercised in one (1) year increments.

Funds are available in Proposition 40 and Proposition K.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund since all compensation to MRCA is provided in the grants received from the Proposition 40 and Proposition K.

This report was prepared by Paul Tseng, Bureau of Engineering Architectural Division and reviewed by Cid Macaraeg, Planning and Construction Division.