

APPROVED

REPORT OF GENERAL MANAGER

NO. 10-135

DATE June 2, 2010

JUN 02 2010

C.D. 2

BOARD OF RECREATION and PARK COMMISSIONERS

BOARD OF RECREATION AND PARK COMMISSIONERS

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

R. Adams _____ F. Mok _____
H. Fujita _____ K. Regan _____
S. Huntley _____ *M. Shull 7/10 for
V. Israel _____

[Signature]
General Manager

Approved [Signature]

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Withdrawn _____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;

Table with 3 columns: FUNDING SOURCE, FUND/DEPT/ACCT, ENCUMBERANCE AMOUNT. Row 1: 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.

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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:

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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.

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<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 st Floor, Los Angeles, Ca. 90015.		10	10
3 Work Areas	Proof of this must be demonstrated in either Indicator 4 or 5.		13	13
4 Ad	A copy of the advertisement or a proof of publication statement or other verification which confirms the date the advertisement was published. The advertisement must be specific to the project, not generic, and may not be a planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents.		9	9
5 Letters to Potential Subs	A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	10
6 Follow-up to Letters	A copy of telephone logs. These logs must include the name of the company called, telephone number, contact person, who did the calling, time, date, and the result of the conversation. Bidder must follow-up with all subcontractors to whom they sent letters.		10	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
TOTAL POINTS ACHIEVED			90	
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 st 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
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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
TOTAL POINTS ACHIEVED			36	
MBE/WBE % ACHIEVED:			6%	

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

Non-Responsive