



## REPORT OF GENERAL MANAGER

PG. 2                      NO. 14-312

5. Authorize the Department's Chief Accounting Employee to pay California Landscape & Design Inc., California Skateparks the three change orders (CO#4-1, CO#4.2, and CO#20) for a total of \$35,577.00.

### SUMMARY:

On June 6, 2012, the Board awarded a construction contract (Contract No. 3387) in the amount of \$1,456,650 to California Landscape & Design, Inc. dba California Skateparks (California Skateparks), under Board Report No. 12-180, for the design and construction of the new Southeast Valley Roller and Skateboard Rink Phase I (Skateboard Rink/Skatepark) (W.O. #E170125F) project. The Board executed Contract No. 3387 on July 19, 2012. The Notice-to-Proceed was issued on July 23, 2012.

The scope of work in the original Southeast Valley Roller and Skateboard Rink Phase I (Skateboard Rink/Skatepark) project bid documents was as follows: Design and construct approximately 25,000 square feet of new skate park, together with a pre-fabricated six (6) stall restroom building with storage space. The skatepark shall include shade canopies, ledges, rails, stairs, ramps, benches, drinking fountains, trash enclosure, security lighting, landscaping, parking lot, bioswale, and irrigation.

The construction of the skatepark was completed and it was opened to the public on June 5, 2014. A total of twenty-two (22) Change Orders, at a cost of \$71,121.00, or five percent (5%) of the original awarded amount, were issued. The total contract amount, including approved change orders, is \$1,527,771.00.

On March 19, 2014, the Board rejected California Skateparks's request to substitute their electrical subcontractor, under Board Report No. 14-077, by then, California Skateparks had completed most of the electrical work, using non-approved electrical subcontractors or their own forces. Therefore, the Department of Public Works, Bureau of Engineering's recommendation, as concurred with by Department of Recreation and Parks' staff, is to deduct ten percent (10%) of the subcontract amount, which is \$6,600.00, from the retention monies as penalty for the contractor's substitution of subcontractor, CMV Electric, Inc., without the Board's approval, pursuant to Los Angeles Administrative Code Section 10.14.3 (Board Report No. 14-077). If approved, the City will, on behalf and in accordance with the standard practice of, the Department of Public Works, Bureau of Contract Administration, withhold ten percent (10%) of the electrical subcontract amount, which is \$6,600.00, from the retention release as a penalty for illegal subcontracting.

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On May 21, 2014, (Board Report No. 14-121), the Board approved to withhold an amount of \$1,148.30, together with twenty-five percent (25%) of this amount for subcontractor's stop notice. The City will withhold an additional \$1,435.38 from the retention release

On August 13, 2014, the Board approved an additional withholding of \$18,613.32, together with twenty-five percent (25%) of this amount for subcontractor's stop notice. The City already withheld a total of \$23,266.65 from the retention release (Board Report No. 14-209).

On September 3, 2014, the Board approved an additional withholding of \$36,110.00 (Board Report No. 14-229), a partial release of \$26,104.35 was approved by the Board approval on November 19, 2014. Assuming the partial release is approved by the Board, the remaining withholding is \$10,005.65, together with twenty-five percent (25%) of this amount for subcontractor's remaining stop notice. The City will withhold a total of \$12,507.06 from the retention release.

To date, the City has withheld retention monies in an amount of \$149,219.40, which is a little less than ten percent (10%) of the total contract. Staff is recommending the release of all retention funds after deducting the above charges. The net amount to be released to the contractor is \$106,845.69.

Department staff has consulted with the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance concerning the status of the labor compliance requirements and Affirmative Action requirements on the project and, to date, there are no outstanding wage violations, and California Skateparks is in compliance.

### FISCAL IMPACT STATEMENT:

The majority of funding for the Southeast Valley Roller and Skateboard Rink Phase 1 (Skateboard Rink/Skatepark) was provided by Proposition K; therefore, there was no impact to the Department's General Fund during construction. The Department have requested \$31,000 for yearly maintenance of this facility after construction completion per Board Report 12-180.

This Report was prepared by William Tseng, Project Manager, Recreational and Cultural Facilities Program, Department of Public Works, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Jose Fuentes, Acting Deputy City Engineer, BOE; and Cathie Santo Domingo, Superintendent, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.



# CO & CO Request Log: SE Valley Skateboard Rink W.O.No.: E170125F

CO No	CO Req	DESCRIPTIONS	PCO ECO Date	GC Prop. Amount	Proposal Date	CMD Est. Amount	Apprvd. Amount	Apprvd. Date	Change Order Status	FCO Date	C.O. Type	Pynt. Type	Cal. Days Req.	Apvd. Comp. Cal. Days	Apvd. Non-Comp. Cal. Days	REMARKS
001	001	Site re-surveying	07/23/13	\$ 13,221.14	07/18/13	\$ -	\$ -	08/08/13	Cancelled	08/08/13	E	LS	0	0	0	RFI #1
002	003	Non-compensable time extension over excavation	08/06/13	\$ -	08/05/13	\$ -	\$ -	08/06/13	Executed	08/07/13	S	LS	90	0	90	
003	004	existing and new interior sidewalks	08/13/13	\$ 14,409.00	08/09/13	\$ 14,409.00	\$ 14,409.00	08/13/13	Executed	08/13/13	U	LS	0	0	0	RFI #3; Ltr. #4
004	004	Driveaway Approach	08/26/13	\$ 76,247.50	08/09/13	\$ 13,185.00	\$ 13,185.00	08/29/13	Executed	08/29/13	S	LS	0	0	0	RFI #4; Ltr #5
4R1	021	Additional Asphalt Paving	07/24/14	\$ 14,061.00	07/02/14	\$ 14,061.00	\$ 14,061.00	07/24/14	Executed	07/24/14	S	LS	0	0	0	RFI#27
4R2	022	chain link instead of omega fence	08/27/14	\$ 1,516.00	08/25/14	\$ 1,516.00	\$ 1,516.00	08/27/14	Executed	08/27/14	S	LS	0	0	0	Ltr#25
005	005	fire hydrant credit	09/09/13	\$ (6,177.00)	09/02/12	\$ (68,400.00)	\$ (68,400.00)	09/24/13	Executed	09/24/13	S	LS	0	0	0	RFI #11; Ltr #6
006	006	volcano area modification	09/12/13	\$ 20,144.00	08/15/13	\$ (54,150.00)	\$ (54,150.00)	09/19/13	Executed	09/20/13	S	LS	0	0	0	RFI #6; Ltr #7
007	007	sewer extension	09/07/13	\$ 17,170.00	08/11/13	\$ 17,170.00	\$ 17,170.00	09/17/13	Executed	09/18/13	S	LS	10	0	10	RFI 7; Ltr 8
008	008	Construction Sign Corrections	09/12/13	\$ 1,787.00	09/03/13	\$ 1,787.00	\$ 1,787.00	09/18/13	Executed	09/20/13	S	LS	0	0	0	RFI 13; Ltr 9 & 13
009	009	clean air vehicle charging circuit	09/16/13	\$ 6,000.00	09/10/13	\$ 2,746.00	\$ 6,000.00	09/19/13	Executed	09/20/13	S	LS	3	0	3	RFI 9; Ltr 10
010	010	excess permits	09/26/13	\$ 15,148.25	09/12/13	\$ 3,436.00	\$ 3,436.00	09/19/13	Executed	10/01/13	S	LS	0	0	0	RFI 12; Ltr 11
011	011	8' CMU free standing walls	10/17/13	\$ 3,688.80	10/09/13	\$ 79,018.00	\$ 79,018.00	10/29/13	Executed	10/01/13	S	LS	0	0	0	RFI 10R.1; Ltr12
012	012	volcano provision and Time Extension	11/22/13	\$ -	11/22/13	\$ -	\$ -	11/11/13	Executed	10/29/13	S	LS	5	0	5	Letter 15
013	013	Replacement of Deteriorated Fencing	11/22/13	\$ 5,788.00	11/27/13	\$ 5,788.00	\$ 5,788.00	11/27/13	Executed	11/18/13	S	LS	3	0	3	Ltr. #16
014	014	Domestic Water Booster Pump	12/02/13	\$ 28,000.00	12/09/13	\$ 15,270.00	\$ 15,270.00	12/03/14	Executed	11/27/13	S	LS	33	0	33	Ltr. #17
015	15R1	CLG Gates Canceled	01/06/14	\$ -	05/20/14	\$ -	\$ -	05/21/14	Cancelled	11/03/13	S	LS	0	0	0	LTR. #19
016	017	Anti Theft Device & Field Weld Anchors	05/22/14	\$ 923.00	10/02/14	\$ 13,884.00	\$ 923.00	05/21/14	Executed	02/06/14	S	LS	43	0	43	RFI #18
017	018	Final Closeout Change Order	09/14/14	\$ 122,751.00	10/02/14	\$ -	\$ 20,000.00	11/03/14	Executed	05/28/14	S	LS	6	0	6	Ltr. #22
018	019	Original Contract Price		\$ 1,456,650.00		Executed			U: Unforeseen		\$ 34,409.00	48 %				
019	020	Original Contingency		\$ 32,172.00		Negotiated			E: Errors & Omissions		\$ 673.00	1 %		19		71,121.00
020	023	(Executed Change Orders)		\$ 71,121.00		Unresolved			S: Change in Scope		\$ 36,039.00	.51 %				Forecasted Change Orders
		Revised Contract Price		\$ 1,527,771.00		Cancelled			LS: Lump Sum			Change Order				0
		Outstanding Contingency		\$ (38,949.00)		Approved Comp. Cal. Days	0		TM: Time & Material			Percentage				Cancelled Change Orders
		Num. Of Approved Days		264 Cal. Days		Approved Non Comp. Cal. Days	264		CAN: Canceled			4.9%				3

**Footnotes**  
 1. Percentages of Change Order Types are based on approved dollar amounts.  
 2. Forecasted Change Orders = Unresolved + Negotiated