

APPROVED
JUL 16 2020

BOARD OF RECREATION
AND PARK COMMISSIONERS

BOARD REPORT

NO. 20-133

DATE July 16, 2020

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 1st AND BROADWAY CIVIC CENTER PARK (PRJ20781) (PRJ21252)
(W.O. #E1907807) PROJECT – CANCELLATION OF BIDS AND RE-BID

AP Diaz _____	<i>fer</i>	S. Piña-Cortez _____
H. Fujita _____		C. Santo Domingo <i>DF</i> _____
V. Israel _____		N. Williams _____

General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Cancel all bids received on February 18, 2020, for the 1st and Broadway Civic Center Park (PRJ20781) (PRJ21252) (W.O. #E1907807) Project (Project); and,
2. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee or Designee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

The Project is located at 126 North Broadway, Los Angeles, California 90012, in the Civic Center community of downtown Los Angeles, across the street from the Los Angeles City Hall. The Project site is generally bounded by the Los Angeles County's Grand Park to the north, Spring Street to the east, 1st Street to the south, and Broadway to the west.

The Project includes the development of a 1.96-acre vacant lot into an open space public park, which is the result of a design competition previously initiated by the City in 2015.

The Project incorporates a two-story restaurant building with rooftop access at the northwest corner of the park, trees and green spaces for public enjoyment, walking pathways and passive recreational uses, numerous seating areas, new hardscaping and landscaped areas, bicycle parking area, 16 multi-function canopies to provide shade and lighting throughout the park, and bioswales and Best Management Practices (BMPs) for infiltration and/or appropriate treatments of storm water runoffs.

The two-story/tri-level restaurant building has a total gross area of approximately 19,200 square feet, and will accommodate up to five (5) points of sales of food and beverages (including alcoholic beverages). The ground floor will feature a café, a take-out window, and a beer garden. A full-service destination restaurant will occupy the entire second floor. The accessible rooftop terrace

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will have serviced bar and lounge seating and separate public view deck. An area on the north side of the restaurant building will accommodate essential infrastructure such as electrical vault, grease interceptor, loading dock, and trash enclosure. Public restrooms would be provided on the first floor of the restaurant building and at the rooftop for use by park patrons. RAP is currently in negotiations with a restaurateur to establish a multi-year contract to provide food and beverage services at the 1st and Broadway Park restaurant building. Studio-MLA and their team of sub-consultants prepared the plans and specifications under the direction of the Department of Public Works, Bureau of Engineering (BOE), Architectural Division.

Due to the saturated construction market, its impact on the bidding environment of public projects, and limited availability of funds, one Additive Alternate was identified in the bid. The Additive Alternate bid item, for the fabrication and installation of sixteen (16) "California Poppy" canopy structures, would be awarded as part of the contract at the discretion of the Board of Recreation and Park Commissioners (Board) at the time of award, if sufficient funds are available.

The City Engineer's estimate for the proposed Project's construction cost, excluding the Additive Alternate, was Twenty-One Million Five Hundred Thousand Dollars (\$21,500,000), and the City Engineer's estimate for the Additive Alternate described above was Three Million Eight Hundred Thousand Dollars (\$3,800,000).

Funds are available for construction and constructions contingencies from the following funds and accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT NO.</u>
QUIMBY	302/89/89460K-RX
Park Fees	302/89/89716H

On November 20, 2019, the Board approved the final plans and call for bids (Report No. 19-233). On February 18, 2020, two (2) bids were received from Ford EC, Inc. and Pinner Construction Co, Inc., from the list of eight (8) pre-qualified contractors adopted by the Board of Public Works on August 14, 2015. The bid amounts received are listed in the following table:

Contractor	Base Bid	Additive Alternate
Ford EC, Inc.	\$27,473,000	\$3,100,100
Pinner Construction Co, Inc.	\$28,495,000	\$8,502,000

The bid submitted by Pinner Construction Co., Inc. has been deemed non-responsive for its failure to bid-list all the subcontractors from the Bureau of Contract Administration's (BCA) pre-approved list.

If considering awarding both the Base Bid and the Additive Alternate to Ford EC, Inc., the lowest responsive and responsible bidder, there will be a funding shortfall of approximately \$21.2 million to complete the construction.

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It is noted that RAP submitted an application to the State for the Proposition 68 Grant in an amount of \$8.5 million to help reduce the Project's funding shortfall. Unfortunately, it was announced on February 25, 2020, that the Project was not selected to receive the Proposition 68 Grant.

At this time, since there is not sufficient funding to award the Project, it is recommended that the Board cancel all bids received on February 18, 2020. The Project will be re-bid at a later time through RAP's as-needed pre-qualified general contractors for park facilities construction once the Project is fully funded.

TREES AND SHADE

The Project will remove one (1) existing Magnolia street tree on Broadway, outside of Park's property, and plant forty-seven (47) new trees, and new shrubs and groundcovers.

The new trees proposed to be planted are: ten (10) Desert Willow, eight (8) Toyon, five (5) Catalina Ironwood, four (4) California sycamore, nine (9) Coast Live Oak, three (3) Engelmann Oak, three (3) Valley Oak, and five (5) Island Live Oak.

At the time of construction completion, the trees would provide approximately 13,800 square feet of canopy coverage. At five (5) years after construction completion, it is anticipated that those trees will provide 20,800 square feet of canopy coverage.

ENVIRONMENTAL IMPACT

The Project was previously evaluated for environmental impact in accordance with California Environmental Quality Act (CEQA), and the Board has determined that all the environmental impacts can be mitigated to a level less than significant, and adopted the Project's Final Initial Study/Mitigated Negative Declaration (IS/MND), and Mitigation Monitoring and Reporting Plan (MMRP) (Report No. 19-075). A Notice of Determination (NOD) for the adopted Final IS/MND was filed with the Los Angeles City Clerk and the Los Angeles County Registrar/Recorder on July 26, 2019. Staff has determined that the Project and the environmental conditions of the site have not substantially changed since the previous evaluation and no additional mitigations are required. Therefore, no additional CEQA documentation is required.

FISCAL IMPACT

The Project will be funded by a combination of the aforementioned funding sources. There is no immediate fiscal impact to RAP's General Fund at this time.

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STRATEGIC PLAN INITIATIVES AND GOALS

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

- Goal No. 3:** Create and Maintain World Class Parks and Facilities
Outcome No. 1: Newly developed open space park projects and the redesign of signature City parks
Key Metric: Number of major park projects completed
Target: Six (6) by 2022

This Report was prepared by Nur Malhis, Project Manager, BOE Architectural Division. Reviewed by Neil Drucker, Assistant Division Head, BOE Architectural Division; and Darryl Ford, Superintendent, Planning, Maintenance and Construction Branch.