

APPROVED

NOV 17 2022

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 22-291

DATE November 17, 2022

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PERSHING SQUARE RENOVATION PHASE 1A (RE-BID) (PRJ21113) (W.O. #E1908536) PROJECT – REVISION OF THE BID DUE DATE

B. Aguirre	_____	M. Rudnick	_____
H. Fujita	_____	<i>for</i> C. Santo Domingo	<i>DF</i> _____
B. Jackson	_____	N. Williams	_____

General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Approve the new date to be advertised for the receipt of bids for the Pershing Square Renovation Phase 1A (Re-Bid)(PRJ21113)(W.O.#E1908536) Project, for the final plans and specifications as previously approved by the Board of Recreation and Park Commissioners (Board) in Report #22-205 and with the revised Engineer's cost estimate as set forth in this Report, to January 17th, 2023, at 2:00 P.M. electronically to the Board Office; and,
2. Authorize RAP's Chief Accounting Employee or Designee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY/ BACKGROUND

On May 19, 2022, the Board of Recreation & Parks Commissioners (Board) approved the solicitation of construction bids for Pershing Square Renovation Phase 1A Project (Project). The Project was released for bid through the Pre-qualified General Contractors list for Park Facilities Construction – New Facility Construction (PQGC), as noted in RAP Board Report No. 22-124 (Attachment No 1), and received one bid from the list of ten (10) pre-qualified contractors on the PQGC. Ford E.C, Inc. provided the lowest responsive, responsible bid for an amount of Eleven Million, Eight Hundred Ninety-Three Thousand Dollars (\$11,893,000), which exceeded the approved funding for the Project. On August 4, 2022, the Board rejected the single bid and approved the re-bid of the Project to open public bid to solicit more competitive bids. The initial bid due date as authorized by the Board was September 7th, 2022, as noted in Board Report No. 22-205 (Attachment No. 2).

At the time of the approval of the Board report, the team planned to re-bid the bid package as it was originally prepared. However, due to that the entire package had to be re- assembled as we are now targeting the entire contracting community, time has lapsed before the bid can be released. Approximately eight (8) weeks was incurred to re-package, review, and finalize the

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revised bid package and Board Report. BOE recommends a duration of approximately sixty (60) days for the preparation of bids, which will provide more time for contractor/ subcontractor outreach, and subsequent preparation of competitive bids. However, the final plans and specifications for the Project remain unchanged from that previously presented to and approved by the Board in Board Report #22-205.

This Report requests the Board to revise the bid due date from September 7th, 2022, to January 17th, 2023.

PROJECT FUNDING

Upon receiving the previous sole bid for this Project, BOE staff evaluated the bid and re-estimated the construction costs of this Project to be Eight Million, Nine Hundred and Fifty Thousand Dollars (\$8,950,000) (Report No. 22-205), which considered the current market rate for construction costs. Furthermore, given the continuing escalation of material cost and the labor shortage, the City Engineer's estimate has been further revised to be Nine Million, Three Hundred Thousand Dollars (\$9,300,000).

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

FUNDING SOURCE	FUND/DEPT./ACCT. NO
Pershing Square Capital Improvement	58Q/89/89N864
Pershing TFAR Funds	58Q/89/89N865

FISCAL IMPACT

There will be no fiscal impact to RAP's General Fund associated with the Project. Operations and maintenance costs will be evaluated and included in future RAP annual budget requests.

STRATEGIC PLAN INITIATIVES AND GOALS

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

- Goal No. 1:** Create and Maintain World Class Parks and Facilities
Outcome No. 2: Long-term park system planning is guided by community engagement, data, and a commitment to equity

This Report was prepared by David Wang, Project Manager, BOE Architectural Division; reviewed by Ohaji Abdallah, Interim Proposition K Program Manager, Steven Fierce, Principal Architect, BOE Architectural Division; and Sean Phan and Darryl Ford, Superintendent, RAP Planning, Construction and Maintenance Branch.

LIST OF ATTACHMENTS

- Attachment 1 RAP Board Report No. 22-124, dated May 19, 2022
Attachment 2 RAP Board Report No. 22-205, dated August 4, 2022

APPROVED

ATTACHMENT NO. 1

MAY 19 2022

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 22-124

DATE May 19, 2022

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PERSHING SQUARE RENOVATION PHASE 1A (PRJ21113) (W.O. #E1908536) PROJECT – APPROVAL OF FINAL PLANS AND CALL FOR BIDS; CATEGORICAL EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO ARTICLE III, SECTION 1, CLASS 2 [REPLACEMENT OF EXISTING STRUCTURES WHERE THE NEW STRUCTURE WILL BE LOCATED ON THE SAME SITE AS THE STRUCTURE REPLACED AND HAVE SUBSTANTIALLY THE SAME PURPOSE AND CAPACITY] OF CITY CEQA GUIDELINES AS WELL AS TO ARTICLE 19, SECTION 15302 OF CALIFORNIA CEQA GUIDELINES

AP Diaz, H. Fujita, J. Kim, M. Rudnick, C. Santo Domingo, N. Williams with handwritten initials 'for' and 'DF'.

Signature of General Manager

Approved X Disapproved Withdrawn

RECOMMENDATIONS

- 1. Approve final plans and specifications...
2. Approve the Project to be bid and constructed through the Department of Recreation and Parks' (RAP) Pre-qualified General Contractors for Park Facilities Construction – New Facility Construction (PQGC);
3. Approve the date to be advertised for receipt of bids as Friday, July 8, 2022 at 2:00 P.M. electronically to the Board Office;
4. Determine that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 2 [Replacement of existing structures where the new structure will be located on the same site as the structure replaced and have substantially the same purpose and capacity] of City CEQA Guidelines as well as to Article 19, Section 15302 of California CEQA Guidelines and direct staff to file a Notice of Exemption (NOE) with the State Clearinghouse and Los Angeles County Clerk;

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5. Authorize RAP's Chief Accounting Employee or Designee to prepare a check to the Los Angeles County Clerk, in the amount of Seventy-Five Dollars (\$75), for the purpose of filing the Notice of Exemption; and,
6. Authorize RAP's Chief Accounting Employee or Designee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

Pershing Square began its life as a public square in 1866 and is considered the City's oldest park. In its long history from open pasture to an actively-programmed urban park, Pershing Square has undergone multiple programmatic and construction improvements in the last 150 years and was most recently renovated in 1994. In 2015, an international design competition was launched to reimagine the park. With the Phase 1A design completed, this landmark park now stands ready to begin transformation into its next chapter.

The 5-acre Pershing Square is located at 530 S. Oliver Street, in the Jewelry District of Downtown Los Angeles, bounded by Fifth Street to the north, Hill Street to the east, Sixth Street to the south, and Olive Street to the west. This 5.02 acre facility, which is located atop an underground public parking facility, provides a large plaza, landscaped areas, a children's play area, and community rooms, for the use of the general public and the surrounding community. Approximately 13,541 City residents live within a one-half mile walking distance of Pershing Square. Due to the size of the park, and the facilities, features, and programs it provides, Pershing Square meets the standard for a Community Park, as defined in the City's Public Recreation Plan.

BACKGROUND

In late 2012, the Fourteenth Council District Office began a series of public outreach and community meetings with the goal of gaining support, leveraging funds, and developing partners to make long-term improvements to Pershing Square. The community and municipal advocates participating in the community outreach events eventually became known as the Pershing Square Task Force. The Pershing Square Task Force was further formalized and became known as Pershing Square Renew.

In 2015, Pershing Square Renew launched an ambitious international competition. On August 12, 2015, the Board approved an Agreement for the design and renovation of Pershing Square Park with Pershing Square Renew (Report No. 15-171). Approximately 80 design firms responded to the competition, ten firms were shortlisted, and eventually four finalists were selected to enter the design competition. On May 12, 2016, Paris-based design firm Agence Ter was selected the winner of the design competition. On June 15, 2016, Agence Ter presented the competition-winning design to the Board's Facility Repair and Maintenance Task Force.

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On March 1, 2017, the Board approved the funding of Two Million Five Hundred Thousand Dollars (\$2,500,000) for design and renovation of Pershing Square (Report No. 17-055). At that time it was intended that the funds would be used to support the implementation of the project in combination with funding that would be raised by Pershing Square Renew. However, it should be noted that Pershing Square Renew is no longer operative and no longer involved in the project.

On May 22, 2017, the Board of Public Works authorized the Bureau of Engineering (BOE) to hire its pre-qualified on-call consultant, locally based Gruen Associates (Gruen) to collaborate with Agence Ter to create a feasibility study and develop a master plan for park improvements and the phased implementation of the intent of the competition-winning design. Due to the necessity to preserve the elevators for accessibility and as much of below grade parking as possible, adjustments to the winning entry had to be studied and elaborated to create a realistic master plan for park improvements. Gruen Associates completed the feasibility study and master plan in March 2018.

Maintaining accessibility and keeping the park open to public is critical for the continuation of the park operations during construction. Currently, there is one elevator on the Olive Street side and another one on the Hill Street side. The elevators only travel to the first level of the underground garage and require transfer to the levels below using the escalators. New elevators would travel directly from the park surface to all three parking levels below, making the journey to the garage fully accessible. Therefore, it is necessary to phase the elevator installation in coordination with the existing elevator closure to keep one elevator available at all times. The phased renovation would also allow the existing garage entries and exits to remain open during construction, reducing impact on traffic, and keep the garage operations uninterrupted. As a result, the design team created a master plan that would renovate the park in three (3) phases. The scope of work of each phase is summarized below:

1. Phase 1A: Perimeter improvements along Olive Street, including demolition of the existing café structure and elevators, revitalization of the park edge landscaping, addition of the new street-level entry plaza, and installation of two (2) new glass elevators and the communicating stairs serving the garage levels below for improved accessibility and security.
Phase 1B: Park-front edge condition and perimeter landscaping improvements along 5th Street and 6th Street.
2. Phase 2: Edge improvements with a new pedestrian grand promenade along Hill Street, revitalized landscaping, addition of the new street promenade as well as two (2) new glass elevators and the communicating stairs serving the garage levels below.
3. Phase 3: Removal of the existing raised concrete decks to lower the park surface to the same level as the adjacent surrounding streets. Install natural turf, landscaping, concession structures and other improvements consistent with Agence Ter's competition-winning design.

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On September 23, 2019, the Board of Public Works authorized the BOE to hire Gruen and Agence Ter to begin the design and the construction documents production of Phase 1A, 1B and Phase 2 based on the scope of work above.

Extensive community and municipal engagement continued throughout the design phase, often resulting in significant design changes and time extension to ensure the most appropriate design was delivered to the City. The Master Plan and the design for Phase 1A, Phase 1B and Phase 2 have been presented numerous times to various stakeholders and decision makers for comments and feedback, including but not limited to the community members, the Chief Design Officer of the Mayor's Office, Council District 14, and the Central City Association of Los Angeles.

The Phase 1A plans are now permit ready. The Phase 1B and Phase 2 plans are substantially complete and are currently being reviewed for code compliance and subsequent permitting. Staff will seek the Board's approval of the plans and bid solicitation for Phase 1B and Phase 2, when full funding for construction becomes available.

Phase 1A was presented to the Facility Repair and Maintenance Commission Task Force on November 18, 2021, and it was recommended to be presented to the Board. Submitted for the Board's approval under this Report are the final plans and specifications for Phase 1A (Attachment No. 2) prepared by Gruen, under the supervision of the BOE Architectural Division.

After review by RAP and BOE staff, it was determined that the construction work can be completed by RAP's PQGC, and that BOE's Construction Management Division will provide construction management services.

The City Engineer's estimate for the Project's construction cost is Six Million and Seven Hundred Thousand Dollars (\$6,700,000), which includes Six Hundred Seventy Thousand Dollars (\$670,000) of construction contingency.

It should be noted that the Pershing Square project received the Los Angeles Business Council 2019 Architectural Awards in the Design Concept Award category.

PROJECT FUNDING

As previously noted, the Board approved the allocation of the Two Million Five Hundred Thousand Dollars (\$2,500,000) in Quimby fees for the redesign and development of Pershing Square (Report No. 17-055).

Additionally, the City Council has awarded Four Million Five Hundred Forty Seven Thousand Three Hundred Thirty Eight Dollars (\$4,547,338) in TFAR Funds and Developer Contribution Funds to the Project (Council File (CF) No. 14-1547-S1, 17-1009-S1). These funds were deposited into Account 58Q/89/89N865, which was originally titled as "Pershing Square Project Renew". However, with the dissolution of the Pershing Square Renew group, that account has been renamed to "Pershing TFAR Funds"

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Finally, RAP is providing funding for the Project from the Pershing Square Capital Improvement Account.

Funds are available from the following funds and accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>
Pershing Square Capital Improvement	58Q/89/89N864
Pershing TFAR Funds	58Q/89/89N865

TREES AND SHADE

The Project will remove (5) existing trees on Olive Street, inside of the park’s property, and plant seventeen (19) new trees, new shrubs and groundcovers.

The trees and associated square footage to be removed consist of (1) Silk Floss- 314 sq. ft., (2) Tipu -1,412 sq. ft., (2) Forest Pansy- 76 sq. ft., totaling approximately 1,802 sq. ft. The cumulative Diameter at Breast Height (DBH) of the five existing trees to be removed in Phase 1A is 51".

The new trees proposed to be planted are: fourteen (14) Peppermint, two (2) Texas White Redbud, one (1) Western Redbud, one (1) Burgundy Desert Willow, and one (1) Warren Jones Desert Willow. The cumulative DBH of the 19 new trees to be planted in Phase 1A total 52".

At the time of Phase 1A construction completion, the trees would provide approximately 280 square feet of canopy coverage. At five (5) years after construction completion, it is anticipated that these trees will provide up to 2,704 square feet of canopy coverage. Upon full maturity, which varies per tree, the proposed trees will potentially provide 10,042 square feet of canopy cover.

ENVIRONMENTAL IMPACT

The proposed Project consists of replacement of existing structures where the new structure will be located on the same site as the structure replaced and have substantially the same purpose and capacity.

According to the parcel profile report retrieved on 4/6/2022, this area does not reside in a liquefaction zone or in a methane zone so there is no reasonable possibility that the project may impact on an environmental resource of hazardous or critical concern or have a significant effect due to unusual circumstances. No other known projects would involve cumulatively significant impacts, and no future projects would result from the proposed project. As of April 6, 2022, the State Department of Toxic Substances Control (DTSC) (Envirostor at www.envirostor.dtsc.ca.gov) has not listed the Project site, but has listed two Leaking Underground Storage Tanks, (RB Case #: 900130052, closed on 6/6/2001 and RB Case #: 900140016 closed on 10/22/1996) near the Project area (within 500 feet). Given the nature of the project and the distance of the two sites from the project area, the project will not be affected

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by any contamination. According to the Caltrans Scenic Highway Map there is no scenic highway located within the vicinity of the project or within the project site. A Historical Resources Assessment Report was prepared and concluded that the site is not eligible to be listed in the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR) and for designation as a City of Los Angeles Historic-Cultural Monument (HCM), therefore the proposed Project will not cause a substantial adverse change in the significance of a historical resource. However, the park does contain three pieces of public art (monuments). The Memorial to the 7th California Infantry (aka Spanish-American War Memorial), dedicated in 1900, is considered the oldest work of public art in the City and is designated as City of Los Angeles Historic-Cultural Monument No. 480. A bronze sculpture known as "The Doughboy" commemorates soldiers who lost their lives in World War I, and a sculpture of Ludwig van Beethoven is dedicated to William Andrews Clark, Jr., founder of the Los Angeles Philharmonic. These monuments would be returned to the Pershing Square property after the proposed renovation. In order to protect these monuments during and after their relocation, the monuments would be treated in accordance with the National Park Service Secretary of the Interior's Standards for the Treatment of Historic Properties.

Based on this information, staff recommends that the Board determine that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 2 of City CEQA Guidelines as well as to Article 19, Section 15302 of California CEQA Guidelines. Staff will file a Notice of Exemption with the Los Angeles County Clerk upon Board's approval

FISCAL IMPACT

There will be no fiscal impact to RAP's General Fund associated with the Project. Operations and maintenance costs will be evaluated and included in future RAP annual budget requests.

STRATEGIC PLAN INITIATIVES AND GOALS

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

- Goal No. 1:** Create and Maintain World Class Parks and Facilities
- Outcome No. 2:** Long-term park system planning is guided by community engagement, data, and a commitment to equity

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This Report was prepared by David Wang, Project Manager, BOE Architectural Division; reviewed by Ohaji Abdallah, Interim Proposition K Program Manager, Steven Fierce, Principal Architect, BOE Architectural Division; Deborah Weintraub, BOE Chief Deputy City Engineer; and Sean Phan and Darryl Ford, Superintendent, RAP Planning, Construction and Maintenance Branch.

LIST OF ATTACHMENTS

Attachment 1 – CEQA Notice of Exemption
Attachment 2 – Final Plans and Specifications

COUNTY CLERK'S USE

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
1149 S. BROADWAY, 7th FLOOR
LOS ANGELES, CALIFORNIA 90015
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
 (Articles II and III – City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles c/o Bureau of Engineering 1149 S. Broadway, MS 939 Los Angeles, CA 90015	COUNCIL DISTRICT 14
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PROJECT TITLE: Pershing Square Renovation Project (W.O. E1908536)	LOG REFERENCE
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PROJECT LOCATION: Pershing Square is an existing five-acre public park located at 525 South Olive Street in downtown Los Angeles in the Central City Community Plan area. (See *Figure 1: Regional Location* and *Figure 2: Project Site and Surrounding Area*). T.G. 634-E4; 634-F4

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The Pershing Square Renovation Project (Project) proposed project consists of the renovation of Pershing Square. The full redesign of the park would be implemented in three phases: Phase 1 addresses safety by adding and improving accessibility, and improves welfare, by increasing green space and flexibility of park usage; Phase 2 would replace visual barriers along Hill Street with new landscaping; and Phase 3 would reestablish views of the square to surrounding streets. however, only Phase 1 and Phase 2 are proposed to be implemented at this time. Phase 1 improvements address critical safety and welfare needs by increasing green space, adding trees and improving accessibility and flexibility of park usage. Phase 2 further implements a concept of openness and green space by replacing visual barrier walls along Hill Street with new landscaping. (See attached narrative). On April __, 2022, the Board of Recreation and Parks Commissioners determined this action is exempt from the California Environmental Quality Act (CEQA) and approved the Project.

CONTACT PERSON Shilpa Gupta	CONTACT INFORMATION shilpa.gupta@lacity.org
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EXEMPT STATUS: (Check One) <input type="checkbox"/> MINISTERIAL <input type="checkbox"/> DECLARED EMERGENCY <input type="checkbox"/> EMERGENCY PROJECT <input type="checkbox"/> GENERAL EXEMPTION <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION* <input type="checkbox"/> STATUTORY*	CITY CEQA GUIDELINES Art. II, Sec. 2.b Art. II, Sec. 2.a(1) Art. II, Sec. 2.a(2) Art. II, Sec. 1 Art. III, Sec. 1.b Class 2 Art. _____	STATE CEQA GUIDELINES Sec. 15268 Sec. 15269(a) Sec. 15269(b)(c) Sec. 15061(b)(3) Sec. 15302 Sec. _____
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* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION: This Project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, Section 15302, Class 2 (Replacement or Reconstruction). The project involves the renovation of an existing involving negligible or no expansion of use. None of the limitations set forth in State CEQA Guidelines 15300.2 apply (See *attached narrative*).

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE: Maria Martin	TITLE: Environmental Affairs Officer Environmental Management Group	DATE: 3/22/2022	
FEE PAID \$ _____	RECEIPT NO.	REC'D BY	DATE

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PROJECT DESCRIPTION

INTRODUCTION

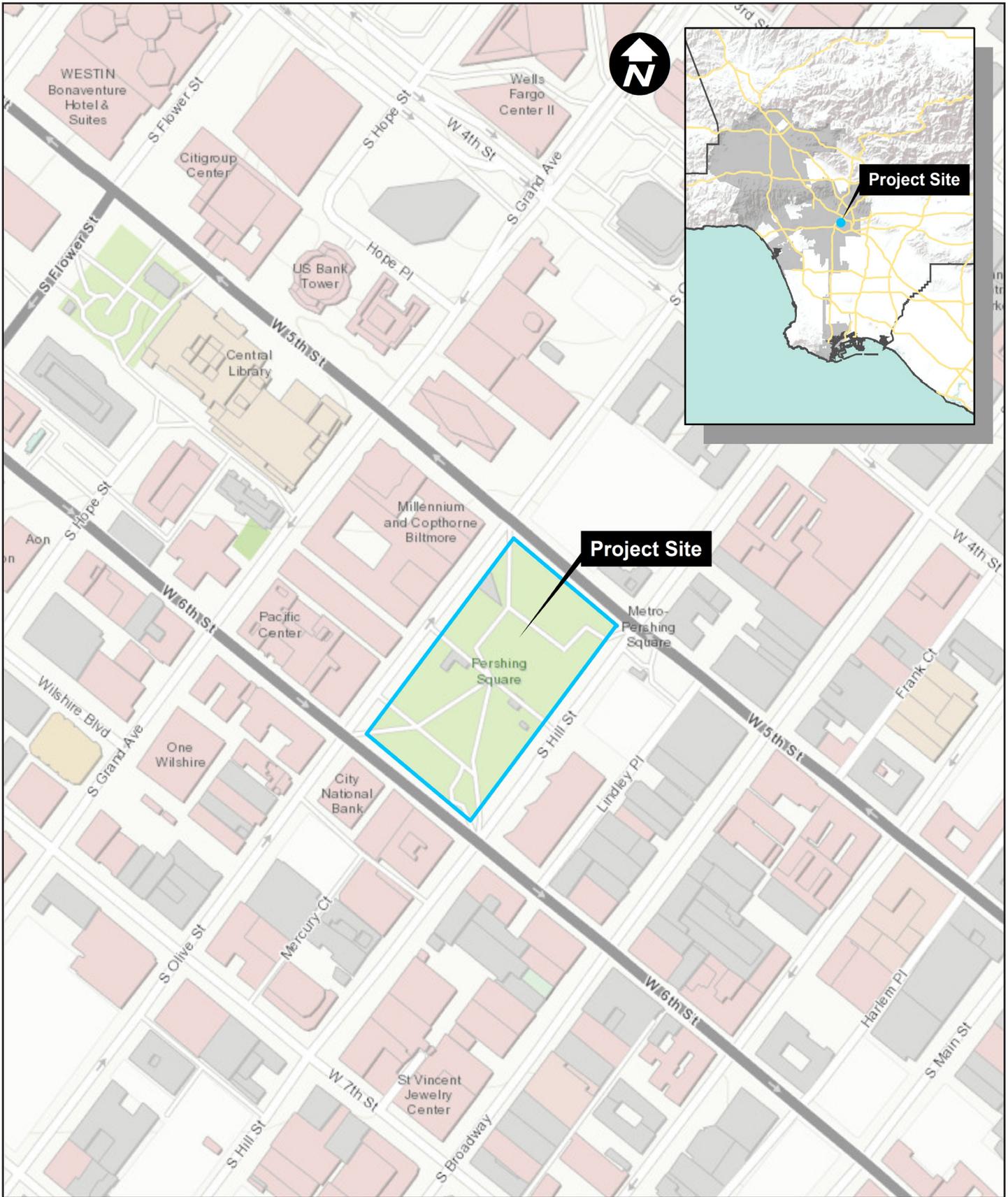
This environmental document describes Phase 1 and Phase 2 of the Pershing Square Renovation Project (proposed project) and details the analysis and findings leading to the determination that the proposed project qualifies for a Class 2 Categorical Exemption (Replacement and Reconstruction) under the provisions of Section 15302 of the California Environmental Quality Act (CEQA) and the City of Los Angeles' CEQA Guidelines.

The City of Los Angeles initiated an international design competition to redesign Pershing Square in 2015. Approximately 80 design firms submitted their qualifications to renovate the park, and on May 12, 2016, the Paris-based urban design and landscape architecture firm, Agence Ter, was announced as the winner. Agence Ter proposed what they call “radical flatness” to make the park street level and make it feel more open and accessible. Their winning competition proposal is estimated to cost \$110 million, and is anticipated to be built over a ten- to 15-year period in three phases. Phase 3 will not be implemented at this time; however, Phase 1 and Phase 2 are currently fully funded with a budget of approximately \$25 million. Phase 1 improvements address critical safety and welfare needs by increasing green space, adding trees and improving accessibility and flexibility of park usage. Phase 2 further implements a concept of openness and green space by replacing visual barrier walls along Hill Street with new landscaping. Implementation of Phase 3 will ultimately bring about the chosen design reestablishing views across the square to surrounding streets by eliminating the elevated condition of the park caused by the parking garage beneath the square.

PROJECT LOCATION

Operated by the City of Los Angeles Department of Recreation and Parks, Pershing Square is a five-acre public park located at 525 South Olive Street in downtown Los Angeles in the Central City Community Plan area. As shown in **Figure 1**, the park is one square block in size, bounded by 5th Street to the north, Hill Street to the east, 6th Street to the south, and Olive Street to the west. Pershing Square, which lies atop a three-story underground parking garage, is situated near several significant cultural destinations to the north, such as the Museum of Contemporary Art (MOCA), the Broad Museum, the Music Center including Walt Disney Concert Hall and the Cathedral of Los Angeles. To the east is the iconic boulevard of Broadway, the Jewelry and Fashion Districts and the expanding Arts District. Flanking the western side of Pershing Square is the Millennium Biltmore Hotel and the office buildings of Bunker Hill. To the south are the entertainment and hospitality venues of L.A. Live. An aerial photograph depicting Pershing Square and the immediate surrounding area is presented in **Figure 2**.

The park includes brightly colored geometric stucco structures and a hardscape-heavy layout. On the eastern edge, a 10-story tall purple bell tower serves as a focal point. At the top of the tower, a square cutout houses a pink sphere, a representation of a traditional bell. At the western edge is a single-story yellow café/multi-purpose building. On the north end of the park, terraced lawns create an amphitheater intended to host events and performances. The southern side of the park is dominated by a fountain fed by an aqueduct extending from the base of the bell tower inspired by the aqueducts that bring water to Los Angeles. The fountain is currently covered with a temporary structure to serve as outdoor seating. Pershing Square also includes a number of works of public art that allude to the City's history, such as groves of orange trees and a stylized earthquake fault.

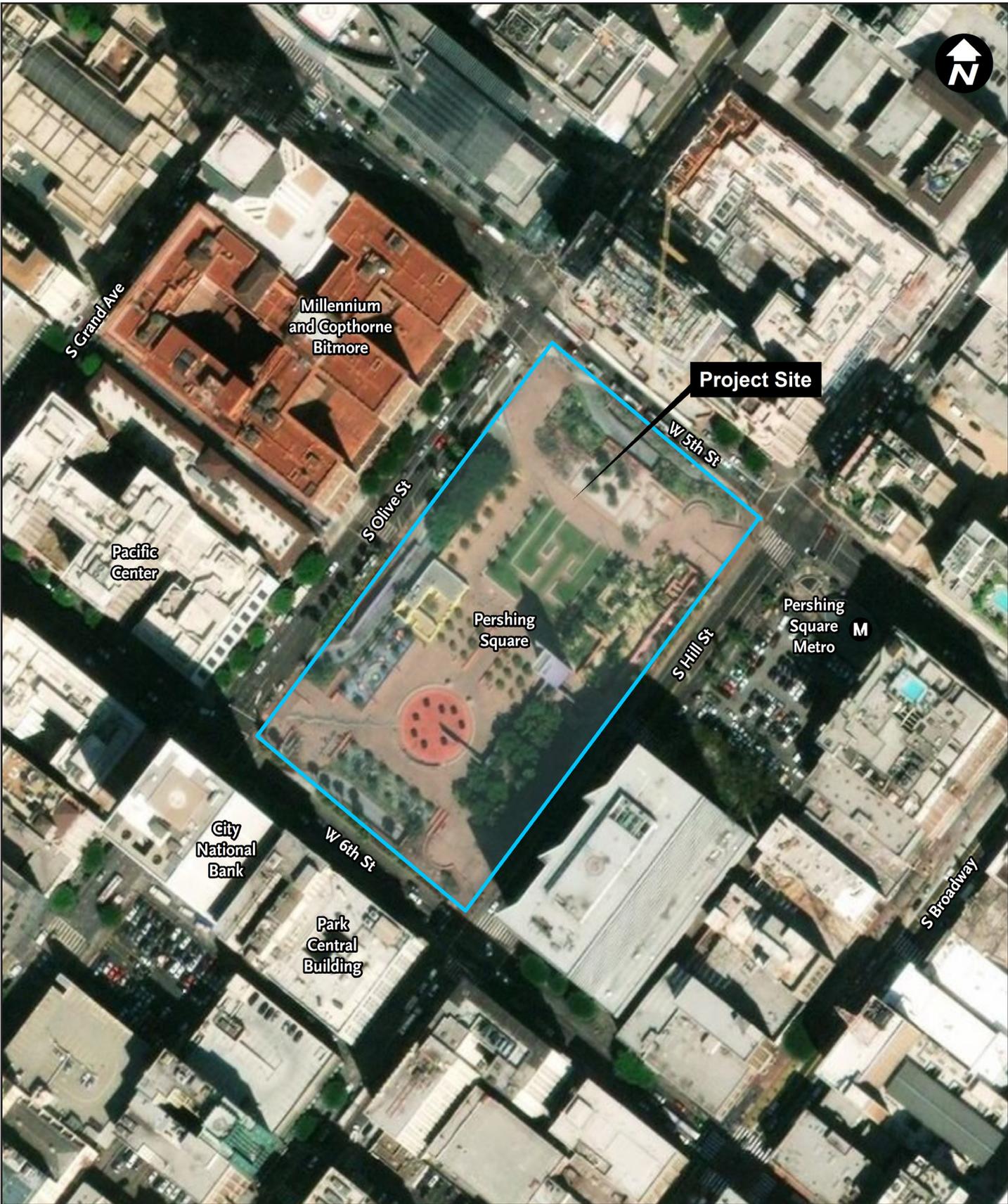


Source: TAHA, 2020.



Pershing Square Renovation Project
Categorical Exemption

FIGURE 1
PROJECT LOCATION



Source: TAHA, 2020.



Pershing Square Renovation Project Categorical Exemption

FIGURE 2
PROJECT SITE AND SURROUNDING AREA

PROJECT PHASING

The full redesign of Pershing Square would be implemented in three phases. Phase 3 will ultimately bring about the winning design and reestablishing views across the square to surrounding streets by eliminating the elevated condition of the park caused by the parking garage beneath the square. However, only Phase 1 and Phase 2 are proposed to be implemented at this time. A Site Plan depicting Phase 1 and Phase 2 is presented in **Figure 3**.

Phase 1. In Phase 1, the barrier walls along Olive Street would be removed to open the park to the street, and the escalators from the parking garage would be replaced. The existing café/multi-purpose building would be demolished, and this area would be converted into a landscaped plaza with glass elevators and stairs connecting to the parking structure levels below. The addition of new glass elevators and stairs would bridge the link along the principal east-west axis, connecting Hill Street to Olive Street. Along 5th and 6th Streets, the sidewalk would be extended by reconfiguring existing plantings and other landscape improvements would be installed surrounding the existing driveway entrances to the under-ground parking structure. Several other walls and features along the sidewalk and parking lot driveway would also be removed. A raised crosswalk across the Olive Street parking garage driveway would be provided to improve pedestrian safety and renewed plantings and potted shade trees would also be installed. Historical markers, sculptures and art objects will be removed and stored off-site during the renovation. The concrete slab roof of the parking garage would remain intact with some exceptions. The roof would be given a water-proofing treatment and additional protection below future planted and hardscape areas.

Phase 2. Phase 2 would focus improvements along the Hill Street side of the park and result in the removal of the bell tower and the Hill Street parking garage driveway entrance and barrier walls that currently mask the park from view, thereby closing vehicular access to the parking garage from Hill Street. In their place, a terraced slope with plantings would be installed with various pedestrian access features such as new glass elevators, a stairway to the parking garage, a paved promenade, and several paths leading to the interior of the park. In addition, the park's circular fountain currently covered with a temporary structure providing outdoor seating would be converted to green space. A new structure to house electrical equipment and other storage needs would also be constructed along the northern portion of the Hill Street side of the park. As part of Phase 1 and Phase 2, a total-58 trees would be removed, and 50 new trees would be added to the Pershing Square for much-needed shade. The total shade provided as part of this Project would be 51,657 square feet, which is greater than the existing shade on site.

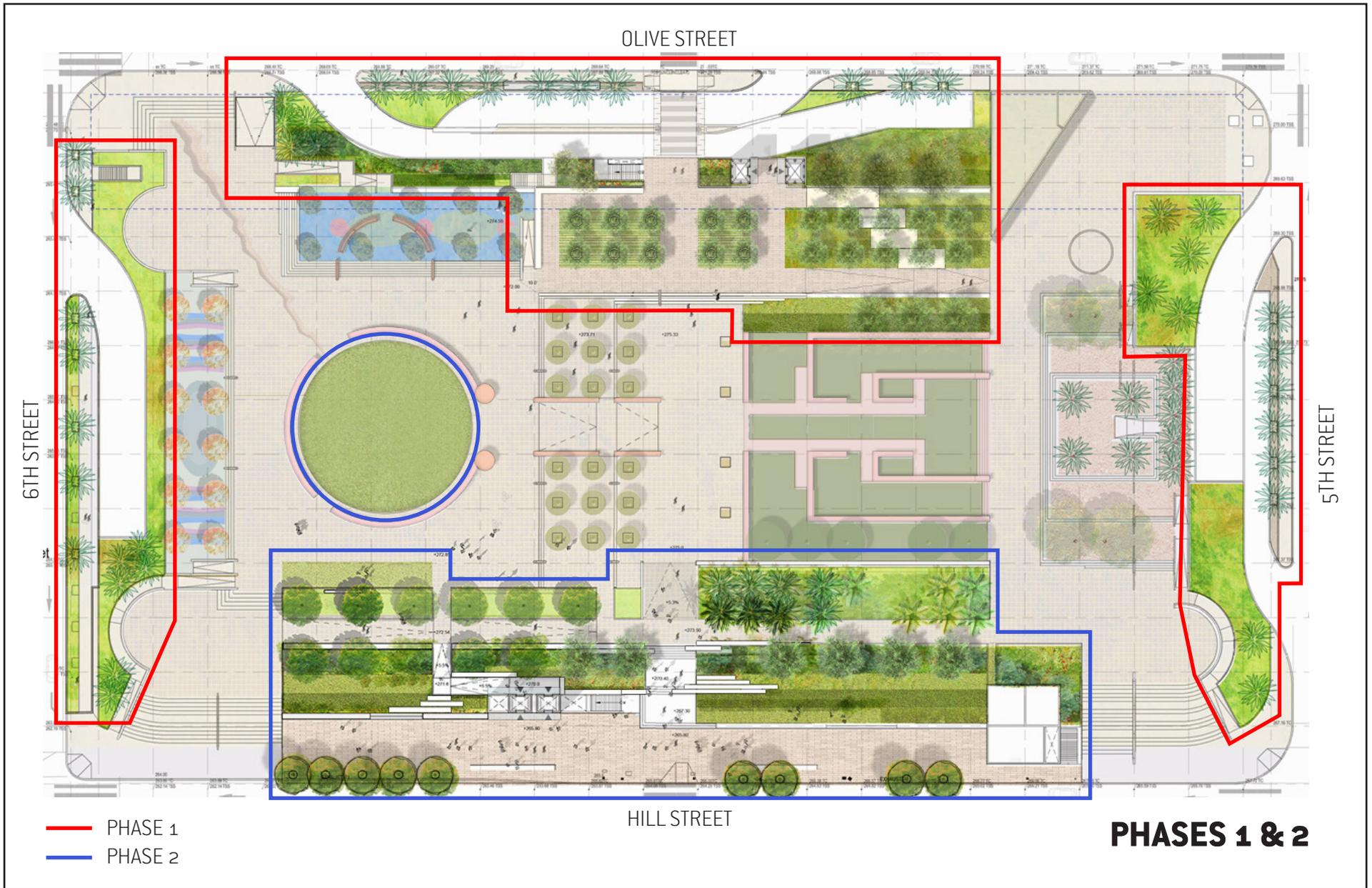
PROJECT CONSTRUCTION

Phase 1 construction activities are anticipated to begin in June 2021 and be completed by October 2022. Construction of Phase 2 would begin immediately following the completion of Phase 1 and be completed by December 2023. Phase 3 has no set schedule for construction; however, it is anticipated to be implemented over the next ten to 15 years.

The construction staging areas would be entirely within Pershing Square and would be coordinated with any other construction activities occurring in the vicinity to reduce the potential for cumulative construction effects. Partial street and sidewalk closures with vehicular and pedestrian detours may occur during certain phases of construction. The following Best Management Practices (BMPs) avoidance would be employed during construction activities:

- Construction of the proposed project would comply with the allowable hours of construction as dictated in the Los Angeles Municipal Code (LAMC) Section 41.40, including 7:00 a.m. to 9:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. on Saturday, and no construction activity on Sundays or City holidays.
- City of Los Angeles Bureau of Engineering (BOE) or its contractor would minimize short-term construction noise through: (1) proper maintenance and tuning of all construction equipment engines to

minimize noise emissions; and (2) proper maintenance and functioning of the mufflers on all internal combustion and equipment engines.



Source: Gruen Associates, 2020.

taha environmental planners
 TAHA 2017-054

Pershing Square Renovation Project
 Categorical Exemption

LOS ANGELES BUREAU OF ENGINEERING

FIGURE 3
 SITE PLAN

- The proposed project would implement Rule 403 fugitive dust control measures required by the South Coast Air Quality Management District (SCAQMD), which requires reasonable precautions to be taken to prevent visible particulate matter from being airborne, under normal wind conditions, beyond the property from which the emission originates.
- The proposed project would implement erosion control where necessary that may include, but would not be limited to, the following:
 - Minimizing the extent of disturbed areas and duration of exposure;
 - Stabilizing and protecting disturbed areas;
 - Keeping runoff velocities low;
 - Retaining sediment within the construction area;
 - Use of silt fences or straw wattles;
 - Temporary soil stabilization;
 - Temporary drainage inlet protection;
 - Temporary water diversion around the immediate work area; and
 - Minimizing debris from construction vehicles on roads providing construction access.
- The proposed project would implement Rule 402 measures required by the SCAQMD, which prohibits the discharge from any source whatsoever, such quantities of air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.
- The proposed project construction would incorporate source reduction techniques and recycling measures and maintain a recycling program to divert waste in accordance with the Citywide Construction and Demolition Debris Recycling Ordinance.

As discussed below, Pershing Square contains the following three pieces of public art (monuments): 1) the Memorial to the 7th California Infantry (aka Spanish-American War Memorial); 2) a bronze sculpture known as “The Doughboy” which commemorates soldiers who lost their lives in World War I; and 3) a sculpture of Ludwig van Beethoven is dedicated to William Andrews Clark, Jr., founder of the Los Angeles Philharmonic.

- The proposed project calls for the three monuments to be returned to the Pershing Square property after the proposed renovation. In order to protect these monuments during and after the relocation, the monuments would be treated in accordance with the National Park Service Secretary of the Interior’s Standards for the Treatment of Historic Properties.

ENVIRONMENTAL REVIEW

This environmental document has been prepared under pursuant to Public Resources Code Section 21000 et seq., and the guidelines codified in Title 14 Code of Regulation (CCR) Section 15000 et seq. (the “CEQA Guidelines”) to document that the proposed project qualifies for a Class 2 Categorical Exemption (Replacement and Reconstruction) under Section 15302 of the State CEQA Guidelines and the City of Los Angeles’ CEQA Guidelines.

REGULATORY FRAMEWORK

STATE CEQA GUIDELINES, ARTICLE 19 CATEGORICAL EXEMPTIONS

Article 19 Categorical Exemptions of the State CEQA Guidelines lists classes of projects that are exempt from the requirements of CEQA. Section 15300.2 Exceptions states that a Class 2 Exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- a) Replacement or reconstruction of existing schools and hospitals to provide earthquake-resistant structures which do not increase capacity more than 50 percent.
- b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

CITY OF LOS ANGELES CEQA GUIDELINES, ARTICLE III CATEGORICAL EXEMPTIONS

Article III Categorical Exemptions of the City of Los Angeles CEQA Guidelines, reiterates the State CEQA Guidelines Section 15302 and includes three additional examples:

- e) Replacement or reconstruction of surface or subsurface pipelines involving negligible or no expansion of use beyond that previously existing.
- f) Replacement or reconstruction of existing heating and air-conditioning systems.
- g) Replacement of existing pedestrian stairways, including such additional rights of way as needed to bring the stairways up to current standards of length and width, providing that the project does not impact cultural resources or remove mature trees.

The following section demonstrates that the proposed project meets the conditions for a Class 2 Category Exemption under both the City of Los Angeles CEQA Guidelines and the State CEQA Guidelines.

REASON WHY THE PROJECT IS EXEMPT

The redesigned of Pershing Square would maintain the existing programmatic functions of the park. Compared with the current design of the park, the proposed project would increase the square footage of planted area but would not increase the size of the five-acre park. The renovated and modernized park would address critical safety and welfare needs by improving site-lines, increasing green space, adding trees for much-needed shade and improving accessibility and flexibility of park usage. Because Pershing Square would have substantially the same purpose and capacity as the existing park following reconstruction, the proposed project qualifies for a Class 2 Categorical Exemption under CEQA Guidelines Section 15302.

CEQA EXCEPTIONS TO CATEGORICAL EXEMPTIONS

This section includes the reasons why none of the possible exceptions to Categorical Exemptions, found in Section 15300.2, Exceptions, of the State CEQA Guidelines apply to the proposed project. The statutory language of each condition and possible exception is printed in bold italics below, followed by the project-related analysis for each condition and exception.

CEQA GUIDELINES SECTION 15300.2, EXCEPTIONS

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception does not apply to the proposed project. This exception only applies to Class 3, 4, 5, 6 and 11 exemptions only. The proposed project qualifies for a Class 2 Categorical Exemption - Replacement or Reconstruction.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

This exception does not apply to the proposed project. The proposed project consists of the renovation and modernization of Pershing Square, an existing public park located in downtown Los Angeles. Following reconstruction, Pershing Square would have substantially the same purpose and capacity as the existing park. Cumulative or successive projects of the same type in the same place are not anticipated, and land uses in the vicinity of Pershing Square are not anticipated change their functions as a result of the proposed project. While there are other projects under construction and proposed within the vicinity of the proposed project, significant cumulative impacts from these projects are not anticipated and the proposed project would not result in any significant impacts and would not contribute to any cumulative impacts. In addition, all projects in the vicinity of the proposed project would be required to undergo environmental reviews. Therefore, this exception would not apply to the proposed project.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

This exception does not apply to the proposed project.

Aesthetics. Significant effects related to aesthetics are generally based on the removal of features with aesthetic value, the introduction of contrasting features, and the degree to which features of the proposed project detract from the visual character of the project area. The current design of Pershing Square has been criticized for its lack of green spaces, having too much concrete and being unwelcoming due to it being cut off from the sidewalks around the park. The purpose of the proposed project is to modernize Pershing Square, address

critical safety and welfare needs, increase green space, and make it feel more open and accessible. Following reconstruction, Pershing Square would maintain its existing programmatic functions while improving site-lines, accessibility and flexibility of use. Therefore, no unusual effects related to aesthetics are anticipated, and this exception does not apply to the proposed project.

Air Quality/Greenhouse Gas (GHG) Emissions. Implementation of the proposed project would not introduce any new permanent sources of air pollutant or greenhouse gas (GHG) emissions into the project area and would not introduce any land uses that would generate new daily vehicle trips. Implementation of the proposed project would not have any potential to conflict with or obstruct implementation of the applicable air quality plan, the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) or adopted plans and policies at the state, regional, or local level pertaining to the reduction of GHG emissions. The focus of the Air Quality and GHG Emissions analyses is construction activity that would be undertaken to implement Phase 1 and Phase 2 improvements.

Construction of Phase 1 is anticipated to begin in June 2021 and last for approximately 16 months, completing in October 2022. Construction of Phase 2 would begin immediately following the completion of Phase 1 and last for approximately 14 months, ending in December 2023. Construction of each phase would generally involve demolition, site preparation, structure and landscaping installation, and hardscape paving activities. During Phase 1, it is estimated that approximately 1,500 tons of demolition debris would be removed from the site, and during Phase 2 it is estimate that approximately 1,800 tons of demolition debris would be removed from the site. Maximum daily material export is not anticipated to exceed 24 truckloads per day during demolition activities.

The air quality and GHG emissions analyses conducted for the proposed project is consistent with the methods described in the SCAQMD CEQA Air Quality Handbook (1993 edition), as well as the updates to the CEQA Air Quality Handbook provided on the SCAQMD website. The SCAQMD recommends the use of the California Emissions Estimator Model (CalEEMod, version 2016.3.2) as a tool for quantifying emissions of air pollutants and GHGs that will be generated by construction of proposed land use development projects. For air quality, the SCAQMD advises that emissions of pollutants be assessed at both regional and localized levels. Regional emissions include all sources involved in proposed project construction, while localized emissions include only sources located on the project site itself (i.e., off-road equipment exhaust and area sources such as fugitive dust and vapors). For the localized analysis, the proposed project site is located in Source Receptor Area (SRA) 1, Central Los Angeles County. Applicable localized threshold values for the comparative emissions evaluation were determined based on the SCAQMD *Final Localized Significance Methodology Appendix C – Mass Rate Lookup Tables* (SCAQMD, 2009).

Table 1 presents the daily air pollutant emissions that would be generated by sources involved in construction of Phase 1, and **Table 2** presents the daily air pollutant emissions that would be generated by sources involved in construction of Phase 2. Included at the bottom of each table are the applicable SCAQMD regional and localized mass daily threshold screening values, and a statement regarding the potential significance of the daily pollutant emissions.

The SCAQMD propagates guidance that if maximum daily emissions would remain below all applicable screening threshold values, the emissions would not have the potential to result in a significant air quality impact at the project level or under cumulative considerations. **Table 1** and **Table 2** shows the maximum daily emissions would not exceed applicable threshold screening values during any stage of Phase 1 or Phase 2 construction. Impacts to air quality would be less than significant.

TABLE 1: PHASE 1 ESTIMATED DAILY CONSTRUCTION EMISSIONS						
Activity	Daily Emissions (Pounds Per Day)					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
DEMOLITION						
On-Site Emissions	2.5	23.2	18.8	<0.1	1.4	1.2
Off-Site Emissions	0.6	13.2	4.7	<0.1	1.3	0.4
Total	3.1	36.4	23.5	<0.1	2.7	1.6
SITE PREPARATION						
On-Site Emissions	1.8	18.8	15.5	<0.1	3.0	2.0
Off-Site Emissions	0.2	0.1	1.5	<0.1	0.5	0.1
Total	2.0	18.9	17.0	<0.1	3.5	2.1
BUILDING CONSTRUCTION						
On-Site Emissions	1.1	11.5	13.0	<0.1	0.5	0.5
Off-Site Emissions	0.2	2.0	1.9	<0.1	0.6	0.2
Total	1.3	13.5	14.9	<0.1	1.1	0.7
PAVING						
On-Site Emissions	0.7	6.8	8.8	<0.1	0.3	0.3
Off-Site Emissions	0.2	0.1	1.4	<0.1	0.5	0.1
Total	0.9	6.9	10.2	<0.1	0.8	0.4
REGIONAL ANALYSIS						
Maximum Regional Daily Emissions	3.1	36.4	23.5	<0.1	3.4	2.1
Regional Significance Threshold	75	100	550	150	150	55
Exceed Regional Threshold?	No	No	No	No	No	No
LOCALIZED ANALYSIS						
Maximum Localized Daily Emissions	--	23.2	18.8	--	3.0	2.0
Localized Significance Threshold	--	74	680	--	5	3
Exceed Localized Threshold?	--	No	No	--	No	No
Note: Emissions modeling files can be found in the Appendix A .						
SOURCE: TAHA, 2020.						

Regarding GHG Emissions, short-term emissions resulting from temporary construction activities are amortized over a 30-year operational lifetime under SCAQMD guidance. Construction-related GHG emissions were also estimated using CalEEMod. GHG emissions are quantified in units of metric tons of carbon dioxide equivalents (MTCO₂e) per year. Construction of Phase 1 would generate approximately 688.6 MTCO₂e and construction of Phase 2 would generate approximately 615.2 MTCO₂e, with a combined total of 1,303.8 MTCO₂e. Amortized over a 30-year operational lifetime, construction of the proposed project would contribute approximately 43.5 MTCO₂e annually. The SCAQMD interim threshold value for annual GHG emissions generated by operation of non-industrial projects is 3,000 MTCO₂e. GHG emissions that would be generated by construction of the proposed project would account for approximately 1.5 percent of the interim annual threshold value, and would not result in a significant environmental impact. Therefore, no unusual effects related to air quality or GHG emissions are anticipated, and this exception does not apply to the proposed project.

TABLE 2: PHASE 2 ESTIMATED DAILY CONSTRUCTION EMISSIONS						
Activity	Daily Emissions (Pounds Per Day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
DEMOLITION						
On-Site Emissions	2.2	19.8	18.3	<0.1	1.2	1.0
Off-Site Emissions	0.6	12.2	4.5	<0.1	1.5	0.4
Total	2.7	32.1	22.8	<0.1	2.7	1.4
SITE PREPARATION						
On-Site Emissions	1.3	13.7	14.6	<0.1	2.7	1.7
Off-Site Emissions	0.2	0.1	1.2	<0.1	0.5	0.1
Total	1.5	13.8	15.9	<0.1	3.1	1.8
BUILDING CONSTRUCTION						
On-Site Emissions	1.0	10.7	13.0	<0.1	0.5	0.4
Off-Site Emissions	0.2	1.5	1.7	<0.1	0.6	0.2
Total	1.2	12.2	14.7	<0.1	1.0	0.6
PAVING						
On-Site Emissions	0.6	6.2	8.8	<0.1	0.3	0.3
Off-Site Emissions	0.2	0.1	1.2	<0.1	0.5	0.1
Total	0.8	6.3	10.0	<0.1	0.8	0.4
REGIONAL ANALYSIS						
Maximum Regional Daily Emissions	2.7	32.1	22.8	<0.1	3.1	1.8
Regional Significance Threshold	75	100	550	150	150	55
Exceed Regional Threshold?	No	No	No	No	No	No
LOCALIZED ANALYSIS						
Maximum Localized Daily Emissions	--	19.8	18.3	--	2.7	1.7
Localized Significance Threshold	--	74	680	--	5	3
Exceed Localized Threshold?	--	No	No	--	No	No
Note: Emissions modeling files can be found in the Appendix A .						
SOURCE: TAHA, 2020.						

Biological Resources. Significant effects to biological resources generally involve the loss of, an alteration to, or an impact to a species or through the degradation of sensitive habitat. Pershing Square does not contain any notable natural features or suitable habitat for sensitive special-status plant or wildlife species. However, trees would be removed and replaced as part proposed project.

As shown in **Table 3**, 19 new trees would be planted in Phase 1A. The Cumulative Diameter at Breast Height (DBH) of the five (5) existing trees to be removed in Phase 1A is 51" while the DBH of the 19 new trees to be planted in Phase 1A total 52". As shown in **Table 4** the DBH of the tree removal in phase 1b is 8.5" to be replaced by 28.5" with removal of four (4) trees and planting 11 new trees. Furthermore, as shown in **Table 5**, in Phase 2, there would be a total of 49 total trees removed with 43 of them being Palm Trees, and 20 new trees proposed to be planted. The total DBH removed would be 536" and replaced with 60" DBH. However, the canopy of the trees removed would be 2,284 SF and replaced with 15,472 SF at full maturity of the trees. However, in order to meet the City of Los Angeles Department of Recreation and Parks tree standards to compensate for the removal, the Project will fund the planting of additional new trees, to make up the difference in the 376" DBH. The number and size and location of those new trees will be determined by RAP forestry staff in collaboration with the project team.

TABLE 3: TREES PROPOSED IN PHASE 1A

Species	Size	Quantity	Canopy (SF) Initial	Canopy (SF) in 5 Years	Canopy (SF) at Full Maturity
<i>Agonis Flexuosa</i> – Peppermint Tree	36" box	14	14 x 19 SF (5' W Initial) = 266SF	19 SF + 78 SF (15' W in 5yrs) = 176 SF x 14 = 2,464 SF	706 SF (30' W at full maturity) x 14 = 9,884 SF
<i>Cercis Canadensis Texnsis</i> 'Texas White' – Texas White Redbud'	24" box	2	2 x 3 SF (2' W initial) = 5 SF	(6' W in 5yrs) = 28 SF x 2 = 56 SF	314 SF (20' W at full maturity) x 2 = 628 SF
<i>Cercis Occidentalis</i> – Western Redbud	24" box	1	1 x 3 SF (2' W initial) = 3 SF	5 SF + 28 SF (6' W in 5 years) = 33 SF x 2 = 33 SF	314 SF (20' W at full maturity) x 1 = 314 SF
<i>Chilopsis Linearis</i> 'Burgundy' – Burgundy Desert Willow	24" box	1	1 x 3 SF (2' W initial) = 3 SF	(6' W in 5yrs) = 28 SF x 1 = 28 SF	314 SF (20' W at maturity) x 1 = 314 SF
<i>Chilopsis Linearis</i> 'Warren Jones' – Warren Jones Desert Willow	24" box	1	1 x 3 SF (2' W initial) = 3 SF	(10' W in 5yrs) = 78 SF x 1 = 78 SF	314 SF (20' W at full maturity) x 1 = 314 SF
Proposed Tree Canopy Total		19	280 SF	2,704 SF	11,454 SF
Proposed Tree DBH Total		19	52" DBH	N/A	N/A
Trees To Be Removed					
Species	Quantity		Existing Canopy		
<i>Cercis Candensis</i> 'Forest Pansy''	2		2 x 38 SF = 76 SF		
<i>Ceiba Speciosa</i>	1		1 x 314 SF = 314 SF (25' W)		
<i>Tipuana Tipu- Tipu</i>	2		2 x 706 SF = 1,412 SF		
Existing Trees to be Remove Canopy	5		1,802 SF		
Existing Trees to Remove DBH Total	5		51" DBH		
SF= Square feet SOURCE: Gruen Associates, 2022.					

1A – Existing Palms to Remove

Species	Quantity	Existing Canopy SF
N/A	0	0 SF
Existing Palms to Remove Canopy Total	0	0 SF
Existing Palms to Remove DBH Total	0	0" DBH

1A – Total Existing Trees and Palms to Remove

Existing Trees and Palms to Remove Canopy Total	5	1,802 SF
Existing Trees and Palms to Remove DBH Total	5	51" DBH

Proposed

Agonis (36 Box): 3"x14 = 42" DBH
 Cercis Texas (24 Box): 2"x2 = 4" DBH
 Cercis redbud (24 Box): 2"x1 = 2" DBH
 Desert willow 'Burgundy'(24 Box): 2"x1 = 2" DBH
 Desert willow 'Warren Jones' (24 Box): 2"x1 = 2" DBH

Total = 52" DBH

Existing (L150 - Tree Planting Plan / L200 - Existing Tree Removal Inventory)

Palms (qty 0) = 0" DBH
 Silk floss tree (qty 1) = 13" DBH
 Tipu Tree (qty 2) = 32" DBH
 Forest Pansy Redbud (qty 2) = 6" DBH

Total = 51" DBH

TABLE 4: TREES PROPOSED IN PHASE 1B					
Species	Size	Quantity	Canopy (SF) Initial	Canopy (SF) in 5 Years	Canopy (SF) at Full Maturity
<i>Agonis Flexuosa</i> 'Burgundy'– Burgundy Peppermint Tree	36" box	6	6 x 19 SF (5' W Initial) = 114 SF	(15' W in 5 years) = 176 SF x 6 = 1,056 SF	706 SF (30' W at full maturity) x 6 = 4,236 SF
<i>Agonis Flexuosa</i> 'Burgundy'– Burgundy Peppermint Tree	24" box	2	2 x 7 SF (3' W initial) = 14 SF	(13' W in 5 years) = 133 SF x 2 = 266 SF	706 SF (30' W at full maturity) x 2 = 1,412 S
<i>Quercus Englemannii</i> – Engelmann Oak	24" box	3	3 x 7 SF (3' W initial) = 21 SF	(7' W in 5 years) = 38 SF x 3 = 342 SF	6361 SF (90' W at full maturity) x 3 = 19,083 SF
Proposed Trees Total		11	149 SF	1,664 SF	24,731 SF
Proposed Tree DBH		11	28" DBH	n/a	n/a
Trees To Be Removed					
Species			Quantity	Existing Trees to Replace DBH	Existing Trees to Replace Canopy
<i>Cercis Canadensis</i> 'Forest Pansy' – Forest Pansy Redbud			4	8.5"	4 x 38 SF = 152 SF
Existing Trees to Remove Total			4		152 SF
SF= Square feet. SOURCE: Gruen Associates, 2022.					

Proposed Trees

Agonis (36 box): 3"x6 = 18" DBH

Agonis (24 box): 2"x2 = 4" DBH

Quercus (24 box): 2"x3 = 6" DBH

Total = 28" DBH

Existing Trees (L150 - Tree Replacement Plan / L200 - Existing Tree Replacement Inventory)

Palms (qty 0) = 0" DBH

Cercis forest pansy (qty 4) = 8.5" DBH

Total = 8.5" DBH

TABLE 5: TREES PROPOSED IN PHASE 2

Species	Size	Quantity	Canopy (SF) Initial	Canopy (SF) in 5 Years	Canopy (SF) at Full Maturity
<i>Lophostemon Confertus</i> – Brisbane Box	36" box	8	8 x 19 SF (5' W initial) = 152 SF	(12' W in 5yrs) = 113 SF x 8 = 904 SF	491 SF (25' W at full maturity) x 8 = 3,928 SF
<i>Quercus Agrifolia</i> – Coast Live Oak	36" box	12	12 x 19 SF (5' W initial) = 228 SF	10' W in 5yrs) = 78 SF x 12 = 936 SF	962 SF (35' W at maturity) x 12 = 11,544 SF
Proposed Trees Total		20	380 SF	1,840 SF	15,472 SF
Proposed Tree DBH Total		20	60" DBH		
Trees To Be Removed					
Species	Quantity		Existing Canopy		
<i>Cinnamomum Camphora</i> – Camphor	6		6 x 314 SF = 1,884 SF (20' W per tree)		
Existing Trees to Replace Canopy Total		6	1,884 SF		
Existing Tress to Replace DBH Total		6	68" DBH		
<i>Washingtonia Rubusta</i> – Mexican Fan Palm	2		2 x 10 SF = 20 SF		
<i>Syagrus Romanzoffiana</i> – Queen Palm	36		36 x 10 SF = 360 SF		
<i>Archontophoenix Aleandrae</i> – King Palm	5		2 x 10 SF = 20 SF		
Existing Palms & Trees to Remove Total		49	2,2874 SF		
Existing Palms to Replace DBH Total		43	468" DBH		
Existing Palms & Trees to Replace DBH Total		49	536"		
SF= Square feet					
SOURCE: Gruen Associates, 2022.					

Proposed

Brisbane Box (36 Box): 3"x8 = 24" DBH

Quercus (36 Box): 3"x12 = 36" DBH

Total = 60" DBH

Existing (L150 - Tree Replacement Plan / L200 - Existing Tree Replacement Inventory)

Camphor (qty 6) = 68" DBH

Mexican fan palm (qty 2) = 10" DBH

Queen palm (qty 36) = 407" DBH

King Palm (qty 5) = 51" DBH

Total = 536" DBH

Due to the presence of the existing tress on-site, which may provide suitable nesting habitat for birds protected under the Migratory Bird Treaty Act (MBTA), impacts to nesting habitat could occur. Additionally, noise and dust generated during construction could indirectly impact nesting birds by causing them to avoid the area during construction. Therefore, should tree removal and construction activities occur during the nesting bird season (generally considered to extend from February 15 through September 15) a pre-construction nesting survey would be conducted by a qualified biologist within three days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found would be recorded. In addition, if construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, a qualified biologist would monitor the nest on a weekly basis and the construction activity would be postponed until the biologist determines that the nest is no longer active. Therefore, no unusual effects related to biological resources are anticipated, and this exception does not apply to the proposed project.

Noise. The proposed project is located in the urban environment of downtown Los Angeles that regularly experiences elevated noise levels due to high traffic areas and on-going construction. Land uses along the project area consist primarily of high-rise, commercial and (e.g., retail, restaurants, hotel, commercial, offices, etc.) and residential uses. Commercial uses would typically not be sensitive to construction noise, although residential uses may experience some level of disturbance. Construction noise levels from individual pieces of equipment would typically range from 72.6 to 82.6 A-weighted decibels (dBA) at 50 feet from the construction activities. Based on these calculations noise levels would typically exceed the allowable noise level stated in LAMC Section 112.05, which allows a noise level of 75 dBA at 50 feet, when technically feasible. In order to meet the requirements of the LAMC and reduce noise levels to the greatest extent feasible, the following regulatory compliance would achieve acceptable noise reductions:

- The proposed project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 (LAMC Section 112.05), and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels.
- Construction shall be restricted to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. Construction activity is not permitted on any Sunday or national holiday.
- Noise-generating equipment shall be equipped with the most effective and technologically feasible noise control devices, such as mufflers, lagging (enclosures for exhaust pipes), and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- The proposed project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048 (LAMC Section 91.106.4.8), which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for each site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction of each site prior to the start of construction and displayed in a location that is readily visible to the public.

Operational sources of noise would be similar to the existing condition. Park related noises would include people talking, music, and events throughout the year. Park noise would typically not be audible above traffic noise around the park due to the urban nature of the area. Furthermore, all park users and events would be required to comply with the requirements of the LAMC, including:

- The proposed project shall comply with the LAMC Section 112.01, which prohibits any person within any zone of the City to use or operate any radio, musical instrument, phonograph, television receiver, or other machine or device for the producing, reproducing or amplification of the human voice, music, or any other sound, in such a manner, as to disturb the peace, quiet, and comfort of neighbor occupants or any reasonable person residing or working in the area.

Implementation of the regulatory compliance measures above would ensure that the proposed project includes technically feasible measures to reduce community noise exposure from construction equipment. The use of mufflers can reduce noise levels by approximately 3 dB while temporary noise barriers and enclosures can produce approximately a 10 dB to 20 dB reduction. The proposed project would comply with all regulatory requirements and related noise ordinances and construction noise and operational noise is not anticipated to exceed City noise standards. Therefore, the proposed project is not anticipated to cause any impacts related to construction noise. Similarly, the renovated park would not result in a significant operational noise. Therefore, no unusual effects related to noise are anticipated, and this exception does not apply to the proposed project.

Transportation/Traffic. No changes to vehicular circulation are anticipated in Phase 1. In Phase 2, vehicular access to the parking garage entrance from Hill Street would be removed. By consolidating the driveways, the proposed project would improve traffic flow on the north/south streets, while the east/west streets are not expected to experience noticeable change in delay. In addition, the new configuration would improve pedestrian safety by reducing crossing distances and improving sightlines for drivers entering and exiting the

parking garage. The perpendicular driveway would also encourage drivers to slow their speeds when entering and exiting the parking garage and continue to serve the projected vehicle trips entering and exiting the parking garage.

Following reconstruction Pershing Square would have substantially the same purpose and capacity as the existing park. Nonetheless, under the Section 15300.2(c) of the CEQA Guidelines and rulemaking procedures of Senate Bill 743 travel delay no longer qualifies as an exception. Upon adopting Senate Bill 743 into law, the legislature and Governor directed the Office of Planning and Research (OPR) to replace delay and capacity-based metrics such as level of service (LOS) for the evaluation of transportation impacts under CEQA. The California Natural Resources Agency certified and adopted the CEQA Guidelines on December 28, 2018, and they are now in effect.¹

Under the 2020 CEQA Guidelines Section 15064.3 implemented Senate Bill 743, ". . . a project's effect on automobile delay shall not constitute a significant impact." Instead, the State has officially adopted the changes to CEQA Guidelines that direct lead agencies to evaluate transportation projects based on vehicle miles traveled (VMT), partially based on the goal of increasing multimodal transportation networks. The proposed project increases multimodal transportation networks by improving site-lines and widening sidewalks along all sides of the park for pedestrian access and safety.

Construction work would be performed in accordance with Work Area Traffic Control Handbook (WATCH). Construction crews will coordinate with schools and Department of Transportation according to WATCH and provide flaggers when required. When the activity site encroaches upon a sidewalk, walkway or crosswalk area, pedestrians would be provided advance warning if they are detoured away from the activity site. Advance notification of sidewalk closures would be provided according to WATCH. In addition, standard conditions and construction practices are anticipated for the proposed project. Therefore, there are no unusual circumstances or planned project operations that would create a reasonable possibility of significant effects to the environment, and this exception would not apply to the proposed project.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

This exception does not apply to the proposed project. Pershing Square is located in downtown Los Angeles, and there are designated scenic highways in the vicinity of the park. Therefore, the proposed project would not impact any scenic resources within an officially designated state scenic highway, and this exception would not apply to the proposed project.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

This exception does not apply to the proposed project. A search of the GeoTracker and EnviroStor environmental databases determined that Pershing Square is not included on any list compiled pursuant to Section 65962.5 of the Government Code. EnviroStor is the Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further. GeoTracker contains records for sites that require cleanup, such as Leaking Underground Storage Tank (UST) Sites, Department of Defense Sites, and Cleanup Program Sites. GeoTracker also contains records for various unregulated projects as well as permitted facilities including Irrigated Lands, Oil and Gas production, operating Permitted USTs, and Land Disposal Sites. Therefore, this exception would not apply to the proposed project.

¹State of California, Natural Resources Agency, Final Adopted Text, December 2018. <http://resources.ca.gov/ceqa/>.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

This exception does not apply to the proposed project. A Historical Resources Assessment Report was prepared and is included as Appendix B. The historical resources assessment found that Pershing Square is ineligible for listing in the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR) and for designation as a City of Los Angeles Historic-Cultural Monument (HCM). The park's current iteration does not meet the 50-year threshold for historic significance required for the NRHP and CRHR listing. The design is recognized for its distinctive architectural elements; however, as required for NRHP and CRHR listing, the park is not of exceptional importance and an insufficient amount of time has passed since its completion to historically assess the significance of the extant design. While the park exhibits elements of the Postmodern architectural style of architect Ricardo Legorreta and landscape architect Laurie Olin, its design has been heavily criticized for its emphasis on form over function. The park has failed in its ability to serve as a public/civic space largely because of the heavy hardscaping, lack of active programming, closed off interior and lack of maintenance. As a result, the property is not considered a historical resource in accordance with CEQA. However, the park does contain three pieces of public art (monuments). The Memorial to the 7th California Infantry (aka Spanish-American War Memorial), dedicated in 1900, is considered the oldest work of public art in the City and is designated as City of Los Angeles Historic-Cultural Monument No. 480. A bronze sculpture known as "The Doughboy" commemorates soldiers who lost their lives in World War I, and a sculpture of Ludwig van Beethoven is dedicated to William Andrews Clark, Jr., founder of the Los Angeles Philharmonic. These monuments would be returned to the Pershing Square property after the proposed renovation. In order to protect these monuments during and after their relocation, the monuments would be treated in accordance with the National Park Service Secretary of the Interior's Standards for the Treatment of Historic Properties. Therefore, this exception would not apply to the proposed project.

CONCLUSION

As described above, none of the exceptions to the exemption in Section 15300.2 of the CEQA Guidelines apply, and the proposed project qualifies for a Class 2 Categorical Exemption under both State CEQA Guidelines Section 15302 and the City of Los Angeles' CEQA Guidelines. No further environmental review is necessary.

BOARD REPORTNO. 22-205DATE August 04, 2022C.D. 14**BOARD OF RECREATION AND PARK COMMISSIONERS**SUBJECT: PERSHING SQUARE RENOVATION PHASE 1A (PRJ21113) (W.O. #E1908536)
PROJECT – REJECTION OF BID AND AUTHORIZATION TO RE-BID

AP Diaz _____	M. Rudnick _____
H. Fujita _____	<i>for</i> C. Santo Domingo <u>DF</u> _____
B. Jackson _____	N. Williams _____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Reject the bid received on July 20, 2022, for the Pershing Square Renovation Phase 1A (PRJ21113) (W.O. #E1908536) Project;
2. Approve the final plans and specifications, substantially in the form on file with the Board of Recreation and Park Commissioners (Board) Office and as attached to this Report, for the Pershing Square Renovation Phase 1A (Re-Bid) (PRJ21113) (W.O. #E1908536) Project (Project);
3. Approve the date to be advertised for receipt of bids as September 7th, 2022, at 2:00 P.M. electronically to the Board Office; and,
4. Authorize RAP's Chief Accounting Employee or Designee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

Pershing Square began its life as a public square in 1866 and is considered the City's oldest park. In its long history from open pasture to an actively-programmed urban park, Pershing Square has undergone multiple programmatic and construction improvements in the last 150 years and was most recently renovated in 1994. In 2015, an international design competition was launched to reimagine the park. With the Phase 1A design completed, this landmark park now stands ready to begin transformation into its next chapter.

The 5-acre Pershing Square is located at 530 S. Oliver Street, in the Jewelry District of Downtown Los Angeles, bounded by Fifth Street to the north, Hill Street to the east, Sixth Street to the south, and Olive Street to the west. This 5.02 acre facility, which is located atop an underground public parking facility, provides a large plaza, landscaped areas, a children's play area, and community

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rooms, for the use of the general public and the surrounding community. Approximately 13,541 City residents live within a one-half mile walking distance of Pershing Square. Due to the size of the park, and the facilities, features, and programs it provides, Pershing Square meets the standard for a Community Park, as defined in the City's Public Recreation Plan.

BACKGROUND

In late 2012, the Fourteenth Council District Office began a series of public outreach and community meetings with the goal of gaining support, leveraging funds, and developing partners to make long-term improvements to Pershing Square. The community and municipal advocates participating in the community outreach events eventually became known as the Pershing Square Task Force. The Pershing Square Task Force was further formalized and became known as Pershing Square Renew.

In 2015, Pershing Square Renew launched an ambitious international competition. On August 12, 2015, the Board approved an Agreement for the design and renovation of Pershing Square Park with Pershing Square Renew (Report No. 15-171). Approximately 80 design firms responded to the competition, ten firms were shortlisted, and eventually four finalists were selected to enter the design competition. On May 12, 2016, Paris-based design firm Agence Ter was selected the winner of the design competition. On June 15, 2016, Agence Ter presented the competition-winning design to the Board's Facility Repair and Maintenance Task Force.

On May 22, 2017, the Board of Public Works authorized the Bureau of Engineering (BOE) to hire its pre-qualified on-call consultant, locally based Gruen Associates (Gruen) to collaborate with Agence Ter to create a feasibility study and develop a master plan for park improvements and the phased implementation of the intent of the competition-winning design. Due to the necessity to preserve the elevators for accessibility and as much of below grade parking as possible, adjustments to the winning entry had to be studied and elaborated to create a realistic master plan for park improvements. Gruen Associates completed the feasibility study and master plan in March 2018.

The design team created a master plan that would renovate the park in multiple phases. The scope of work of each phase is summarized below:

1. Phase 1A: Perimeter improvements along Olive Street, including demolition of the existing café structure and elevators, revitalization of the park edge landscaping, addition of the new street-level entry plaza, and installation of two (2) new glass elevators and the communicating stairs serving the garage levels below for improved accessibility and security.
2. Phase 1B: Park-front edge condition and perimeter landscaping improvements along 5th Street and 6th Street.
3. Phase 2: Edge improvements with a new pedestrian grand promenade along Hill Street, revitalized landscaping, addition of the new street promenade as well as two (2) new glass elevators and the communicating stairs serving the garage levels below.

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4. Phase 3: Removal of the existing raised concrete decks to lower the park surface to the same level as the adjacent surrounding streets. Install natural turf, landscaping, concession structures and other improvements consistent with Agence Ter's competition-winning design.

On September 23, 2019, the Board of Public Works authorized the BOE to hire Gruen and Agence Ter to begin the design and the construction documents production of Phase 1A, 1B and Phase 2 based on the scope of work above. Phase 1A was presented to the Facility Repair and Maintenance Commission Task Force on November 18, 2021, and it was recommended to be presented to the Board.

On May 19, 2022, the Board of Recreation and Park Commissioners (Board) approved the final plans for Phase 1A and called for bids through the Department of Recreation and Parks' (RAP) Pre-qualified General Contractors for Park Facilities Construction – New Facility Construction (PQGC) (Report No. 22-124). The City Engineer's estimate for the Project's construction cost was Six Million and Seven Hundred Thousand Dollars (\$6,700,000), which included Six Hundred Seventy Thousand Dollars (\$670,000) of construction contingency.

On July 20, 2022, one (1) bid was received from Ford E.C, Inc. from the list of ten (10) pre-qualified contractors on the PQGC. The bid amount received is listed in the following table:

No.	Contractor	Base Bid
1	Ford E.C, Inc	\$11,893,000.00

Although a single bid was received, the project cannot be awarded as the bid price is too high and exceeds the approved and available funding for the Phase 1A. Staff recommends that the Board reject the bid and re-bid the Project to potential bidders beyond RAP's PQGC in order to receive more competitive bid prices, help preserve the City's limited resources, and meet the project budget and schedule.

After evaluation of the bid that was received, staff has re-estimated the construction costs of this Project to be Eight Million, Nine Hundred and Fifty Thousand Dollars (\$8,950,000), which takes into account current market rate for construction costs. The Project scope will remain the same as described above and previously approved by the Board on May 19, 2022, and as attached as Attachment 1 to this Report.

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PROJECT FUNDING

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

FUNDING SOURCE	FUND/DEPT./ACCT. NO
Pershing Square Capital Improvement	58Q/89/89N864
Pershing TFAR Funds	58Q/89/89N865

TREES AND SHADE

The Project will remove (5) existing trees on Olive Street, inside of the park's property, and plant seventeen (19) new trees, new shrubs and groundcovers.

The trees and associated square footage to be removed consist of (1) Silk Floss- 314 sq. ft., (2) Tipu -1,412 sq. ft., (2) Forest Pansy- 76 sq. ft., totaling approximately 1,802 sq. ft. The cumulative Diameter at Breast Height (DBH) of the five existing trees to be removed in Phase 1A is 51".

The new trees proposed to be planted are: fourteen (14) Peppermint, two (2) Texas White Redbud, one (1) Western Redbud, one (1) Burgundy Desert Willow, and one (1) Warren Jones Desert Willow. The cumulative DBH of the 19 new trees to be planted in Phase 1A total 52".

At the time of Phase 1A construction completion, the trees would provide approximately 280 square feet of canopy coverage. At five (5) years after construction completion, it is anticipated that these trees will provide up to 2,704 square feet of canopy coverage. Upon full maturity, which varies per tree, the proposed trees will potentially provide 10,042 square feet of canopy cover.

ENVIRONMENTAL IMPACT

This Project was previously evaluated for environmental impact in accordance with the California Environmental Quality Act (CEQA), and the Board has determined that it is categorically exempt from the provisions of CEQA (Report No. 22-124). Therefore, no further documentation is necessary.

FISCAL IMPACT

There will be no fiscal impact to RAP's General Fund associated with the Project. Operations and maintenance costs will be evaluated and included in future RAP annual budget requests.

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STRATEGIC PLAN INITIATIVES AND GOALS

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

Goal No. 1: Create and Maintain World Class Parks and Facilities

Outcome No. 2: Long-term park system planning is guided by community engagement, data, and a commitment to equity

This Report was prepared by Darryl Ford, Superintendent, RAP Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

Attachment 1 – Final Plans and Specifications