

APPROVED
AUG 09 2006

REPORT OF GENERAL MANAGER

NO. 06-212

DATE August 9, 2006

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BEVERLY POCKET PARK (W.O. #E1904756) – REVIEW OF BIDS AND AWARD OF CONTRACT

J. Combs _____	J. Kolb _____
H. Fujita _____	F. Mok _____
S. Huntley _____	K. Regan _____
B. Jensen _____	*M. Shull <u>MS</u>

Robert H. Jensen (for)
General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATION:

That the Board:

1. Find and accept the base bid of \$557,000 by Landshapes, is the lowest responsive and responsible bid for the Beverly Pocket Park (W.O. #E1904756) project;
2. Award the contract including Additive Alternate No. 1 in the amount of \$39,000, resulting in the total award amount of \$596,000, to Landshapes, all according to the plans and specifications;
3. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$596,000 from the following fund and account numbers under the awarding authority of this Board Report; and

<u>FUND</u>	<u>FUND/DEPT/ACCT</u>	<u>ENCUMBRANCE AMOUNT</u>
Anna H. Bing Living Trust Fund	205/88/YM13	\$596,000

4. Authorize the Board President and Secretary to execute the contract, subject to approval as to form by the City Attorney.

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SUMMARY:

On April 5, 2006, the Board approved final plans and called for bids for the Beverly Pocket Park (W.O. #E1904756) project, located at 1644 Beverly Boulevard, Los Angeles, CA 90026 (Board Report No. 06-81). The work involves the construction of a new pocket park, approximately 13,900 square-feet in size, featuring a children's playground, community gardens, metal fencing, security lighting, drinking fountain, picnic tables and benches and landscaping and irrigation. Additive Alternate No. 1 involves the construction of entry gate element including pilasters on both sides of the entry gates and an overhead trellis.

The Architectural Division of the Bureau of Engineering, in conjunction with Cornerstone Studios, Inc., the design consultant for the project, estimated the construction cost of the Base Bid for the project at \$750,000.

On June 13, 2006, the following bids were received:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ADD. ALT. NO. 1</u>	<u>DED. ALT. NO. 1</u>
Landshapes	\$ 557,000	\$ 39,000	\$ 7,000
C-1 Construction Corp.	\$ 624,900	\$ 49,500	\$ 7,125
G Coast Construction, Inc.	\$ 637,000	\$ 12,000	\$ 7,000
AWI Builders, Inc.	\$ 766,249	\$ 769,249	\$ 758,249
Tobo Construction, Inc.	\$ 793,000	\$ 34,500	\$ 3,900
Trimax Construction Corp.	\$ 937,000	\$ 25,000	\$ 10,000

The bid documents provided that the determination of the lowest bidder would be based on the base bid amount, without the consideration of the additive or deductive alternate.

Landshapes submitted the lowest base bid as indicated above. The City Attorney and staff have reviewed the bid submitted by Landshapes and found it to be in order. Landshapes is the lowest responsive and responsible bidder. The total of the base bid plus Additive Alternate No. 1 is \$596,000. There are sufficient funds and therefore it is recommended that the project be awarded with Additive Alternate No. 1 and without the need to exercise the Deductive Alternate. Additive Alternate No. 1 is the construction of entry gate element including pilasters on both sides of the entry gates and an overhead trellis.

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The funds for construction are currently being held in an escrow account by the Anna H. Bing Living Trust (Trust). However, the Trust has provided a letter that guarantees the availability of construction funds, and upon the award of the construction contract and submission of evidence of such, the Trust will release the funds to the City for construction and the City can execute the construction contract. The estimated time of receipt of funds from the escrow account is 10 days after the City's request is submitted to the trustee of the Bing Trust.

Staff has reviewed the outreach effort made by Landshapes, and based on the documents submitted, has determined that a "good faith" effort has been made. The bidder obtained a 24% MBE/WBE participation and satisfied 81 out of the 100-point requirement outlined by the Board's outreach program. The outreach Document Package is on file in the Board Office and a synopsis of the said package is attached.

Staff reviewed the responsiveness and work performance of Landshapes on past Department projects and found them to be satisfactory. The Department of Public Works, Office of Contract Compliance (OCC) indicated that there have been no labor compliance violations and that all other legal requirements have been complied with by the bidder.

In accordance with the requirements of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration that included the development elements of the project was adopted by the City Council in August 16, 2005. A Notice of Determination was filed with the Los Angeles City and County Clerks on August 23, 2005.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the department; however, future operations and maintenance costs will be assessed upon completion of the project.

Prepared by Paul Tseng, Project Manager, Bureau of Engineering, Architectural Division. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; by Bradley Smith, Chief Deputy City Engineer, Bureau of Engineering.

GOOD FAITH EFFORT CHECKLIST- EVALUATION RESULTS

Bidder: Landshapes

Bid Date: 06/13/2006

Project: Beverly Pocket Park (W.O. #E1904756)

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Points	
1	The bidder's or proposer's efforts to obtain participation by MBEs, WBEs and other business enterprises could reasonably be expected by the Board of Recreation and Park Commissioners (the "Board") to produce a level of participation by interested sub-contractors, including 15% MBE and 2% WBE.		0	0
2 Pre-Bid Meeting	a) Attend pre-bid meeting and be listed on the attendance sheet; or b) Submit a letter prior to the pre-bid meeting either by fax to (213) 847-5172, or by mail to the Bureau of Engineering, Project Award and Control Division, 600 S. Spring, 6 th Floor, Los Angeles, Ca. 90014	Did not attend pre-bid nor submit excuse due to attendance to previous pre-bid	10	0
3 Work Areas	Proof of this must be demonstrated in either Indicator 4 or 5.		13	13
4 Ad	A copy of the advertisement or a proof of publication statement or other verification which confirms the date the advertisement was published. The advertisement must be specific to the project, not generic, and may not be a planholder advertisement provided by the publication. It should include the City of Los Angeles project name, name of bidder, areas of work available for subcontracting, and a contact person's name and telephone number, information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit and/or insurance. Consideration will be given to the wording of the advertisement to ensure that it did not exclude or seriously limit the number of potential respondents.	No Ad published	9	0
5 Letters to Potential Subs	A copy of each letter sent to available MBEs, WBEs and OBEs for each item of work to be performed. If there is only one master notification, then a copy of the letter along with a listing of all recipients will suffice. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelope or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	10
6 Follow-up to Letters	A copy of telephone logs. These logs must include the name of the company called, telephone number, contact person, who did the calling, time, date, and the result of the conversation. Bidder must follow-up with all subcontractors to whom they sent letters.		10	10
7 Plans	Include in Indicator 4 or 5, information detailing how, where and when the bidder will make the required information available to interested subcontractors.		5	5
8 Outreach Letters	A copy of each letter sent to outreach agencies requesting assistance in recruiting MBEs, WBEs and OBEs. Faxed copies must include the fax transmittal confirmation slip showing the date and time of transmission. Mailed letters must include copies of the metered envelopes or certified mail receipts. Letters must contain areas of work to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number.		10	10
9 Negotiate in Good Faith	a) Copies of all MBE/WBE/OBE bids or quotes received; and b) Summary sheet organized by work area, listing bids received and the subcontractor selected for that work area. If the bidder elects to perform a listed work area with its own forces, they must include a bid that shows their own costs for the work.		26	26
10 Bonds	Include in Indicator 4 or 5, information about the bidder's efforts to assist with bonds, lines of credit and insurance.		7	7
TOTAL POINTS ACHIEVED			81	

MBE/WBE % ACHIEVED: 24.0%

MBE= 12% WBE=12% OBE=0% PRIME=55%