

APPROVED  
JAN 18 2006

REPORT OF GENERAL MANAGER

NO. 06-23

DATE January 18, 2006

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: KEN MALLOY HARBOR REGIONAL PARK - LAKE MACHADO -  
PERSONAL SERVICES CONTRACT WITH MCNABB CONSTRUCTION,  
INC., DBA DK ENVIRONMENTAL, FOR THE CLEARING AND DISPOSAL  
OF 12 ACRES OF AQUATIC VEGETATION

J. Combs \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
B. Jensen \_\_\_\_\_

J. Kolb \_\_\_\_\_  
F. Mok \_\_\_\_\_  
\*K. Regan KUR  
M. Shull \_\_\_\_\_

Dianna M. M. for JKM  
General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a personal services agreement in the amount of \$324,100, substantially in the form attached, with McNabb Construction, Inc., dba DK Environmental, to clear channels of approximately 12 acres of emergent aquatic vegetation in Lake Machado, subject to approval of the Mayor and City Council and to the City Attorney as to form;
2. Find that in accordance with Charter Section 1022, the Department does not have personnel available in its employ with sufficient time and expertise to undertake these specialized professional tasks in a timely manner, and it is more feasible and economical to secure the services by contract;
3. Direct the Board Secretary to transmit forthwith to the Mayor in accordance with Executive Directive No. 3 and to the City Attorney, for expedited approval of this agreement due to the urgent necessity to reduce public health threats at Lake Machado; and,
4. Authorize the Board President and Secretary of the Board to execute the agreement, subsequent to necessary approvals.

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### SUMMARY:

Machado Lake is a 40-acre wetland located within the 231-acre Ken Malloy Harbor Regional Park in Harbor City. It is one of the last naturally occurring wetlands in Los Angeles and is home to several species of endangered birds. The birds and their environment are closely protected by the State of California Department of Fish and Game, who have the authority to restrict the Department's activities on the Lake so as not to disturb or impact the endangered birds.

Machado Lake also serves as a storm water retention basin, receiving inflow through two City owned channels, and one Los Angeles County channel. The Los Angeles Regional Water Quality Control Board has identified Machado Lake as an impaired body of water, meaning that the mosquito population of the lake must be monitored on a regular basis to minimize population growth which may lead to the spread of mosquito borne diseases such as the West Nile virus and encephalitis. Concerns about encephalitis and West Nile virus have prompted increased oversight from the Greater Los Angeles County Vector Control District (GLACVCD). In October 2005, GLACVCD inspected the lake and determined that despite the Department's aggressive effort in January 2005 to clear lake vegetation to the ideal conditions of 1991-1992, the vegetation has grown such that GLACVCD issued an order against the Department of Recreation and Parks requiring clearance of twelve (12) acres, most of which is primrose, with isolated areas of bulrush and other emergent vegetation. The Department immediately submitted an application for an annual permit to Fish and Game to allow work to commence, which removal must be completed by March 15, 2006.

As with the previous years' vegetation clearance, the work requires the use of specialized aquatic equipment capable of uprooting vegetation from the hydrosoil at extremely low drafts, with qualified operators, not available within City resources. The Department issued a request for proposal (RFP) for clearance of 12 acres of aquatic vegetation with the additional administration of sonar to eliminate vegetation growth. The Department contacted three (3) companies to obtain proposals and received proposals from McNabb Construction, Inc., and Aquatic Environments, Inc.

Due to the urgent necessity of the project, proposers were required to submit their proposals via fax by December 5, 2005 at 4:00 P.M. and submit the originals within 48 hours by 4:00 P.M. on December 7, 2005. Both proposers submitted their proposals late. Because of the late submissions and the incomplete responses from both proposers, the City Attorney recommended that both proposals be rejected and re-solicited.

On December 30, 2005, the RFP was revised. The new RFP required that the proposals be submitted by January 9, 2006 at 3:00 P.M. Only two proposers submitted proposals, Aquatic

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Environments, Inc., and McNabb Construction, Inc. Both proposals were submitted on time. Aquatic Environments, Inc., submitted a proposal for \$397,500 and McNabb Construction, Inc., submitted a proposal for \$324,100.

Department staff reviewed both proposals and found that both proposers have sufficient experience, staff, and resources to complete the project. Staff therefore recommends awarding to the lowest cost proposer, McNabb Construction, Inc. The owner of the firm, Mr. Dave McNabb, is very familiar with Lake Machado, having been the project manager who oversaw the clearing of the lake in the January 2005. Mr. McNabb also oversaw the clearing of the lake while working for Aquatics Unlimited in the early 1990s.

Given the strict timeline permitted for the cutting of aquatic vegetation, the potential health hazards if the Department fails to clear this vegetation, and the infeasibility of performing this work with the Department or other City forces because of unavailability of the special equipment, staff recommends that the Board contract with McNabb Construction, Inc.

### FISCAL IMPACT STATEMENT:

The FY 2005-06 adopted budget allocates funding in the amount of \$756,000 for all contractual services at Lake Machado.

Report prepared by Karen Freire, Management Analyst II, Administrative Resources Division