

APPROVED

REPORT OF GENERAL MANAGER

MAY 05 2010

NO. 10-102

DATE May 5, 2010

BOARD OF RECREATION and PARK COMMISSIONERS

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BANNING MUSEUM PHASE III (PRJ#20001) (W.O. #E170493F) – MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING AND THE DEPARTMENT OF GENERAL SERVICES

R. Adams _____ F. Mok _____
H. Fujita _____ K. Regan _____
S. Huntley _____ *M. Shull [signature]
V. Israel _____

[Signature]
General Manager

Approved [signature]

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

- 1. Approve a proposed Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) to provide construction services for the Banning Museum Phase III (PRJ#20001) (W.O. #170493F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department's Chief Accounting employee, subject to Mayor and City Council Approval, to request the City Administrative Officer (CAO) to include in the CAO report to the City Council that a transfer of the following appropriation, in the amount of \$570,000, be approved for the construction of the Banning Museum Phase III (PRJ#20001) (W.O. #E170493F) project;

From:

Table with 3 columns: PENDING FUNDING SOURCE, FUND NO./ DEPARTMENT NO./ ACCOUNT NO., APPROPRIATION AMOUNT. Rows include Proposition K - Year 14, Proposition K - Year 15, and Total.

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Note:

(1) Availability of funds pending approval by the City Council of the Engineer's Report for Fiscal Year 2010-11 and 2011-12, which includes reprogramming of Proposition K funds for this project.

To:

Through GSD Account F140 and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries	\$ 130,000
1101 – Hiring Hall Salaries	\$ 170,000
1121 – Hiring Hall Fringe Benefits	\$ 100,000
3180 – Construction Materials and Supplies	<u>\$ 170,000</u>
Total	\$ 570,000

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit forthwith the proposed MOU to the City Attorney for expedited review and approval as to form; and
4. Authorize the General Manager to execute the MOU prior to June 30, 2010, subsequent to the approval of the City Attorney as to form.

SUMMARY:

The proposed project is located at 410 East M Street, Wilmington, Los Angeles. Scope of work includes refurbishment of building and garden improvements.

Due to the reprogramming of Proposition K funds to the current fiscal year, the project must now have the construction contract awarded prior to the end of the current Fiscal Year 2009-10 (i.e. by June 30, 2010). There is now insufficient time remaining to proceed through the normal bid and award process. In order to meet the construction award schedule without losing the Proposition K funding, it is recommended that GSD be selected to construct the project, in accordance with Section 22.535(a) (5) of the Los Angeles Administrative Code.

Staff anticipates this MOU will cover the construction of at least three separate projects – Landscaping, Museum Rehabilitation, and Barn Rehabilitation. GSD has not prepared construction cost estimates for any of the three projects. The BOE total construction cost estimate for the projects is \$500,000. A construction contingency, in the amount of \$70,000, is also being recommended for appropriation to GSD, however, use of the contingency will require

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advance written approval by the BOE Project Manager or his designated representative. Upon approval of the Board and the City Council, a total of \$570,000 from Proposition K funds will be requested for appropriation to GSD.

Upon execution of the MOU and the approval of the fund appropriation and transfer to GSD accounts, GSD will begin work upon the issuance of separate Notices to Proceed (NTP) for each project. Completion of construction is estimated to take one hundred and fifty (150) calendar days for each of the projects, therefore, the combined total construction period is four hundred and fifty (450) calendar days.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the proposed project has been determined to be categorically exempt and a Notice of Exemption was filed with the Los Angeles City and County Clerks on December 4, 2009.

Council District 15 and the Pacific Region staff support the recommendations as set forth in this report.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund, however, future operations and maintenance costs will be included in future Department budget requests.

This Board Report was prepared by William Tseng, Recreational and Cultural Facilities Program, Bureau of Engineering, and reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Development Division, Department of Recreation and Parks.