

APPROVED
OCT 06 2010

REPORT OF GENERAL MANAGER

NO. 10-264

DATE October 6, 2010

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MACARTHUR PARK - BANDSHELL RESTROOMS (#20478)
(W.O. #E1907293) - 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 | <i>ms</i> |
| V. Israel | _____ | | |

[Signature]

General Manager

Approved _____

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Withdrawn _____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 General Services Department (GSD), to provide construction services for the MacArthur Park - Bandshell Restrooms (#20478) (W.O. #E1907293) project, subject to the approval of the City Attorney as to form;
2. Request that the City Administrative Office (CAO) include in the CAO report to the City Council and Mayor, a recommendation that the following appropriations, in the amount of \$523,600 be approved for the construction of the MacArthur Park - Bandshell Restrooms (#20478) (W.O. #E1907293) project;

From:

| <u>Funding Source</u> | <u>Fund No./ Dept. No./ Acct. No</u> | <u>Encumbrance Amount</u> |
|--|--|-------------------------------|
| CDBG (35 TH Year) | 424/22/F442 | \$240,000 |
| Economic Development Initiative (EDI) ⁽¹⁾ | 205/89/GF01 | \$190,000 |
| Quimby | 302/89/460K-MD | <u>\$ 93,600</u> |
| Total: | | \$523,600 |

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NOTE: ⁽¹⁾ The EDI funds will be cash flowed from an approved Community Development Block Grant (CDBG) Float Loan, and these funds will be reimbursed immediately upon receipt of funds from the Federal government.

To:

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

| | |
|---|------------------|
| 1014 – Construction Salaries | \$104,720 |
| 1101 – Hiring Hall Salaries | \$149,600 |
| 1121 – Hiring Hall Fringe Benefits | \$59,840 |
| <u>3180 – Construction Materials and Supplies</u> | <u>\$209,440</u> |
| TOTAL | \$523,600 |

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 Bureau of Engineering Project Manager;

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for review and approval as to form; and,
4. Authorize the General Manager to execute the proposed MOU, subject to City Attorney approval as to form.

SUMMARY:

The proposed MacArthur Park - Bandshell Restrooms (#20478) (W.O. #E1907293) project is located at 2230 West 6th Street, Los Angeles, CA 90057. The improvements include attaching a restroom building to the exterior walls of the Bandshell. This addition is comprised of two Americans with Disabilities Act (ADA) compliant unisex toilet stalls with associated interior lavatories and one non-ADA compliant unisex toilet stall with associated interior lavatory and all landscape work per plans.

Staff recommends awarding this project to GSD in lieu of conducting a competitive construction bid process due to the following reasons:

- Construction of the toilet building addition has to be completed before end of June 2011, due to the scheduled use of the Bandshell for the summer performance program at the park. The total funds for the project were recently realized.

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- The scope of work is a “Specialty Work”. GSD has shown knowledge and expertise in building restrooms to comply with the ADA, including but not limited to adding restrooms to an existing building, with a combination of their own forces and by hiring specialized vendors for sub-contracted work.
- GSD can perform the demolition work while the selection of a vendor is in process.
- Approximately three to four months can be saved from the bid and award time by having GSD and their selected City-approved vendors perform construction. GSD is authorized to perform this work per Los Angeles Administrative Code Section 22.535(a)(5).

In addition to timeliness, GSD has experience in successfully completing various RAP projects. BOE will provide construction management services for GSD in the construction of the project.

Approved project funds are available for the construction work in the following fund and accounts:

| <u>Funding Source</u> | <u>Fund No./Dept. No./Acct. No.</u> |
|--|-------------------------------------|
| CDBG (35 TH Year) | 424/22/F442 |
| Economic Development Initiative (EDI) ⁽¹⁾ | 205/89/GF01 |
| Quimby | 302/89/460K-MD |

- ⁽¹⁾ The EDI funds will be cash flowed from an approved Community Development Block Grant (CDBG) Float Loan, and these funds will be reimbursed immediately upon receipt of funds from the Federal government.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements resulting from the MOU have been previously evaluated for potential environmental impacts. A Mitigated Negative Declaration (MND) was adopted by the City Council on April 10, 2007 (Council File: 07-0986) and a Notice of Determination (NOD) was filed with the Los Angeles County Clerk on April 11, 2007. The scope of the proposed improvements would not result in any significant environmental effects beyond those already analyzed in the MND, and the environmental setting has not changed substantially since the adoption of the document. Therefore, no additional CEQA documentation is required for the Board’s approval of recommendations in this report.

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FISCAL IMPACT STATEMENT:

There are adequate funds for the proposed construction project. Therefore, there is no anticipated fiscal impact on the Department's General Fund. The assessment of the future operations and maintenance costs has yet to be determined.

This report was prepared by Ada Fernandez-DeLaRosa, Project Manager, Architectural Division, Bureau of Engineering. Reviewed by Mahmood Karimzadeh, Program Manager, Architectural Division, Bureau of Engineering; Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.