

APPROVED  
APR 18 2011

REPORT OF GENERAL MANAGER

NO. 11-109

DATE April 18, 2011

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LAFAYETTE PARK - RECREATION CENTER (PRJ1435A)  
(W.O. #E170317F) PROJECT - PARTIAL ACCEPTANCE AND PARTIAL  
RELEASE OF RETENTION MONIES HELD UNDER CONTRACT NO. 3237

R. Adams \_\_\_\_\_

K. Regan \_\_\_\_\_

H. Fujita \_\_\_\_\_

\*M. Shull MS

V. Israel \_\_\_\_\_

N. Williams \_\_\_\_\_

[Signature]  
General Manager

Approved [Signature]

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the partial acceptance of the work performed by Western Alta Construction, Inc., under Contract No. 3237, for the construction of the Lafayette Park - Recreation Center (PRJ1435A) (W.O. #E170317F) project as outlined in the Summary of this Report, subject to the satisfaction of conditions listed under Article 48 of the General Conditions of the Contract;
2. Authorize the Department of Recreation and Park's (RAP) Chief Accounting Employee to release retention monies held under Contract No. 3237 to Western Alta Construction, Inc., with the exception of 25%, upon the issuance of the Letter of Partial Completion, subject to the satisfaction of conditions listed under Article 48 of the General Conditions of the Contract);
3. Authorize the Board Secretary to furnish Western Alta, Inc., with a Letter of Partial Completion upon notification from the Bureau of Engineering's (BOE) confirming satisfaction of conditions listed under Article 48 of the General Conditions of the Contract;
4. Authorize the BOE Project Manager to negotiate and execute a change order(s) in an amount not-to-exceed \$75,000, to complete additional work requested by the RAP to be performed by Western Alta, Inc., under Contract No. 3237;

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5. Authorize the RAP's Chief Accounting Employee to transfer \$75,000 in Quimby Fees from the Quimby Fees Account No. 460K-00 to the Lafayette Park Account No. 460K-LD;
6. Approve the allocation of \$75,000 in Quimby Fees, from Lafayette Park Account No. 460K-LD for the project at Lafayette Park, as described in the Summary of this Report; and,
7. Authorize the RAP's Chief Accounting Employee to encumber up to \$75,000 in available Quimby funds from the following fund and account:

Funding Source  
Quimby

Fund/Dept/Acct. No.  
302/89/460K-LD

SUMMARY:

On January 9, 2008, the Board of Recreation and Parks (Board) awarded Contract No. 3237 in the amount of \$5,943,597 to Western Alta Construction, Inc., for the construction of the Lafayette Park – Recreation Center (PRJ1435A) (W.O. #E170317F) project. The project site is located at 625 Lafayette Park Place, Los Angeles, CA 90057.

Plans for the project were prepared by the consultant Kanner Architects. The design called for the demolition of approximately 4,500 square feet of an existing building and the construction of a new addition of approximately 12,200 square feet; thus creating an approximately 17,000 square foot recreation center.

The addition included a gymnasium, clubroom, and accessory spaces. The existing basement was converted into new offices, clubroom, mechanical/electrical rooms, and storage. A new parking lot, hardscape and landscaping were also added. The construction systems included concrete masonry walls; structural steel braced frames, metal deck roofing and steel trusses, storefront window wall system, methane mitigation system, and a concrete pier and grade beam foundation.

During construction, the following change orders were added to the project: Additive Alternate No 1, "Replacement of existing windows and doors, including frames, in the existing Community Center", and Additive Alternate No. 5, "Removal of acoustic ceiling in existing Community Center". The project was completed with a total of \$1,061,091.61 in issued Change Orders or 17.85 % of the original contract amount. The total contract amount to date is \$7,004,688.61.

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The construction of the original scope of work, plus the additive alternates and change order work is now complete. Staff is recommending the partial acceptance of work and the partial release of the retention monies. To date, the City has withheld retention monies in an amount equal to 10% of the total base bid amount plus 10% of the building change orders executed or \$700,468.86. Staff is recommending the release of \$525,351.74 or approximately 75% of the retention fees.

Article 48 of the General Conditions of the contract states that the City may, if the work is progressing satisfactorily, release part of the retention of the work for which a statement of partial completion has been issued, provided that the following conditions have been met:

1. Partial final inspection corrections have been completed to the satisfaction of the Inspector;
2. The contractor submits a written request for release of retention which includes a verifiable valuation of the identified portions of the work covered by the statement of partial completion;
3. Impacted subcontractors, major suppliers and the contractor's surety all agree in writing to release retention;
4. If any minor corrections remain which do not directly affect operations or maintenance then twice the values of the remaining cleanup items shall be retained on each request for release; and,
5. The contractor signs a change order which specifically states the value of the retention being released.

RAP staff has consulted with the Office of Contract Compliance (OCC) concerning the status of the labor compliance requirements and Affirmative Action requirements on the project and, to date, there are no outstanding wage violations, and Western Alta Construction, Inc., is in compliance. As of April 11, 2011, there are six (6) stop notices with a total amount of \$94,655.31. Of which, only \$13,722.21 were withheld from payments.

At the request of the Planning, Construction and Maintenance Division of RAP, BOE has requested the Contractor to submit a proposal for work related to improvements to the toilets in the old community building area. Additionally, a safe closet enclosure is requested to store computer equipment and a shut-off relay to be installed for the emergency lighting system in the gymnasium. Authority is requested to allow the BOE Project Manager to negotiate and execute a change order(s) in an amount not-to-exceed \$75,000 to complete this work.

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Upon approval of this report, \$75,000 in Quimby Fees can be transferred from the Quimby Fees Account No. 460K-00 to the Lafayette Park Account No. 460K-LD for the Recreation Center project at Lafayette Park. The total Quimby Fees allocation for the Recreation Center project, including previously approved Quimby fund allocations, is \$1,240,704. These Fees were collected within two miles of Lafayette Park, which is the standard distance for the allocation of the Subdivision/Quimby Fees for community recreational facilities.

### FISCAL IMPACT STATEMENT:

There is no fiscal impact to the RAP's General Fund. The costs for operations of the facility are included in the RAP's Fiscal Year 2011-2012 operating budget for facilities.

This report was prepared by Jaime Contreras, Department of Public Works, Bureau of Engineering, Recreational and Cultural Facilities Program;. Reviewed by Neil Drucker, Program Manager, Department of Public Works, Bureau of Engineering, Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer, Department of Public Works, Bureau of Engineering; and Michael A. Shull, Superintendent, Department of Recreation and Parks, Planning , Construction and Maintenance Division,.