

REPORT OF GENERAL MANAGER

APPROVED
FEB 18 2011

NO. 11-055

DATE February 16, 2011

C.D. 7

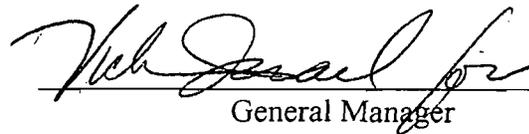
**BOARD OF RECREATION
and PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HANSEN DAM – SKATE PLAZA (PRJ1237A) – ADOPTION OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) – REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams _____
V. Israel _____
H. Fujita _____
S. Huntley _____

F. Mok _____
K. Regan _____
*M. Shull DUKE FOR


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Review, consider and adopt the Initial Study (IS), the Mitigated Negative Declaration (MND) and the associated Mitigation Monitoring and Reporting Plan (MMRP) for the Hansen Dam Skate Plaza project, finding that on the basis of the whole record of proceedings in the project, including the IS and MND and any comments received, there is no substantial evidence that the project will have a significant effect on the environment, and that all potentially significant environmental effects of the project have been properly disclosed, evaluated and mitigated in compliance with the California Environmental Quality Act (CEQA) and the State and City CEQA Guidelines, and reflects the Department of Recreation and Parks' independent judgment and analysis;
2. Direct Staff to file a Notice of Determination for the adopted IS/MND with the Los Angeles City Clerk and the Los Angeles County Clerk within five (5) days of the Board's approval;
3. Find Spohn Ranch, Inc., with a base bid of \$659,317, to be the lowest responsive and responsible bidder for the Hansen Dam – Skate Plaza (PRJ1237A) project;
4. Award the contract to Spohn Ranch, Inc., for a total award amount of \$659,317, all according to the plans and specifications;

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5. Authorize the Department's Chief Accounting Employee to encumber \$659,317 in available funds from the following Fund No., Department No. and Account No. under the awarding authority of this Board Report; and,

<u>Funding Source</u>	<u>Fund No./Dept. No./Account No.</u>	<u>Encumbrance Amount</u>
Proposition 40 Specified ⁽¹⁾	205/89/YX04	\$659,317

⁽¹⁾ The Proposition 12/40 Cash Flow Account will need to cash flow this fund which will be reimbursed immediately upon receipt of funds from the State.

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

SUMMARY:

On June 16, 2010, the Board, through Board Report No. 10-156, approved the design and development plans and specifications for the Hansen Dam - Skate Plaza (PRJ1237A) project. The plans call for the construction of a new skate plaza to be located at Hansen Dam near the Universally Accessible Playground and adjacent to the maintenance building. The proposed scope of work includes the following:

- Clearing and grubbing of the proposed location for the skate plaza
- Final design and construction of a poured in place concrete street style skate plaza
- Installation of new walkways, benches, trash receptacles, drinking fountains and site amenities typical to a skate plaza
- Installation of new landscaping
- Installation of new irrigation
- Providing construction drawings derived from provided design development drawings
- Providing specifications, details and record documentation of what is indicated in the design and providing as-built drawings for all work constructed

The Board also approved a Call for Bids from pre-qualified design build skate plaza contractors. On September 1, 2010, the Board, through Board Report No. 10-236, rejected all bids received as all were considered non-responsive as none had complied with the Board's Good Faith Effort policy. The Board then authorized staff to re-bid the project.

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On October 7, 2010, two bids were received for the project. The lowest responsive and responsible bid was submitted by 2011 Spohn Ranch, Inc., with a base bid of \$659,317, which is below the City Engineer's cost estimate of \$800,000. The bid amounts received are as follows:

Bidders	Base Bid
Spohn Ranch, Inc.	\$659,317
California Skateparks	\$750,000

Bureau of Engineering staff has reviewed the outreach effort made by Spohn Ranch, Inc., and based on the documents submitted, has determined that a "good faith" effort has been made. Spohn Ranch, Inc.'s outreach efforts achieved a score of one hundred (100) out of the 100-point requirements outlined by the Board's outreach program which requires a score of 75 points out of 100 to achieve a "good faith" effort. The outreach document package is on file in the Board Office and synopsis of said package is attached.

The City Attorney and staff have reviewed the bids submitted by Spohn Ranch, Inc., and found it to be in order. Staff recommends that the Board find Spohn Ranch, Inc., to be the lowest responsive and responsible bidder.

Staff reviewed the responsiveness and work performance of Spohn Ranch, Inc., 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 (MND) was prepared based on an Initial Study, which determined that all potentially significant environmental effects would be mitigated to a level less than significant. The MND was circulated to all interested parties and responsible agencies, and filed with the State Clearinghouse for a 30-day review and comment period from January 6 to February 7, 2011. No substantive comments were received on environmental issues. However, all comments have been incorporated into the final MND, copies of which have been provided to the Board for its review and consideration. A Mitigation Monitoring and Reporting Plan has been prepared that specifies all the mitigation measures identified in the MND, which will either reduce or eliminate the potentially significant environment impact of the project, in accordance with Section 15097 of the State CEQA Guidelines.

In addition, because the proposed skatepark will be located at the Hansen Dam Recreation Area, which is leased from the US Army Corps of Engineers (Corps), the project has been evaluated for potential environmental effects under the National Environmental Protection Act (NEPA) in a joint Environmental Assessment (EA) with the MND. It was determined that the project will not have a significant environmental impact and Finding of No Significant Impact (FONSI) has

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been issued by the Corps for the project. Upon adoption of the MND, the project will be cleared for final approval of the project plans and the start of construction.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department's General Fund as the project's costs will be fully funded by the above listed funds specifically identified and approved for this project. Future operations and maintenance costs will be assessed upon completion of the project and addressed in a future budget request.

This report was prepared by Cid Macaraeg and Craig Raines, Planning and Construction Division

GOOD FAITH EFFORT CHECKLIST- EVALUATION DRAFT WORK

Bidder: Spohn Ranch, Inc.

Bid Date: October 26, 2010

PROJECT: Hansen Dam Skate Plaza (W.O. # E1906540) (PRJ #1237A)

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) 847-0703, or by mail to the Bureau of Engineering, Project Award and Control Division, 1149 S. Broadway, 1 st Floor, Los Angeles, Ca. 90015.		10	10
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.		9	9
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			100	
MBE/WBE % ACHIEVED:			0%/ 0%	

MBE= 0%

WBE= 0%

OBE= 18%

PRIME= 80%

RESPONSIVE