

REPORT OF GENERAL MANAGER

APPROVED
FEB 02 2011

NO. 11-024

DATE January 19, 2011

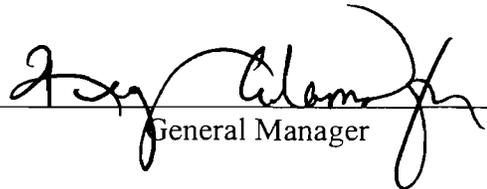
C.D. 8

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: JACKIE TATUM/HARVARD RECREATION CENTER – SKATE PARK (PRJ1248A) (W.O. #E170432F) – SUPPLEMENTAL AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING, AND THE DEPARTMENT OF GENERAL SERVICES

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

F. Mok _____
K. Regan _____
*M. Shull MS



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a Supplemental Agreement to the Memorandum of Understanding (MOU), substantially in the form attached, between the Department of Recreation and Parks (RAP), the Department of Public Works - Bureau of Engineering (BOE), and the Department of General Services (GSD) to increase the construction funding for Jackie Tatum/Harvard Recreation Center – Skate Park (PRJ1248A) (W.O. #E170432F) by an additional \$125,000, to a new total not to exceed amount of \$900,000, and to extend the term by twenty-four (24) months to forty-eight (48) months, subject to the review and approval of the City Attorney as to form;

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2. Request the Department's Chief Accounting Employee, in accordance with the proposed Supplemental Agreement and upon its execution, with the assistance of the Office of the City Administrative Officer (CAO), to facilitate the necessary Council approval to appropriate \$125,000 in construction funds to GSD, as follows:

FROM:

<u>Fund Sources</u>	<u>Fund/Dept/Account No.</u>	<u>Encumbrance Amount</u>
Proposition 40 RZH ⁽¹⁾	205/88/TBD	\$ 125,000
Total		\$ 125,000

NOTE:

⁽¹⁾The Proposition 40 Cash Flow Account will be used to cash flow these funds which will be reimbursed immediately upon receipt of funds from the State.

TO:

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

3180 – Construction Materials and Supplies:	\$ 125,000
Total:	\$ 125,000

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 RAP; and,

3. Direct the Board Secretary to transmit the Supplemental Agreement to the MOU to the City Attorney for review and approval as to form; and
4. Authorize the Department's General Manager to execute the proposed Supplemental Agreement to the MOU, subject to approval by the City Attorney as to form.

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SUMMARY:

The Jackie Tatum/Harvard Recreation Center – Skate Park (PRJ1248A) (W.O. #E170432F) project, a Proposition K Competitive Grant Year 10 and Year 11 project, was awarded to GSD on June 18, 2008 (Board Report No. 08-172) for construction. Funds were obligated prior to the end of fiscal year 2007/08 by way of an executed MOU in order to avoid loss of the funds. The MOU amount of \$775,000 was a budgetary figure provided to GSD and was not based upon a cost estimate developed by GSD. It was recognized that the MOU would have to be amended to reflect the total construction cost, at the time of the award of the Task Order to a design/build consultant-contractor.

The scope of this project consists of the construction of a new 10,000 square foot concrete streetscape skate park featuring ledges, stairs, rails, ramps, and fencing. New landscaping, irrigation, drinking fountain, Americans with Disabilities Act (ADA) pathway, and a re-configured trash area are also a part of the project.

GSD has also completed a cost estimate in the amount of approximately \$800,000, without contingency. An additional \$100,000 in contingency funds will be included for a total construction cost of \$900,000. Advanced written approval in the form of an executed change order of the BOE Project Manager will be required for any use of the contingency funds by GSD.

BOE therefore recommends that the Board approve the Supplemental Agreement and upon its execution, with the assistance of the CAO, to facilitate the necessary Council approval to appropriate and transfer funds in the amount of \$125,000 into GSD accounts.

GSD has indicated that they can complete all required construction within 270 calendar days after the transfer of funds to GSD or execution of the Supplemental Agreement, whichever occurs last, as follows:

Funding Source	Fund/Dept/ Account No.	Funding for original MOU	Increase in Funding	Funding for SMOU
Proposition K-11	43K/10/C807	\$ 375,000	\$ 0	\$ 375,000
Proposition 40RZH	205/88/TBD	\$ 400,000	<u>\$ 125,000*</u>	<u>\$ 525,000</u>
TOTAL		\$ 775,000	\$ 125,000	\$ 900,000

*Proposed Appropriation

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Staff has determined that proposed supplemental agreement is a continuation of the existing skate park project at Jackie Tatum/Harvard Recreation Center. This project has been previously determined to be Categorical Exempt from California Environmental Quality Act (CEQA) pursuant to Article III, Section 1 (c) Class 3(6) of the City CEQA Guidelines. A Notice of Exemption (NOE) was filed with the City of Los Angeles and County Clerks on April 29, 2008. The project scope of work and the environmental setting has not substantially changed since the NOE was filed. Therefore, the original CEQA determination is still valid, and no additional CEQA documentation is required.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget. All funds are provided by the above-listed funding sources as specifically identified and approved for use on this project. The future operation and maintenance costs as a result of the completion of this project have yet to be determined.

This report was prepared by Gary Lam, Project Manager, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction, Department of Recreation and Parks.