

REPORT OF GENERAL MANAGER

APPROVED
FEB 02 2011

NO. 11-025

DATE January 19, 2011

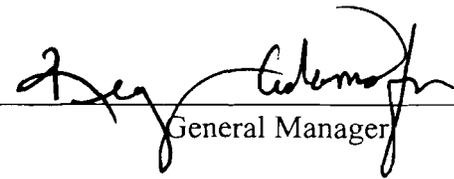
C.D. 14

BOARD OF RECREATION
and PARK COMMISSIONERS

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ARROYO SECO – OUTDOOR REFURBISHMENT (W.O. #E170490F) – AMENDMENT 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	_____	F. Mok	_____
V. Israel	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<i>file for</i>
S. Huntley	_____		



General Manager

Approved Disapproved Withdrawn

RECOMMENDATION:

That the Board:

1. Approve a proposed Amendment to the Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, 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 budget to complete the original scope of work by \$108,309 for a total construction cost of \$658,309 for the Arroyo Seco – Outdoor Refurbishment (W.O. #E170490F) project, subject to the approval of the City Attorney as to form;

2. Authorize the Chief Accounting Employee, subject to City Council and Mayoral approval, to request that City Administrative Office (CAO) include, in the next Construction Projects Report (CPR) to the City Council, a transfer, at the request of the Bureau of Engineering, of appropriation, in the not-to-exceed amount of \$108,309, in construction funds to GSD, as follows:

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FROM:

<u>Fund Sources</u>	<u>Fund/Dept/Account No.</u>	<u>Appropriation Amount</u>
Proposition K ¹	43K/10/F855	<u>\$ 108,309</u>
Total		\$ 108,309

TO:

Through GSD Account G140, to the appropriate GSD in Funds 100, Dept. 40, listed below:

1014 – Construction Services:	\$ 48,000
1101 – Construction Salaries Hiring Hall:	\$ 16,000
1121 – Construction Salaries Hiring Hall fringe Benefits:	\$ 4,309
3180 – Construction Materials and supplies:	<u>\$ 40,000</u>
Total:	\$108,309

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

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

SUMMARY:

On June 2, 2010, the Board of Recreation and Park Commissioners (Board) awarded the contract to Y and M Construction, Inc., for a total award amount of \$309,120, for the Arroyo Seco – Outdoor Refurbishment (W.O. #E170490F) project (Board Report No. 10-132). The contractor did not meet the execution requirements. The award was rescinded following the Board’s direction on June 2, 2010 (Board Report No. 10-141), to “Authorize the General Manager to Rescind the award of any construction contract awarded during the remainder of the fiscal year, funded in whole or in part by Proposition K, if the Contractor has not executed a written contract with the City, and provided the required payment and performance bonds and proof of adequate insurance coverage...;” and “...authorize the General Manager to execute a Memorandum of Understanding (MOU) by June 30, 2010 for the construction of the Arroyo Seco – Outdoor Refurbishment project with the Department of General Services (GSD) for construction services and with the Bureau of Engineering (BOE) for construction management...” The MOU was based on the City Engineer’s estimate and for an

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amount not to exceed \$550,000. At the time of the MOU, GSD did not have the construction documents and were not in a position to prepare a construction cost estimate.

The project scope includes: the replacement of existing light fixtures with new energy-efficient on existing six light poles, installation of twelve new light poles and fixtures to illuminate the parking lot and paths to the tennis courts, installation of two new wall-mounted lights inside the tunnel on Avenue 60, removal of existing play equipment and installation of new play equipment and the installation of a new "Smart" automated irrigation system.

Upon the completion of its review of the construction documents, GSD presented to BOE and RAP a construction budget of \$658,309, including a 10% contingency. The project construction budget in the original MOU was \$550,000 and needs to be increased by \$108,309 to cover the difference in the City Engineer's estimate and the construction budget cost.

Funding Source	Fund/Dept/ Account No.	Funding for Initial MOU (Board Report No. 10-141)	Funding for Proposed MOU Amendment	Total Project Funding
Proposition K Year 13	43K/10/F855	\$ 550,000	\$ 108,309	\$ 658,309

FISCAL IMPACT STATEMENT:

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 Ejike Mbaruguru, Project Manager, Recreational and Cultural Facilities Program. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.