

**APPROVED**  
**APR 04 2012**

REPORT OF GENERAL MANAGER

NO. 12-091

DATE April 4, 2012

**BOARD OF RECREATION  
and PARK COMMISSIONERS**

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PALISADES RECREATION CENTER – OUTDOOR IMPROVEMENTS (W.O. #E170326F) PROJECT – RETROACTIVE AUTHORIZATION TO NEGOTIATE CHANGE ORDER TO CONTRACT NO. 3350 AND FINAL ACCEPTANCE

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>[Signature]</i></u>
V. Israel	_____	N. Williams	_____

*[Signature]*  
General Manager

Approved *[Signature]*

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Retroactively authorize the Department of Public Works, City Engineer, (City Engineer), to negotiate a change order, in a not-to-exceed amount of \$4,000, and increase the previously approved not-to-exceed change order(s) amount of \$50,000 by an additional \$4,000, to a new not-to-exceed amount of \$54,000 for the Palisades Recreation Center – Outdoor Improvements (W.O. # E170326F) project;
2. Retroactively authorize the City Engineer to approve the subsequent change order;
3. Approve the final acceptance of work performed under Contract No. 3350, as outlined in the Summary of this Report;
4. Authorize the Department’s Chief Accounting Employee to release all retention monies held under Contract No. 3350 to Tropical Creations, Incorporated, 35 calendar days after acceptance by the Board; and,
5. Authorize the Board Secretary to furnish Tropical Creations, Incorporated, with a letter of completion.

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SUMMARY:

The construction contract for the Palisades Recreation Center – Outdoor Improvements (W.O. #E170326F) project, located at 851 Alma Real Drive, Pacific Palisades, California 90272, was awarded to Tropical Creations, Incorporated on May 20, 2011 (Board Report No. 11-127), in the amount of \$98,665.

Plans for the project were prepared by the Department of Public Works, Bureau of Engineering (BOE). The plans provided for the construction of a new irrigation system for the upper sports field and the replacement of a mulched area with hydro-seeding. Additive Alternate No. 1, which was awarded at the time of the original award of the project, included the construction of a new tubular steel perimeter fence.

During the final month of the maintenance period of the project, an existing leaking irrigation line was discovered and fixed by the Department of Recreation and Parks (RAP) staff. The line was not part of the contractor's scope of work. However, the line was located within the contractor's work boundary. The contractor was directed to repair the turf after RAP fixed the line. This work has resulted in a change order that will exceed the Board's previously approved change order not-to-exceed limit of \$50,000 (Board Report No. 11-254). The single change order for the turf repair will not exceed \$4,000. Therefore, BOE recommends that the Board authorize an increase of the change order limit to a newly revised not-to-exceed limit of \$54,000.

Sufficient funds are available from the following fund and account for the change order.

FUND SOURCE	FUND/DEPT. NO./ACCT. NO.
Proposition K - Year 13	43K/10/10F214

After Tropical Creations, Incorporated completed the final turf repair change order, the Department of Public Works, Bureau of Contract Administration (BCA) issued the Statement of Final Completion of the project on March 2, 2012. BCA completed the construction inspections and the Department of Public Works, BOE, Recreation and Cultural Facilities Program (RCFP), completed the construction management of the project under the Proposition K Program.

BOE has informed RAP that this project was completed with ten (10) change orders, including the herein recommended additional change order, issued in the amount of \$53,829 or 54.56% percent of the base contract. The final contract amount, including the change orders, is \$152,494. It is noted that a large portion of the change order value is attributed to lengthening of the tubular steel fencing, which was done at the request of RAP staff, and the replacement of the turf to the upper sportsfield, as explained in Board Report No. 11-254.

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BOE has consulted with the Office of Contract Compliance concerning the status of the labor compliance requirements and Affirmative Action requirements on the project. There are no outstanding wage violations and Tropical Creations, Incorporated is in compliance.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund at this time. However, future operations and maintenance costs have yet to be determined.

This report was prepared by Gary Lam, BOE, Recreational and Cultural Facilities Program. Reviewed by Neil Drucker, BOE Program Manager, Recreational and Cultural Facilities Program.; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Michael A. Shull, RAP, Superintendent, Planning, Construction and Maintenance Division.