

APPROVED

REPORT OF GENERAL MANAGER

NO. 15-030

DATE February 04, 2015

FEB 04 2015
BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 12

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DEARBORN PARK - IRRIGATION AND FIELD IMPROVEMENTS (PRJ20830) (W.O. #E170332F) PROJECT - AUTHORITY TO NEGOTIATE CHANGE ORDERS AND TO INCREASE THE BUDGET CONTINGENCY TO CONTRACT NO. 3490

for R. Adams	_____	V. Israel	_____
*R. Barajas	<u>CSD</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____



 General Manager

Approved as amended _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Authorize the City Engineer to negotiate and issue a change order for Dearborn Park - Irrigation and Field Improvements (PRJ20830) (W.O. #E170332F) project, in an amount not-to-exceed \$70,350.00, for the cost for upgrades necessary to meet the Department's new Tree Protection Zone (TPZ) requirements;
2. Authorize the City Engineer to negotiate and issue a change order, in an amount not-to-exceed \$19,890.00, for changes to the scope of work, to provide alternative equipment for the irrigation system reflecting a change in the Department's irrigation standards, inasmuch as the previously specified irrigation controllers and valves are no longer being supported by the Department, such change effective after the date of award of the project; and,
3. Authorize the City Engineer to increase construction contingency by \$85,405.00, for a total contingency of \$117,160.00, and for a new not-to-exceed total construction budget of \$328,860.00, available from the following fund and account numbers.

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<u>FUNDING SOURCE</u>	<u>DEPT./FUND/ ACCT NO.</u>	<u>AVAILABLE AMOUNT</u>
Proposition K - Year 15	43K/10/10H866	\$ 49,925.00
Proposition K – Year 16	43K/10/10J866	\$150,000.00
Proposition K – Year 17	43K/10/10K866	\$295,102.05

SUMMARY:

On June 11, 2014, the Board awarded Contract No. 3490 (Report No. 14-131), in the amount of \$211,700.00, to Landshapes, Inc., for the Dearborn Park – Irrigation and Field Improvements (PRJ20830) (W.O. #E170332F) project, located at 17141 Nordhoff Street, Northridge, California 91325. A construction contingency amount of \$31,755.00, or 15% of the original contract amount, was allocated for the project, for a total approved construction budget of \$243,455.00.

The project scope included the replacement of an existing irrigation system, which covers approximately one-third of the nine-acre park. The replacement system included the installation of a new standard two-wire smart irrigation controller, the installation of approximately 2,700 linear feet of non-pressurized piping, 310 linear feet of new pressurized piping, and other related installations. At the request of the Department of Recreation and Parks (Department) staff, the scope of work also included field improvements, consisting of the installation of concrete pads and nine (9) new picnic tables, seven (7) of which were to be regular picnic tables, and two (2) of which were to be in compliance with the American with Disabilities Act (ADA).

The project is currently at ^{90%}~~60%~~ complete in construction. A total of four (4) change orders have already been issued to date, for a total amount of \$25,110.00. The contract Plans provided for the use of the Department's prior approved Tree Protection Zone (TPZ) requirements, in effect at the time the project was awarded.

Since the bid due date, the Department has revised the TPZ requirements, and requested that this project comply with the new TPZ requirements. The Department has advised the Bureau of Engineering that all projects, regardless of their stage of design or construction, must comply with the new TPZ requirements. The revised TPZ requirements include: additional hand trenching within an expanded TPZ and temporary chain link fencing (versus the previous requirement of a much less expensive low height plastic hazard fencing barrier) to protect all trees within the work area. The new TPZ requirement is based on a boundary determined by the tree trunk diameter, unlike the previous method, which was based on the tree's canopy (drip line) boundary. This has resulted in an increase, in most cases, of the area under a TPZ. Consequently, this has brought about a change in conditions for the contractor, and has resulted in a change order request from the contractor in an amount not-to-exceed \$70,350.00.

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On September 29, 2014, the Department of Public Works, Bureau of Engineering was given verbal direction by Department staff, with concurrence from Superintendent Cathie Santo Domingo, to comply with the new TPZ requirements, so as not to delay the project, while taking the necessary actions to obtain Board approval after the fact.

The Department's Maintenance staff has also requested some additional changes to the project subsequent to completion of design. These requested changes include: using a different brand of sprinklers, valves, and controllers, because that the specified parts were no longer going to be supported by the Department's new irrigation supply contracts and vendors. The estimated cost for this change order request is an amount not-to-exceed \$19,890.00.

On August 8, 2014, Department of Public Works, the Bureau of Engineering was directed by Department staff (Superintendent, Cathie Santo Domingo) to have the Contractor incorporate the changes to the irrigation components as requested, while taking the necessary actions to obtain Board approval after the fact, so as not to incur significant delay costs for the project.

The change order authorization requests of \$70,350.00 and \$19,890.00 and the previously approved change order sum of \$25,110.00, will result in a revised change order total of \$100,460.00 or approximately 47.5% of the original contract award amount of \$211,700.00.

The first change order requested in this report exceeds 10% of the base contract amount, which surpasses the authority limit of the General Manager for any one individual change order; and the projected cumulative change orders of \$100,460.00 will exceed 25% of the base contract amount, which surpasses the change order approval authority of the General Manager. Therefore, based on the additional scope and protective measures requested by the Department, the Bureau of Engineering requests the Board's approval to negotiate and issue these change order requests.

Summary of Change Orders as of December 2014

<u>Category</u>	<u>Total No. of Change Orders</u>	<u>Amount</u>	<u>Percent (%)</u>
Fully Executed Change Orders		\$ 25,110.00	4.8%
Change Orders per this Board Report	2	\$ 90,240.00	42.6%
Total		\$100,460.00	47.5%

The project was originally awarded for a base contract amount of \$211,700.00. The original award board report (Report No. 14-131) also provided for a 15% contingency, or \$31,755.00. Based on the issuance of four (4) change orders to date, in the amount of \$10,220.00, there is not enough in contingency funds to cover the costs of the two (2) change order requests in this

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report. This Report requests to increase the contract amount from \$211,700.00 to a not to-exceed amount of \$328,860, including an increase in the contingency from the current \$31,755.00 to a total of \$117,160.00, an increase of \$85,405.00. This will provide adequate contingency to cover the cost of the two (2) change orders proposed herein, as well as leave adequate contingency remaining for the completion of the project, should additional issues arise. These funds are available within the already allocated Proposition K funding amount for this project.

Requested Contingency and Budget Authorization				
	Original	Original	Requested	New Authorized
Original Contract	Contingency	Authorized	Change in	Budget
		Budget	Contingency	
\$211,700.00	\$31,755.00	\$243,455.00	\$85,405.00	\$328,860.00

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund at this time. Funds are available within the overall approved budget for the subject project.

This report was prepared by Ray Araujo, Project Manager, Recreation and Cultural Facilities Program, Department of Public Works, Bureau of Engineering (BOE) and was reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Cathie Santo-Domingo, Superintendent, Planning and Development Branch, Department of Recreation and Parks.