

REPORT OF GENERAL MANAGER

APPROVED
JUN 18 2015

NO. 15-141

DATE June 18, 2015

BOARD OF RECREATION
AND PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CHATSWORTH PARK SOUTH – REHABILITATION PROJECT (PRJ20361)
(W.O. #E170331F) – REVIEW OF BIDS AND AWARD OF CONTRACT

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

M. [Signature]

General Manager

Approved ✓ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Find American Integrated Services, Inc., with a base bid of \$6,295,000.00, to be the lowest responsive and responsible bidder for the Chatsworth Park South – Rehabilitation Project (PRJ20361) (W.O. #E170331F);
2. Award the contract to American Integrated Services, Inc., for a total award amount of \$6,295,000.00, all according to the plans and specifications;
3. Subject to approval by the Mayor, authorize the appropriation of \$2,500,000.00 in Fund 302, Department 88 from the Unreserved and Undesignated Fund Balance to Fund 205, Department 88, Account Number 88LMC1 – Chatsworth Park South;
4. Authorize the General Manager, his designee or the Department’s Chief Accounting Employee to transfer \$2,500,000.00 from the Unreserved and Undesignated Fund Balance to Grants Fund 205, Department 88, Account Number 88LMC1 – Chatsworth Park South;
5. Approve the allocation of \$2,500,000.00 from Fund 205, Department 88, Account 88LMC1 for the Chatsworth Park South Rehabilitation Project (PRJ20361), as described in the summary of this report;

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6. Authorize the Department’s Chief Accounting Employee to encumber funds, in the amount of \$6,295,000.00, from the following fund and account numbers, under the awarding authority of this Board Report;

| <u>FUND SOURCES</u> | <u>FUND/DEPT/ACCT. NO.</u> | <u>ENCUMBRANCE AMOUNT</u> |
|-------------------------------------|----------------------------|-------------------------------|
| Proposition K – FY2012-13 | 43K/10/10J856 | \$ 50,000.00 |
| Proposition K – FY2013-14 | 43K/10/10K856 | \$ 850,000.00 |
| Proposition K – FY2013-14 | 43L/10/10K856 | \$ 200,000.00 |
| Proposition K – FY2014-15 | 43K/10/10L856 | \$ 100,000.00 |
| CIEP – FY2013-14 | 100/54/00K757 | \$ 1,200,000.00 |
| CIEP – FY2014-15 | 100/54/00L100 | \$ 471,919.00 |
| CIEP – FY2014-15 | 100/54/00L757 | \$ 400,000.00 |
| Sites and Facilities ⁽¹⁾ | 209/88/TBD | \$ 2,000,000.00 |
| Grant Funds | 205/88/88LMC1 | <u>\$ 1,023,081.00</u> |
| TOTAL | | <u>\$ 6,295,000.00</u> |

Notes:

- (1) Sites and Facilities Funds adopted by the City Council on June 2, 2015 in the Year End Financial Status Report for Fiscal Year 2015-16 (Council File No. 14-0600-S260).

7. Authorize the Board President and Secretary to execute the contract subject to approval by the City Attorney as to form; and,
8. Authorize the Department’s Chief Accounting Employee to make technical corrections as necessary to carry out the intent of the transactions in this Report.

SUMMARY:

The Chatsworth Park South Rehabilitation Project is located at 22360 West Devonshire Street in the Chatsworth community of the City. On February 14, 2008, Chatsworth Park South was closed to the public due to suspected lead and other contaminants from a former skeet and trap firing range that was part of the park property prior to the acquisition by the Department of Recreation and Parks (RAP) in 1966. The contamination was subsequently substantiated by a required Preliminary Endangerment Assessment (PEA) performed by the RAP under a Voluntary Clean-up Agreement (VCA) with the local office of the California Department of Toxic Substances Control (DTSC).

On June 5, 2013, the Board of Recreation and Park Commissioners (Board) approved the DTSC-approved Chatsworth Park South Remedial Action Plan (Report No. 13-155). The Preferred Remedial Alternative of the Remedial Action Plan (Alternative 3), the Capping Alternative, was also approved for the capping of contaminated soil in place with an engineered cap.

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On July 9, 2014, the Board approved the final engineering design plans for the capping alternative of the Chatsworth Park South - Remedial Action Plan project (Report No. 14-192). The plans were prepared by RAP and URS Corporation (URS), a consultant through the Environmental Site Assessment Services Pre-Qualified On-Call List. The project estimate at the time was \$7,225,000.00.

The project was bid through RAP's Pre-qualified On-Call Contractors. Of the six (6) contractors qualified to bid the project, only one (1) bid was received. Commercial Paving and Coating (Commercial) submitted a bid in the amount of \$11,495,000.00. RAP staff met with Commercial to understand the deviation between the construction cost estimate and the bid amount. It was concluded that although several items of scope of work contributed to the high bid, the nature of the work involving remediation of the lead contamination and the construction of the soil cap over the entire project site was the main factor.

RAP and URS revised the plans to include items for which Requests of Information were submitted and the construction cost estimate was revised to account for the adjusted costs of contaminated soil disposal and the construction of the soil cap over this project site.

On November 19, 2014, the Board approved the revised final plans and specifications for the Chatsworth Park South – Rehabilitation Project (PRJ20361) (W.O. #E170331F) (Report No. 14-286) with the revised cost estimate of \$9,800,000.00.

On February 24, 2015, the Board received a total of ten (10) bids as follows:

| <u>Bidders</u> | <u>Base Bid</u> |
|------------------------------------|-----------------|
| American Integrated Services, Inc. | \$ 6,295,000.00 |
| AMG & Associates, Inc. | \$ 6,454,000.00 |
| Powell Contractors, Inc. | \$ 6,865,517.77 |
| Environmental Construction, Inc. | \$ 6,885,039.00 |
| C. S. Legacy Construction, Inc. | \$ 6,928,472.00 |
| Icon West, Inc. | \$ 7,019,089.00 |
| Ford E. C., Inc. | \$ 7,469,000.00 |
| Morillo Construction, Inc. | \$ 7,847,000.00 |
| Bitech Construction, Inc. | \$ 8,549,339.00 |
| Tobo Construction, Inc. | \$ 9,600,000.00 |

The determination of the low bidder was defined in the bid documents as the bidder submitting the lowest base bid. Furthermore, bidders were asked to submit along with the bid, two (2) additional qualifying documents: 1) the "Prime Contractor's Minimum Qualifications – Experience with Remedial Action Plan and Site Development" sheets to provide evidence of prior experience as defined in Sheet GR-S3 of the contract plans and specifications; and 2) the "Qualified Storm Water

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Pollution Prevention Plan (SWPPP) Developer and Qualified SWPPP Practitioner” sheet to provide evidence that a trained and certified SWPPP Developer and Practitioner is a part of the construction team.

The Prime Contractor’s Minimum Qualifications require that the Prime Contractor “must have under their employment or contract for this project, person or persons who have prior relevant experience (1) performing site grading, excavation and handling of hazardous materials, and site restoration and reconstruction, (2) managing dust suppression and dust monitoring under the requirements of the South Coast Air Quality Management District (SCAQMD) 403, and (3) working on projects under the oversight of the California Department of Toxic Substance Control (DTSC), and (4) must have completed a minimum of three (3) remedial action plan and site development projects for a governmental agency in the last five (5) years in the State of California. The reference project must be of comparable or larger size and scope to this project, and currently in operation.”

Staff reviewed the documents submitted by American Integrated Services, Inc., (American Integrated) and verified that American Integrated met the requirements of the Prime Contractor’s Minimum Qualifications.

The bid documents required the bidders to submit the Qualified SWPPP Developer and Qualified SWPPP Practitioner sheet with information on trained and certified individuals for the project. American Integrated submitted the information sheet and staff has verified that the individuals listed are trained and certified.

Sufficient funds are available to award the contract and for the construction and project contingencies from the following accounts:

| <u>FUND SOURCES</u> | <u>FUND/DEPT/ACCT. NO.</u> |
|-------------------------------------|----------------------------|
| Proposition K – FY2012-13 | 43K/10/10J856 |
| Proposition K – FY2013-14 | 43K/10/10K856 |
| Proposition K – FY2013-14 | 43L/10/10K856 |
| Proposition K – FY2014-15 | 43K/10/10L856 |
| CIEP – FY2013-14 | 100/54/00K757 |
| CIEP – FY2014-15 | 100/54/00L100 |
| CIEP – FY2014-15 | 100/54/00L757 |
| Sites and Facilities ⁽¹⁾ | 209/88/TBD |
| Grant Funds | 205/88/88LMC1 |

Notes:

- (1) Sites and Facilities Funds adopted by the City Council on June 2, 2015 in the Year End Financial Status Report for Fiscal Year 2015-16 (Council File No. 14-0600-S260).

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The project is subject to the City's Business Inclusion Program (BIP), in compliance with the Mayor's Directive No. 14, which was adopted by the Board of Recreation and Park Commissioners on February 15, 2012 (Board Report No. 12-050), and which replaces the former Minority Business Enterprise, Women Business Enterprise, and Other Business Enterprise (MBE/WBE/OBE) Good Faith Effort Subcontractor Outreach Program. American Integrated has successfully posted all the required BIP outreach documentation on the Los Angeles Business Virtual Assistance Network (LABAVN) that demonstrated satisfactory effort in its outreach to Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE), Disabled Veteran Business Enterprise (DVBE), and Other Business Enterprise (OBE) for sub-bid or subcontracting businesses.

Staff has evaluated the outreach documentation submitted by American Integrated and determined that they have passed all six indicators as required for the effort to obtain sub-bid/subcontracting participation by MBE, WBE, SBE, EBE, DVBE and OBE businesses, and is in compliance with the BIP outreach requirements. The outreach documentation package is on file in the Board Office, and a synopsis of the said package is attached to this Report.

Staff reviewed the responsiveness and work performance of American Integrated for City of Los Angeles 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 the bidder has complied with all other legal requirements.

The City Attorney and staff have reviewed the bid submitted by American Integrated and found it to be in order. Staff recommends that the Board find American Integrated to be the lowest responsive and responsible bidder.

Council District 12 supports the recommendation of this report.

ENVIRONMENTAL:

Staff has determined that the subject project was previously evaluated for environmental impacts (Board Report No. 13-155) in accordance with California Environmental Quality Act (CEQA). A Mitigated Negative Declaration along with a Mitigation Monitoring and Reporting Plan were adopted on June 5, 2013. A Notice of Determination was filed with the Los Angeles County Clerk on June 6, 2013. No additional CEQA documentation is required.

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FISCAL IMPACT STATEMENT:

The project will be funded by a combination of the aforementioned funding sources. There is no immediate fiscal impact to the Department's General Fund. However, operations and maintenance costs will be evaluated and included in future budget requests prior to the reopening of this park.

This report was prepared by Cathie M. Santo Domingo, Superintendent, Planning, Construction, and Maintenance Branch.

BIP Outreach Synopsis

**CITY OF LOS ANGELES
GUIDELINES FOR EVALUATION OF THE BUSINESS INCLUSION PROGRAM
(BIP) OUTREACH CHECKLIST**

Bidder: American Integrated Seviles, Inc. Bid Date: 02/25/2015

Project Name: Chatsworth Park South Rehabilitation W.O. #: E170331F

| Indicator | Required Documentation | Description of Submitted or Missing Documentation | Credit ✓ | | | | | | |
|--|--|--|-------------|------------|------------|-----------|-----------|------------|------------|
| 2 Pre-Bid Meeting | a) Attend pre-bid meeting and be listed on the attendance sheet, or b) Submit a letter either by e-mail, mail, or fax to the Bureau of Engineering, Project Award and Control (PAC) on certifying it is informed of the BIP project requirements and has participated in a City-sponsored or City approved matchmaking event in the past 12 months. Note: If the RFB states that the pre-bid meeting is mandatory, then attendance at the pre-bid meeting is the only way to pass this indicator. | | ✓ | | | | | | |
| 3 Work Areas | Proof of this must be demonstrated in Indicator 4. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ | | | | | | |
| 4 Written Notice to Sub-contractors | E-mail or fax notification in each of the selected potential work areas to available MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs for each anticipated work area to be performed. The notification must be performed using the BAVN's BIP Outreach Reports system. The notification may be to potential sub-bidders/ subcontractors either currently registered on the BAVN or added to the BAVN by the bidder. Letters must contain areas of work selected to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. Bidders are required to send notifications to a sufficient number of firms in each potential sub work area as determined by the City. Typically, the sufficient number of firms is determined by the total number of potential sub-bidders/ subcontractors in each sub work area. | | ✓ | | | | | | |
| 5 Plans, specifications and requirements | Include, in Indicator 4, information detailing how, where, and when the bidder will make the required information available to interested potential sub-bidders/ subcontractors. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ | | | | | | |
| 6 Negotiate in Good Faith | a) Copies of all potential MBE/WBE/SBE/EBE/DVBE/OBE bids or quotes received must be submitted prior to award of a contract; and b) Online Summary Sheet must be completed, listing the bids or quotes received, the name of the sub-bidder/ subcontractor who submitted the bid or quote, and a brief reason given for selection/ non-selection of each subcontractor. The reasons for selection/non-selection should be included in the Notes section of the online Summary Sheet. If the bidder elects to perform a listed work area with its own forces, they must include a bid/ quote for comparison purposes and an explanation must be provided and included on the Summary Sheet. All bids/ quotes received, regardless of whether or not the bidder outreached to the sub-bidder/ subcontractor, must be submitted. To this extent, the City expects the bidder to submit a bid/ quote from each sub-bidder/ subcontractor listed on the Summary Sheet. The Summary Sheet must be performed using the BAVN's BIP Outreach Reports system and must be submitted by 4:30 p.m. the following City working day after the date bids are received by the Board of Public Works. If a bid/quote is submitted by a sub-bidder/subcontractor that is not registered on the BAVN, the contractor is required to add that firm to their Summary Sheet. | | ✓ | | | | | | |
| 7 Bonds | Include, in Indicator 4, information about the bidder's efforts to assist with bonds, lines of credit, and insurance. The notification must be performed using the BAVN's BIP Outreach Reports system. | (Automatic after meeting Indicator 4 requirements) | ✓ | | | | | | |
| Prime % = 100% | | | | | | | | | |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">MBE%= 0 %</td> <td style="width: 20%;">WBE%= 0 %</td> <td style="width: 20%;">SBE%= 1 %</td> <td style="width: 20%;">EBE%= 0 %</td> <td style="width: 20%;">DVBE%= 0 %</td> <td style="width: 20%;">OBE%= 46 %</td> </tr> </table> | | | | MBE%= 0 % | WBE%= 0 % | SBE%= 1 % | EBE%= 0 % | DVBE%= 0 % | OBE%= 46 % |
| MBE%= 0 % | WBE%= 0 % | SBE%= 1 % | EBE%= 0 % | DVBE%= 0 % | OBE%= 46 % | | | | |

RESPONSIVE