

APPROVED

JUN 06 2018

BOARD REPORT

BOARD OF RECREATION
AND PARK COMMISSIONERS

NO. 18-106

DATE June 6, 2018

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ALPINE RECREATION CENTER EXPANSION (A.K.A. ORD & YALE STREET PARK) (PRJ20591) (W.O. #E170225F) PROJECT – REVIEW OF BIDS AND AWARD OF CONTRACT

AP Diaz	_____	V. Israel	_____
*R. Barajas	<u>DF</u>	S. Piña-Cortez	_____
H. Fujita	_____	N. Williams	_____

General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

- Find CS Legacy Construction, Inc., with a base bid of Five Million, Nine Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Six Dollars (\$5,979,966.00), to be the lowest responsive and responsible bidder for the Alpine Recreation Center Expansion (aka Ord & Yale Street Park) (PRJ20591) (W.O. #E170225F) Project;
- Award the construction contract to CS Legacy Construction, Inc., in the amount of Five Million, Nine Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Six Dollars (\$5,979,966.00), all according to the plans and specifications approved on December 14, 2017, under Board Report No. 17-248;
- Authorize Public Works Accounting to encumber funds, in the amount of Five Million, Nine Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Six Dollars (\$5,979,966.00) from the following fund and account numbers, under the awarding authority of this board report;

FUNDING SOURCE	FUND/DEPT./ACCT. NO.	AMOUNT
Proposition 84	205/89/89KOA6	\$ 4,849,714
Proposition A	205/89/89LHB4	\$ 950,000
CIEP	100/54/00K054	\$ 180,252
Total:		<u>\$ 5,979,966</u>

- Authorize RAP's General Manager or Designee to make technical corrections, as necessary to carry out the intent of this Board Report; and,

BOARD REPORT

PG. 2 NO. 18-106

5. Authorize the Board President and Secretary to execute the contract, subject to approval by the City Attorney as to form.

SUMMARY

On December 14, 2017, the Board of Recreation and Parks Commissioners (Board) approved final plans and call for bids for the Alpine Recreation Center Expansion (aka Ord & Yale Street Park) (PRJ20591) (W.O. #E170225F) Project, located at 524 Ord Street, Los Angeles (Report No. 17-248). The plans and specifications were prepared by AHBE Landscape Architects. The project is being constructed on property that was acquired with funds that were specified in the Proposition K ballot measure as "Alpine Recreation Center – Property Acquisition for Park Expansion." Various properties were acquired to assemble the site and full site control was obtained by RAP in November 2017 (Report No. 13-230 and No. 17-103). Use of the Proposition K acquisition funds was specifically to expand the Alpine Recreation Center. As such, use of the acquisition funds was conditioned on installing hardscape that would physically link the existing Alpine Recreation Center to the new park. Staff of the Department of Public Works, Bureau of Engineering (BOE), RAP and Council District 1 are working to identify funds for the design and construction of said physical linkage. The linkage will be constructed as part of a separate contract.

The Project scope consists of developing a new park on a vacant blighted hillside, behind the Chinatown Branch Library, as an expansion of the Alpine Recreation Center. The park will connect the community's multi-family residences with its commercial and institutional corridors. Park amenities will include benches, trees, park lighting, a raised platform, a shade structure, ramps, stairs, walkways, viewing terraces, a restroom facility, drinking fountains, fitness equipment, play structures, cultural artwork, and related irrigation and landscaping. The planting of new plants and trees will complement the park's cultural theme. Interpretive graphics and signage will be installed as required to meet the RAP's Park Standards as well as required by the Council Office 1.

The City Engineer's Estimate for the base bid was \$5,117,000. Due to the saturated construction market and the subsequent effects on public bidding, one (1) Additive Alternate was included in the bid package and is listed below. The Additive Alternate was intended to provide RAP with the flexibility to add certain additional work to complete the scope of work to meet the available funding and allow successful award of the construction Project.

Additive Alternate No.1 – A lump sum price to be added to the Base Bid, at the discretion of the Board at the time of award, for the addition of two viewing terraces towards the upper slope of the park and relocating the Lantern Tower to the top viewing terrace.

BOARD REPORT

PG. 3 NO. 18-106

The Project was advertised for bid on December 13, 2017. On February 1, 2018, the Board received a total of four bids (4) bids as follows:

<u>Bidders</u>	<u>Base Bid</u>	<u>Add. Alt.1</u>	<u>Base+ Alt.1</u>
CS Legacy Construction, Inc.	\$5,979,966	\$1,888,347	\$7,868,313
ARC Construction	\$6,850,000	\$2,300,000	\$9,150,000
California Averland	\$8,500,000	\$1,870,000	\$10,370,000
USS Cal Builders	\$8,700,000	\$9,300,000	\$18,000,000

The bid specifications stated that the lowest bidder would be determined to be the responsible and responsive bidder submitting the lowest base bid. CS Legacy Construction, Inc., submitted the lowest responsible and responsive base bid, in the amount of Five Million, Nine Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Six Dollars (\$5,979,966.00), which is \$862,966 higher than the City Engineer's estimate of \$5,117,000, as shown above. It is recommended that the project be awarded to CS Legacy Construction, Inc., for the Base Bid scope of work, only, for a total award amount of Five Million, Nine Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Six Dollars (\$5,979,966.00).

At this time, funds are not available to exercise Additive Alternate No. 1, therefore, only the base bid award is being recommended at this time.

The funds available to award the contract for this project are in the following accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>AMOUNT</u>
Proposition 84	205/89/89KOA6	\$ 4,849,714
Proposition A	205/89/89LHB4	\$ 950,000
CIEP	100/54/00K054	\$ 180,252
Total:		<u>\$ 5,979,966</u>

The Project is also subject to the City's Business Inclusion Program (BIP), in compliance with the Mayor's Directive No. 14, which replaces the former Minority Business Enterprise, Women Business Enterprise, and Other Business Enterprise (MBE/WBE/OBE) Good Faith Effort Subcontractor Outreach Program. Staff has evaluated the outreach documentation submitted by CS Legacy Construction, Inc., and determined that they have passed all six (6) 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 has confirmed with the Department of Public Works, Bureau of Contract Administration (BCA) that CS Legacy has had no contract compliance issues on City contracts within the prior five (5) years. On July 23, 2012, BCA imposed a penalty against CS Legacy, in the amount of \$1,200 for an unauthorized subcontractor substitution. Inasmuch as the penalty has been paid

BOARD REPORT

PG. 4 NO. 18-106

by CS Legacy, and it is over five (5) years old, this would not preclude the award of this contract.

TREES AND SHADE

As part of the project design process, AHBE employed Arborgate Consulting, Inc., a certified arborist, to assess the impact of the project on the existing trees on the project site. There are 23 existing trees (13 volunteer palms, 7 eucalypts, 2 black acacia and 1 tipu) that will be removed to stabilize the steep site and accommodate the new park. Arborgate Consulting, Inc., has determined that none of the existing trees are protected, rare, endangered, or have any historical significance. Also, Arborgate Consulting, Inc., recommended against saving any of the trees on site, since most of the trees show a substantial decline from a condition of normal health and vigor, and there is no appropriate and economically reasonable preservation procedure to restore the trees. Furthermore, the removal of these trees will not result in undesirable, irreversible soil erosion through diversion or increased flow of surface waters which cannot be mitigated. In fact, removing the trees will allow for slope stabilization, as required under the base scope of work. Finally, these trees are not located with reference to other trees or Historic-Cultural Monuments in such a way as to acquire a distinctive significance at said location. Additionally, as stated below, new trees and other landscaping will be planted as part of the project to fully mitigate any required tree removals.

The project will add 48 trees which will shade the walkways and terraces. The tree palette will consist of Strawberry Trees, Golden Goddess Bamboo, Citrus Melogold, Chinese Flame Tree, Dessert Museum Palo Verde Tree, Western Redbud, Saucer Magnolia, and Torrey Pine. All of the new trees being planted are drought tolerant and resistant to the Polyphagous Shot Hole Borer, which has been infecting trees in Southern California. The average canopy of these trees when planted will be between five and seven feet and seven to twelve feet in height. After three years, the average canopy is anticipated to be between seven to nine feet and 10 to 16 feet in height.

A decorative shade structure will also be built in the children's play area, which will provide shade over 80% of the play area. Also, the site is surrounded by high-rise apartments along the south and west borders, which shade the entire park in the afternoon based on a shade and shadow study performed as a part of the design of the project.

ENVIRONMENTAL IMPACT STATEMENT

This Project was previously evaluated for environmental impacts in accordance with the California Environmental Quality Act (CEQA), and was determined to be categorically exempt from the provisions of CEQA pursuant to Article III, Section 1, Class 3 (6) of the City of Los Angeles CEQA Guidelines and Chapter XIX, Section 15303 of the California CEQA Guidelines. It includes grading on land with a slope of fifteen percent (15%) or more in excess of 20,000 cubic yards, which is exempt from CEQA pursuant to Article III, Section 1, Class 4 (2) of the City of Los Angeles CEQA Guidelines and Chapter XIX, Section 15304 of the California CEQA Guidelines. It also includes new gardening, tree planting, and landscaping, which are exempt

BOARD REPORT

PG. 5 NO. 18-106

from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 4 (3) of the City of Los Angeles CEQA Guidelines and Chapter XIX, Section 15304(2) of the California CEQA Guidelines. A Notice of Exemption (NOE) was filed with the Los Angeles County Clerk on May 4, 2017, and the Los Angeles City Clerk on May 5, 2017. There have been no changes to the project scope or design since the NOE was filed.

FISCAL IMPACT STATEMENT

The proposed construction project is fully funded for the base bid. When completed, the new park will be an expansion of the Alpine Recreation Center. RAP will determine if the expansion will add to RAP's staffing and budget needs, and if so, will request additional staff and budget in a future year budget request.

This Report was prepared by Ray Araujo P.E., Project Manager, Civil Engineer, Architectural Division, BOE; and was reviewed by, BOE, Neil Drucker, Project Manager III, Architectural Division, BOE, Mahmood Karimzadeh A.I.A, Program Manager, Principal Architect, Architectural Division, BOE; Deborah Weintraub A.I.A., Chief Deputy City Engineer, BOE; and Cathie Santo Domingo P.E., Superintendent, Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

BIP Evaluation Results for C.S. Legacy Construction, Inc.

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

Bidder: C.S. LEGACY CONSTRUCTION, INC. Bid Date: 02/01/2018

Project Name: Alpine Recreation Center Expansion (a.k.a. Ord and Yale Street Park) W.O. #: E170225F

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.		✓						
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.		✓						
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.		✓						
Prime % = 80%									
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