

**APPROVED**  
JUN 20 2018

**BOARD REPORT** **BOARD OF RECREATION AND PARK COMMISSIONERS** NO. 18-127  
DATE June 20, 2018 C.D. 8

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: RANCHO CIENEGA SPORTS COMPLEX (RCSC) PROJECT- PHASE I (RE-BID) (PRJ20308) (PRJ21190) (W.O. #E1907694) PROJECT- REVIEW OF BIDS AND AWARD OF CONTRACT

AP Diaz \_\_\_\_\_ V. Israel \_\_\_\_\_  
\*R. Barajas DF \_\_\_\_\_ S. Piña-Cortez \_\_\_\_\_  
H. Fujita \_\_\_\_\_ N. Williams \_\_\_\_\_

*M. Stuee*

General Manager

Approved X Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS

1. Find Pinner Construction Co., Inc., with a bid of Forty Million, Five Hundred Ninety-Nine Thousand Dollars (\$40,599,000.00) to be the lowest responsive and responsible bidder for the Rancho Cienega Sports Complex - Phase I (Re-Bid) (PRJ20308) (PRJ21190) (W.O. #E1907694) Project;
2. Award the construction contract to Pinner Construction Co., Inc., in the amount of Forty Million, Five Hundred Ninety-Nine Thousand Dollars (\$40,599,000.00), according to the plans and specifications approved by the Board of Recreation and Park Commissioners (Board) on March 7, 2018, under Report No. 18-041;
3. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee or designee to encumber funds in the amount of Twenty-Nine Million, Three Hundred Forty Thousand, Two Hundred Twenty-Two Dollars (\$29,340,222.00) in available funds and Eleven Million, Two Hundred Fifty-Eight Thousand, Seven Hundred Seventy-Eight Dollars (\$11,258,778.00) in pending funds upon approval by the Grantor, City Council, and/or Mayor, from the following fund and account numbers under the awarding authority of this Report;

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APPROVED FUNDING SOURCE	FUND/DEP ACCT NO	AVAILABLE AMOUNT
Community Development Block Grant (CDBG), United States Department of Housing and Urban Development (HUD; PY 40, FY 14-15)	424/43/43L505	<b>\$3,640,432</b>
<b>Proposition K (Sports Complex/Fitness Annex/Lighting)</b>		
Proposition K (S93 - PY 17; FY 2013-14)	43K/10/10K213	<b>\$100,000</b>
Proposition K (S93 - PY 18; FY 2014-15)	43K/10/10L213	<b>\$106,405</b>
Proposition K (S93 - PY 19; FY 2015-16)	43K/10/10MPDB	<b>\$750,000</b>
Proposition K Gap Fund (S93 - PY 19; FY 2015- 16)	43K/10/10MGGG	<b>\$1,750,000</b>
Proposition K (S94 - PY 18; FY 2014-15) Inflation	43K/10/10LK04	<b>\$125,509</b>
Proposition K _(8 <sup>th</sup> Cycle) (C227-8; PY 17; FY 2013-14)	43K/10/10KM20	<b>\$50,000</b>
Proposition K (8 <sup>th</sup> Cycle) (C227-8;- PY 18; FY 2014-15)	43K/10/10LM20	<b>\$200,000</b>
Proposition K Reconciliation Report (2015 appropriation)	100/54/00L094	<b>195,532</b>
<b>Other</b>		
Sites and Facilities (15-16)	209/88/88M211	\$2,750,000
Sites and Facilities (16-17) (CF# 16-1114-S3)	209/88/88NABB	\$2,615,913
GCP per 2018-19 Mayors Budget	TBD	\$3,635,000
Quimby (WO# QT073656)	302/89/89716H	\$4,000,000
<b>Municipal Improvement Corporation of Los Angeles (MICLA)</b>		
MICLA (FY 14-15) – (CF-14-0600-S21)	298/88/88LNB1	\$7,500,000
MICLA (FY 14-15) – (CF-14-0600)	298/50/50LTRC	\$521,431
MICLA (15-16) – (CF 15-0600) Remaining Authorized Amount	TBD	\$1,400,000
<b>Subtotal of Approved Funds</b>		<b>\$29,340,222</b>

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PENDING FUNDING SOURCES <sup>(1)</sup>	FUND/DEPT/ ACCT NO	PENDING AMOUNT
MICLA FY 2019 / 2020	TBD	\$9,258,778
RAP Urban Greening Grant	TBD	\$2,000,000
<b><i>Subtotal of Funds Requiring Approval</i></b>		<b>\$11,258,778</b>
<b>TOTAL FUNDING</b>		<b>\$40,599,000</b>

Notes:

<sup>(1)</sup> Availability of funding is subject to Grantor, City Council and/or Mayor approval.

4. Request the Board staff to prepare a contract, consistent with the summary and terms of this report and including a “funding clause,” limiting the City’s liability for the contract payments to the amount of funding appropriated by the City for this contract, which is Twenty-Nine Million, Three Hundred Forty Thousand, Two Hundred Twenty-Two Dollars (\$29,340,222.00), as well as, limiting the contractor’s obligation to perform the contract;
5. Authorize the RAP’s General Manager or Designee to make technical corrections, as necessary to carry out the intent of this Board Report; and,
6. Authorize the Board President and Secretary to execute the contract, subject to approval by the City Attorney as to form.

SUMMARY

This Project was originally approved for the solicitation of construction bids in February 15, 2017, utilizing the Department of Public Works Pre-Qualified Contractor List (Report No. 17-037). The bid received exceeded the project budget, which dictated the de-scoping, value engineering, and re-bid of the Project.

The overall project entails the design and construction of a 49,000 square foot sports facility which replaces the existing aging structures. The scope of work also includes the rehabilitation of the existing sports fields, walkways, play areas, parking, maintenance yards and park infrastructure within the 24-acre park. Due to the extensive renovation work and funding requirements, construction of the project shall be completed in two (2) phases. The Phase 1 plans and specifications were prepared by Department of Public Works, Bureau of Engineering (BOE) Architectural Division, in conjunction with the design consultant, Studio Pali Fekete Architects (SPFA). Phase 2 will be completed at a later date, as funds become available.

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An additional project component is the demolition of the existing Celes King Pool Building. The building houses the indoor pool, bathhouse and equipment room. The project scope of work is currently being evaluated for compliance with the California Environmental Quality Act (CEQA) including all necessary notifications and outreach for this project component. The CEQA document, when ready, will be presented to the Board for adoption of its findings prior to project implementation.

On March 7, 2018, the Board approved final plans and call for bids for the re-bidding of the Phase I Project, located at 5001 Rodeo Road, Los Angeles, CA 90016. The plans and specifications were prepared by SPFA Architects.

The Phase I scope of work will occur in the south central portion of the Project site, and the revised scope includes the following:

1. Demolition of:
  - a. The existing gymnasium
  - b. The existing outdoor restroom/staff office/storage building on the southern portion of the property
  - c. Landscape, hardscape and infrastructure to accommodate new design elements
  
2. Construction of:
  - a. New 25,000 square foot (Celes King III) indoor pool and bathhouse facility and Fitness Annex
  - b. New 24,000-square-foot gymnasium.
  - c. Two (2) new restrooms & tenant improvements within the existing Tennis Pro Shop.
  - d. New site and infrastructure improvements and rough grading of parking lot.

The City Engineer's estimate of the Project's construction cost was Thirty-Three Million Dollars (\$33,000,000).

This Phase I Project was advertised for bidding on March 7, 2018. On May 3, 2018, the Board received a total of five (5) bids as follows:

<b>Bidders</b>	<b>Total Bid</b>
1. PINNAR CONSTRUCTION CO., INC.	\$40,599,000
2. USS CAL BUILDERS, INC.	\$41,888,000
3. S.J. AMOROSO CONSTRUCTION	\$41,237,000
4. KEMP BROS CONSTRUCTION, INC.	\$44,532,814
5. AMG & ASSOCIATES	\$47,209,713

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### BID ANALYSIS

#### **Business Inclusion Program (BIP)**

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. Pinner Construction Co., Inc., has successfully posted all the required BIP outreach documentation on the Los Angeles Business Virtual Assistance Network (LABAVN) that demonstrate 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 Pinner Construction Co., Inc., and has determined that the bidder 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.

#### **Prime Contractor Self-Performance Requirement**

This Project requires that the prime contractor perform at least 20% of the base bid price with its own organization (referred to "self-performance requirement"). Pinner Construction Co., Inc.'s bid listed its participation as the prime contractor to be Eight Million, Three Hundred Ten Thousand Dollars (\$8,310,000.00), which is 20.47% of the base bid, and thus meets the prime contractor self-performance requirement.

#### **Minimum Qualifications and Experience**

This Project requires that the prime contractor have completed three (3) public recreation facilities of \$5 million dollars or more, for government agencies, within the past six (6) years.

This Project also requires that the pool contractor must have completed at least five (5) public pools in the last six (6) years for government agencies, each with certain characteristics that are similar to what was utilized in this Project's design: dimensions of 50 meters in length or at least 25 yards in length, and with water surface area in excess of 6,000 sq. ft.; construction type (cast in place concrete or shotcrete); finishes (tile with painted or plastered finished concrete shell); and gutter type (perimeter overflow gutter, with self-modulating surge and balance tank).

The information submitted with the bid to document compliance with the minimum qualifications and experience requirements for the prime contractor and for the pool contractor was independently verified by staff of the BOE. The prime contractor and the pool contractor meet the minimum qualifications and experience requirements.

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### **Community Development Block Grant (CDBG) Section 3**

Documentation to satisfy the Community Development Block Grant (CDBG) Section 3 requirements was submitted with the bid. Staff of the Bureau of Engineering and Bureau of Contract Administration met with the contractor to obtain additional information on how they would implement the CDBG requirements for additional work, and to discuss additional outreach opportunities, prior to the start of construction.

Staff reviewed the responsiveness and work performance of Pinner Construction Co., Inc., on past City projects and found them to be satisfactory. The Department of Public Works, Bureau of Contract Administration, indicates that there have been no labor compliance violations.

Staff has reviewed the bid submitted by Pinner Construction Co., Inc., and found it to be in order. Staff recommends that the Board find Pinner Construction Co., Inc., to be the lowest responsive and responsible bidder.

### TREES AND SHADE

The Landscape Architect and RAP Forestry Division have surveyed the trees on the site and determined that 91 of the 178 existing trees may be removed during Phase I and Phase II work, due to a variety of reasons. Poor health, placement of structures and walkways, and maintenance concerns dictate the replacement of trees. The majority of the trees to be removed are of the Magnolia Grand Flora type (Southern Magnolia), which either conflict with the placement of buildings and new infrastructure, or present significant maintenance concerns.

Extensive analysis has been performed to determine how best to reestablish the tree canopy with one hundred sixty-seven (167) new trees, which presents a 1:1.8 tree replacement ratio. The existing tree canopy currently equates to 151,436 square feet (roughly 13% site coverage). The new trees will have a minimum forty-eight inch (48") box size, and will provide a tree canopy of 153,858 square feet (roughly 13% site coverage) in five (5) years, and 268,479 square feet (roughly 24% site coverage) in ten (10) years. Ten (10) years is the typical benchmark for gauging the required maturity for trees, per the City's adopted landscape ordinance.

The new trees may be selected and contract grown in advance, as part of the construction contract, to ensure that an appropriate sized tree is installed during construction.

Phase I includes the demolition of: seven (7) trees due to poor health, ten (10) trees due to the placement of the parking lot, eleven (11) trees due to the placement of new sidewalks, and fifteen (15) trees due to the new building foot print, for a total of forty-three (43). Eleven (11) existing trees shall be retained, and 48 new trees will be planted as part of the Phase I scope. The tree replacement ratio of 1:1.8 cannot be achieved in Phase I due to the limited availability of landscaped area within the Phase I work footprint. The remaining 119 new trees needed to achieve the 1: 1.8 replacement ratio will be planted as part of the Phase II work.

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PROJECT FUNDING

Funds are available to award the contract and for construction contingencies for this Project from the following accounts:

<b>APPROVED FUNDING SOURCE</b>	<b>FUND/DEP ACCT NO</b>
Community Development Block Grant (CDBG), United States Department of Housing and Urban Development (HUD; PY 40, FY 14-15)	424/43/43L505
<b>Proposition K (Sports Complex/Fitness Annex/Lighting)</b>	
Proposition K (S93 - PY 17; FY 2013-14)	43K/10/10K213
Proposition K (S93 - PY 18; FY 2014-15)	43K/10/10L213
Proposition K (S93 - PY 19; FY 2015-16)	43K/10/10MPDB
Proposition K Gap Fund (S93 - PY 19; FY 2015-16)	43K/10/10MGGG
Proposition K (S94 - PY 18; FY 2014-15) Inflation	43K/10/10LK04
Proposition K _(8 <sup>th</sup> Cycle) (C227-8; PY 17; FY 2013-14)	43K/10/10KM20
Proposition K (8 <sup>th</sup> Cycle) (C227-8;- PY 18; FY 2014-15)	43K/10/10LM20
Proposition K Reconciliation Report (2015 appropriation)	100/54/00L094
<b>Other</b>	
Sites and Facilities (15-16)	209/88/88M211
Sites and Facilities (16-17) (CF# 16-1114-S3)	209/88/88NABB
GCP per 2018-19 Mayors Budget	TBD
Quimby (WO# QT073656)	302/89/89716H
<b>Municipal Improvement Corporation of Los Angeles (MICLA)</b>	
MICLA (FY 14-15) – (CF-14-0600-S21)	298/88/88LNB1
MICLA (FY 14-15) – (CF-14-0600)	298/50/50LTRC
MICLA (15-16) – (CF 15-0600) Remaining Authorized Amount	TBD

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<b>PENDING FUNDING<sup>(1)</sup></b>	<b>FUND/DEPT/ ACCT NO</b>
MICLA FY 2019 / 2020	TBD
RAP Urban Greening Grant	TBD
Prop K Inflation 2018-19 Pending Appropriation	TBD

Notes:

<sup>(1)</sup> Availability of funding is subject to Grantor, City Council and/or Mayor approval.

The contract will include a “Financial Liability Clause” which states that the City’s liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City’s liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract.

ENVIRONMENTAL IMPACT STATEMENT

The proposed Project has been previously evaluated and approved in compliance with the California Environmental Quality Act (CEQA). A Final Environmental Impact Report (FEIR) was certified, and a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Plan was adopted by the Board, on December 14, 2016 (Board Report No. 16-250). A Notice of Determination was filed with the Los Angeles County Clerk on December 15, 2016. The scope of the Project and the environmental setting has not substantially changed since the CEQA approval, with no additional environmental impacts or an increase in the intensity of the projected impacts which might have required a new or modified mitigation assessment. Therefore, no additional CEQA documentation is required.

FISCAL IMPACT STATEMENT

The project will be funded by a combination of the aforementioned funding sources. There is no immediate fiscal impact to RAP’s General Fund. It is anticipated that future operations and maintenance costs of the facility should be reduced relative to the existing pool and bathhouse, as it will be a modern and energy-efficient facility, designed in accordance with the needs and recommendations of the Department, including input from Aquatics and maintenance staff.

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This Report was prepared by Ohaji K. Abdallah, Project Manager, BOE Architectural Division, and reviewed by Neil Drucker, Proposition K Program Manager; Mahmood Karimzadeh, Principal Architect, BOE Architectural Division; Deborah Weintraub, BOE, Chief Deputy City Engineer; and Cathie Santo Domingo, Superintendent, Planning, Maintenance and Construction Branch.

### LIST OF ATTACHMENT

BIP Evaluation Result for Pinner Construction Co., Inc.

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

Bidder: Pinner Construction Co., Inc. Bid Date: 05/03/2018

Project Name: Rancho Cienega Sports Complex - Phase I (Re-Bid) W.O. #: E1907694

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Credit ✓
<b>2 Pre-Bid Meeting</b>	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. <b>Note:</b> 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.		✓
<b>3 Work Areas</b>	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)	✓
<b>4 Written Notice to Sub-contractors</b>	Send 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.		✓
<b>5 Plans, specifications and requirements</b>	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)	✓
<b>6 Negotiate in Good Faith</b>	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 Recreation and Park. 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.		✓
<b>7 Bonds</b>	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)	✓
<b>Prime % = 20.46%</b>			
<b>MBE%= 0%</b> <b>WBE%= 1.78%</b> <b>SBE%= 2.67%</b> <b>EBE%= 0%</b> <b>DVBE%= 0%</b> <b>OBE%= 59.27%</b>			