

APPROVED

NOV 04 2021

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 21-188

DATE November 04, 2021

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VENICE BEACH PIER MAINTENANCE AND REPAIR (PRJ20587) (W.O. E1907957) PROJECT – CONTRACT NO. 3763 – FINAL ACCEPTANCE

AP Diaz \_\_\_\_\_ M. Rudnick \_\_\_\_\_
H. Fujita \_\_\_\_\_ fur C. Santo Domingo DF \_\_\_\_\_
J. Kim \_\_\_\_\_ N. Williams \_\_\_\_\_

M. Sluss
General Manager

Approved X Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS

- 1. Authorize the City Engineer to execute a Final Closeout Change Order (FCCO) as set forth in Attachment No. 1 of this Report, for a credit due the City in the amount of Five Hundred Sixty-Nine Thousand, Two Hundred and Twelve Dollars (\$569,212), which will result in a cumulative total dollar amount of change orders of Negative Four Hundred Sixty-Seven Thousand, Three Hundred and Fifty-Two Dollars (-\$467,352), or -11.2% of the original Contract award amount;
2. Accept the work performed by Bellingham Marine Industries, Inc. (Bellingham) under Contract No. 3763 for the Venice Beach Pier Maintenance and Repair (PRJ20587) (W.O. #E1907957) Project (Project), as outlined in the Summary of the Report;
3. Approve the change orders for the Project as set forth in Attachment No. 2 of this Report;
4. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee or Designee to release the retention monies held under Contract No. 3763 to Bellingham after deducting amounts in connection with any remaining Stop Payment Notices and/or penalties, immediately after acceptance of work by the Board of Recreation and Park Commissioners (Board), under this Report;
5. Authorize RAP's Chief Accounting Employee to make technical corrections to carry out the intent of this Report; and,
6. Direct the Board Secretary to furnish Bellingham with a Letter of Completion.

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### SUMMARY

On August 20, 2020, Contract No. 3763 for the Project was awarded to Bellingham (Report No. 20-169), in the amount of Four Million, One Hundred Forty-Five Thousand, and Twenty-Three Dollars (\$4,145,023). The Project is located north of Marina Del Rey, CA 90292, near 3100 Ocean Front Walk, adjoining Washington Boulevard, in the area commonly known as Venice Beach.

The Project scope of work consisted of the refurbishment of the Venice Beach Pier (Pier), which has been damaged over time, as well as repairs to be done to the Pier's ramp structure, which was damaged by a fire in 2018. Due to limited funding, the Venice Beach Pier repair work will be implemented in phases. Below is a list of scope items completed under the current Project:

- Repair Piles 33A, 33B and 33C;
- Repair piles between Pile 1 and Pile 36 (Pier Segment 1);
- Repair deck soffits and pile cap beams between Expansion Joint 1 and Expansion Joint 2 (Pier Segment 1);
- Repair piles between Pile 37 and Pile 51 (Pier Segment 2);
- Repair deck soffits and pile cap beams between Expansion Joint 2 and Pile 51 (Pier Segment 2);
- Remove and replace the approach ramp structure, springers, decking and concrete slab damaged by the fire; and,
- Remove and re-install guardrails that were installed after the fire

The remaining scope items to be completed as future phase(s) are:

- Repair deck soffits and pile cap beams between Deck Panel 104 (near Pier 51) and the Central Terminal;
- Repair piles between Pile 52 and Pile 65;
- Repair pile cap beams in Central Terminal;
- Repair piles in Central Terminal;
- Repair top deck delamination from Expansion Joint 2 to Central Terminal; and,
- All other above-deck repairs

Plans and specifications for the Project were prepared by AECOM, under the direction and supervision of the Department of Public Works, Bureau of Engineering (BOE), Architectural Division. The BOE Architectural Division and the Construction Management Division performed project management and construction management of the Project, respectively.

BOE has informed RAP that the Project is complete and Bellingham has furnished the required permits, as-built drawings, warranties and guarantees. The Statement of Completion (Attachment No. 3) was issued by the Department of Public Works, Bureau of Contract Administration on July 30, 2021.

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As summarized in the table below, the Project has a total of three (3) executed change orders which increased the Contract amount by One Hundred One Thousand, Eight Hundred and Sixty Dollars (\$101,860).

<b>Contract Award Amount</b>	<b>No. of Change Orders</b>	<b>Total Amount of Change Orders</b>	<b>Change Order Percentage</b>	<b>Revised Contract Amount</b>
\$4,145,023.00	3	\$101,860	2.5%	\$4,246,883

As part of the bid and the awarded Contract, there were fixed-dollar allowances (in an amount of \$941,420) to address any required additional work due to differing site conditions and/or changes in scope, including any associated engineering and inspection costs. The change orders issued were mainly for the costs of compensable time extensions to allow the Contractor to perform additional repair work of damages uncovered during construction.

The FCCO is a credit change order that would credit the City for the unexpended balance of the above-mentioned allowances in the Contract, and subtract Five Hundred Sixty-Nine Thousand, Two Hundred and Twelve Dollars (\$569,212) from the Contract price, resulting in a final Contract amount of Three Million, Six Hundred Seventy-Seven Thousand, Six Hundred and Seventy-One Dollars (\$3,677,671).

A complete final change order log is included as Attachment No. 2 to this Report for reference. The table below provides a summary of the change orders and their categories, including the FCCO:

<b>Change Order Category</b>	<b>No. of Change Orders</b>	<b>Change Order Amount</b>	<b>Percentage of Contract Award Amount</b>
Unforeseen Conditions	3	\$101,860	2.5%
Errors and Omissions	0	\$0	0.0%
Change in Scope	0	\$0	0.0%
Final Closeout	1	-\$569,212	-13.7%
<b>TOTAL</b>	<b>4</b>	<b>-\$467,352</b>	<b>-11.2%</b>

Upon the approval of this Report and the execution of the FCCO, the final Contract amount is summarized in the table below:

<b>Contract Award Amount</b>	<b>No. of Change Orders</b>	<b>Total Amount of Change Orders</b>	<b>Change Order Percentage</b>	<b>Final Contract Amount</b>
\$4,145,023	4	-\$467,352	-11.2%	\$3,677,671

The construction of the Project was funded by MICLA and Quimby funds.

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RAP Staff consulted with the Office of Contract Compliance (OCC) of the Department of Public Works, Bureau of Contract Administration, concerning the status of the labor compliance requirements on the Project. OCC reported that Bellingham is in compliance.

### TREES AND SHADE

The Project has no impact on trees and shade.

### ENVIRONMENTAL IMPACT

The Project was previously evaluated for environmental impacts in accordance with the California Environmental Quality Act (CEQA), and the Recreation and Parks Commissioner Board (Board) has determined that it is categorically exempt from the provisions of CEQA (Report No. 17-149). A Notice of Exemption (NOE) was filed with the Los Angeles City Clerk and the Los Angeles County Clerk on July 14, 2017. RAP Staff has determined that the Project and the environmental conditions of the site have not substantially changed since the previous evaluation. Therefore, no additional CEQA documentation is required.

### FISCAL IMPACT

There is no fiscal impact to RAP's General Fund as a result of this Project. Operational and maintenance costs will be determined separately by RAP. A request for funding will be submitted in future RAP annual budget requests.

### STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

**Goal No. 3:** Create and Maintain World Class Parks and Facilities.

**Outcome No. 3:** Increased park maintenance, with a focus on cleanliness.

**Result:** Approval of this Report would facilitate maintaining one of RAP's busiest facilities, with Venice Beach being one of the most visited locations in Southern California.

This Report was prepared by Joanne Zhang, Project Manager, BOE Architectural Division, and reviewed by Paul Tseng, Contract Administrator and Steven Fierce, Principal Architect, BOE Architectural Division; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Darryl Ford, Superintendent, Planning, Maintenance and Construction Branch.

### LIST OF ATTACHMENTS

- 1) Attachment No. 1 – Final Closeout Change Order
- 2) Attachment No. 2 – Final Change Order Log
- 3) Attachment No. 3 – Statement of Completion

# Attachment No. 1

## BOARD OF PUBLIC WORKS MEMBERS

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## CITY OF LOS ANGELES CALIFORNIA



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MAYOR

## DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING

**GARY LEE MOORE, PE, ENV, SP**  
CITY ENGINEER

1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

August 06, 2021

Chad Lucas, Project Manager  
Bellingham Marine Industries, Inc.  
1323 Lincoln St., PO Box 8  
Bellingham, 98229

**Project: Venice Beach Pier Maintenance & Repair**  
**Subject: Preliminary Final Closeout CO No. 005**

**W.O. E1907957**  
**CLA Ltr. No.005**

Dear Chad Lucas:

Please see the attached Preliminary Final Closeout CO No. 005 and submit a Lump Sum proposal for the extra work with a complete itemized cost breakdown of all labor, materials and equipment necessary to accomplish this work. Please submit your written cost proposal within two weeks from the date of this letter. This office will review your proposal and, if necessary, it will be negotiated for final resolution to the satisfaction of both parties.

In addition, please provide a CPM schedule analysis for any impact to the critical path of the construction schedule as a result of this change. If applicable, provide an estimate in terms of calendar days, supported by the analysis, to be added or deducted from the critical path of the current project schedule.

No work shall be performed on this change unless a directive to proceed is forwarded from this office.

For all correspondence regarding this change, please reference Preliminary Final Closeout CO No.005. If you have any questions, please contact me at () -.

Sincerely,

Andres Acosta  
Construction Manager  
Construction Management Division

cc: roosevelt.bagby@lacity.org,  
richard.taguba@lacity.org,  
avak.miravakian@lacity.org,  
haig.baklayan@lacity.org,  
frank.boyer@lacity.org





**PRELIMINARY FINAL CLOSE-OUT CHANGE ORDER**

<b>Project Title</b> Venice Beach Pier Maintenance & Repair			<b>Project No</b> G1031	<b>FCCO No</b> 005	<b>File No</b> 8.6.13	<b>Page No</b>
<b>W.O. No</b> E1907957	<b>Contract No</b> 3763	<b>Bid Item No</b>	<b>Subject</b> Final Closeout Change Order			
<b>Contractor</b> Bellingham Marine Industries, Inc.		<b>COR No</b> 004	<b>Plan Reference</b>			
<b>Category</b> Unforeseen Conditions		<b>Schedule Activity</b>	<b>Specification Reference</b> GR 36, GR 22, GC 49, GC 52			

**1. Reason for Change**

This is the Final Closeout Change Order for this project. This Change Order constitutes full and final settlement of all Contractor claims, disputes and/or change order requests for equitable adjustment for work performed on the Venice Beach Pier Maintenance & Repair project.

During construction, numerous changes were implemented to achieve successful completion of the project. The time impact of these changes were implemented in Change Orders 003 and 004. All together these change orders added one-hundred and seventy-one (71) calendar days and brought the contract completion date to July 30, 2021. The site was turned over to the Department of Recreation and Parks at that time.

This Change Order also credits the City for the unexpended Bid Item Allowance amounts in the Contract. As per the General Requirements Specification Section 22.C.2, if any portion of an Allowance Bid is not expended or is partially expended, then a deductive change order shall be issued for any portion of the allowance that is not expended.

A. The unexpended Bid Item Allowances are:

1. Bid Item 23 - Allowance for Differing Site Conditions
2. Bid Item 25 - Allowance for Engineer Support During Construction
3. Bid Item 26 - Full Time Deputy Inspection

The Board of Recreation and Parks approved the issuance of this Change Order on TBA.

**2. Description of Change**

The final settlement agreement was reached between the City and the Contractor as follows:

A. The remaining balance for the following Bid Items shall be credited to the City:

1. Bid Item 23 - Allowance for Differing Site Conditions..... (\$206,892.00)
2. Bid Item 25 - Allowance for Engineer Support During Construction.. (\$181,160.00)
3. Bid Item 26 - Full Time Deputy Inspection..... (\$181,160.00)

This agreement constitutes the full and final compensation and resolves all outstanding issues between the City and the Contractor, all subcontractors and suppliers, including all costs, mark-ups and time impacts for all work related to the Venice Beach Pier Maintenance & Repair Project, including but not limited to the above items listed in section A.

This is not an authorization to proceed with the proposed change order. Do not perform any work that may conflict with the proposed change order without further authorization by the City.



**Submitted By:**

Andres Acosta  
Construction Manager

**Date:** 08/06/2021



**Approved By:**

Long Hoang  
Sr.Engineer / Division Manager

**Date:** 08/06/2021

**Uploaded Files**

<b>File Name</b>	<b>Size(Bytes)</b>	<b>Uploaded By</b>
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**Document links**

**City of Los Angeles - Department of Public Works - Bureau of Engineering  
Venice Beach Pier Maintenance & Repair  
W.O. No. E1907957**

**CHANGE ORDER LOG**

CO No.	COR No.	Subject	Payment Type	CO Cat.	COIN Date	COIN Est. (\$)	PCO ECO T&M Date	Not to Exceed (\$)	GC Proposal (\$)	GC Proposal Date	City Estimate (\$)	Agreed Amount (\$)	Agreed Date	CO Status	CO Date	Time Ext. Cal. Days	Comments
001	001-R1	Warning Signs/Banners	LS	U	09/28/20	\$1,000.00	09/28/20		\$1,480.48	11/12/20	\$1,671.14	\$1,480.00	11/18/20	EXEC	12/04/20	0	
002	None Specified	(VOID) Weather Delays Dec 2020 - Jan 2021	CAN	U	02/17/21	\$0.00								CAN			
003	002-R0	Time Extension - Stage 3 Delays	LS	U	03/17/21	\$50,000.00	03/19/21		\$35,880.00	03/19/21	\$35,880.00	\$35,880.00	03/24/21	EXEC	03/31/21	26	
004	003-R0	Time Extension - Stage 4 Delays	LS	U	06/17/21	\$75,000.00	06/17/21		\$64,500.00	06/23/21	\$64,500.00	\$64,500.00	06/24/21	EXEC	07/01/21	45	
005	004-R0	Final Closeout Change Order	LS	U	08/06/21	(\$150,000.00)	08/06/21		(\$569,212.00)	08/06/21	(\$569,212.00)			UNR			

<b>Original Contract</b> <b>Original Contingency</b> <b>Revised Contingency</b>	<b>\$4,145,023.00</b> <b>\$414,502.00</b> <b>--</b>	<b>Time Extension</b> <b>Approved Comp. CD's</b> <b>Approved Non Comp. CD's</b>	<b>71 CD's</b> <b>66</b> <b>5</b>	<b>Payment Type:</b> <b>LS: Lump Sum</b> <b>TM: Time &amp; Material</b> <b>CAN: Canceled</b>	<b>CO Category:</b> <b>U: Unforeseen</b> <b>E: Errors &amp; Omissions</b> <b>S: Change in Scope</b>	<b>3</b> <b>0</b> <b>0</b>	<b>\$101,860.00</b> <b>\$0.00</b> <b>\$0.00</b>
<b>Executed COs &amp; UCOs</b> <b>CO Percentage</b> <b>Revised Contract</b> <b>Remaining Contingency</b>	<b>\$101,860.00</b> <b>2.46%</b> <b>\$4,246,883.00</b> <b>\$312,642.00</b>			<b>CO Status:</b> <b>EXEC: Executed</b> <b>NEG: Negotiated</b> <b>UNR: Unresolved</b> <b>CAN: Canceled</b>	<b>Executed COs</b> <b>Executed UCOs</b> <b>Forecasted COs</b> <b>Canceled COs</b>	<b>3</b> <b>0</b> <b>1</b> <b>1</b>	<b>\$101,860.00</b> <b>\$0.00</b> <b>(\$569,212.00)</b> <b>--</b>

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CALIFORNIAERIC GARCETTI  
MAYORJOHN L. REAMER, JR.  
Inspector of Public Works  
and  
DirectorBUREAU OF  
CONTRACT ADMINISTRATION1149 S. BROADWAY, SUITE 300  
LOS ANGELES, CA 90015  
(213) 847-1922<http://bca.lacity.org>

## STATEMENT OF COMPLETION

FINAL FIELD ACCEPTANCE DATE

7/30/21

PROJECT TITLE

**Venice Beach Pier Maintenance Repair**

WORK ORDER NUMBER

**E1907957**

CONTRACTOR

**Bellingham Marine Industries, Inc.**

This project was acceptably completed in accordance with the plans, specifications and authorized changes. Acceptance of the Project by the City will follow completion of all necessary administrative processing.

Inspector of Public Works

Anthony Logston

By

Final Inspector

Distribution: Division Manager / District Supervisor / Bureau of Engineering / Board of Public Works

For information regarding this Statement of Completion, please contact Tom Dam at (213) 847-2408

