

**BOARD REPORT**

NO. 21-166

DATE October 06, 2021

C.D. 2

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: WHITNALL DOG PARK – DOG PARK REFURBISHMENT (PRJ21359) (PRJ21485) PROJECT — MODIFICATION OF SCOPE OF WORK – COMMITMENT OF QUIMBY FEES – APPROVAL OF CHANGE ORDERS - CATEGORICAL EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE III, SECTION 1, CLASS 1(1) [EXTERIOR ALTERATIONS INVOLVING MINOR CONSTRUCTION WHERE THERE BE NEGLIGIBLE OR NO EXPANSION OF USE]; CLASS 1(3) [MINOR ALTERATION OF EXISTING PEDESTRIAN ACCESS TRAILS]; CLASS 4(1) [GRADING ON LAND WITH A SLOPE OF LESS THAN TEN PERCENT]; CLASS 4(3) [NEW GARDENING, TREE PLANTING, AND LANDSCAPING]; CLASS 4(12) [MINOR TRENCHING AND BACKFILLING WHERE THE SURFACE IS RESTORED] AND CLASS 11(6) [CONSTRUCTION AND PLACEMENT OF MINOR STRUCTURES ACCESSORY TO EXISTING INSTITUTIONAL FACILITIES] OF CITY CEQA GUIDELINES AS WELL AS TO ARTICLE 19, SECTIONS 15301(a), 15301(c), 15304(a), 15304(b), 15304(f) AND 15311 OF CALIFORNIA CEQA GUIDELINES

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

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

**RECOMMENDATIONS**

1. Approve the modification of the scope of work for the Whitnall Dog Park – Dog Park Refurbishment (PRJ21359) (PRJ21485) Project (Project);
2. Authorize RAP staff to commit from the following fund and work orders, a maximum of Seventy Thousand Dollars (\$70,000.00) in Park Fees to the Project:

| <u>FUNDING SOURCE</u> | <u>FUND/DEPT./ACCT. NO.</u> | <u>WORK ORDER NO.</u> |
|-----------------------|-----------------------------|-----------------------|
| Park Fees             | 302/89/89718H               | QP000721              |
| Park Fees             | 302/89/89718H               | QP000436              |
| Park Fees             | 302/89/89718H               | QP000276              |
| Park Fees             | 302/89/89718H               | QP000386              |

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3. Approve the authorization of change orders as authorized under Board Report No. 06-136, for the Purchase and Installation of Playground and Recreation Related Equipment, Accessories and Supplies on-call contracts for this Project in the budget contingency amounts for such contracts as stated in this Report;
4. Approve the Pending Change Orders Nos. 4-8 as described in the body of this Report;
5. Authorize RAP Staff to negotiate and execute future additional change order(s), in an amount not to exceed Thirty One Thousand Three Hundred Ten Dollars (\$31,310.00), which will result in a cumulative total dollar amount of all authorized change orders for this Project not to exceed One Hundred Fifty Thousand Dollars (\$155,000.00) or twenty-seven percent (27%) of the original Park Facility Construction contract award amount;
6. Determine that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1(1) [Exterior alterations involving minor construction where there be negligible or no expansion of use]; Class 1(3) [Minor alteration of existing pedestrian access trails]; Class 4(1) [Grading on land with a slope of less than ten percent (10%)]; Class 4(3) [New gardening, tree planting, and landscaping]; Class 4(12) [Minor trenching and backfilling where the surface is restored] and Class 11(6) [Construction and placement of minor structures accessory to existing institutional facilities] of City CEQA Guidelines as well as to Article 19, Sections 15301(a), 15301(c), 15304(a), 15304(b), 15304(f) and 15311 of California CEQA Guidelines and direct staff to file a Notice of Exemption (NOE) with the Los Angeles County Clerk;
7. Authorize RAP's Chief Accounting Employee to prepare a check to the Los Angeles County Clerk in the amount of \$75.00 for the purpose of filing an NOE; and,
8. Authorize RAP staff to make technical corrections as necessary to carry out the intent of this Report.

### SUMMARY

Whitnall Dog Park is located at 5801 ½ Whitnall Highway in the North Hollywood community of the City. This 1.65-acre park provides a dog park, picnic tables and benches for the use of the local community. Approximately 7,532 residents live within a half-mile walking distance of Whitnall Dog Park. Due to the facilities, features, programs, and services it provides, Whitnall Dog Park meets the standard for a Neighborhood Park, as defined in the City's Public Recreation Plan.

### PROJECT SCOPE

On March 18, 2021, the Board of Recreation and Park Commissioners (Board) approved the allocation and commitment of Seven Hundred Sixty Five Thousand Dollars (\$765,000.00) in Quimby and Park Fees for the proposed Project (Report No. 21-053) and approved the following scope of work:

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- Concrete paving, ramps and steps with handrailing.
- All weather turf.
- Shade canopies and benches.
- Decomposed granite paving with plastic header.
- Drinking fountains.
- Dog agility equipment and hydration stations.
- Plant material (in ground and in pots).
- Irrigation equipment.

Construction of the Project began in August 2021. The proposed Project is being constructed utilizing RAP's pre-qualified on call contractors and/or vendors currently under contract with RAP.

During construction, RAP staff identified additional expenses for changes to the irrigation design, unanticipated electrical upgrades, and added scope items.

RAP staff is recommending that the previously approved scope of work be modified to include the following:

- Grading of the area between the large and small dog park areas for accessibility compliance

### CHANGE ORDERS

RAP awarded a contract to Evergreen Environmental Inc. in the amount of Five Hundred Seventy One Thousand Nine Hundred Sixty Dollars and Seventy Cents (\$571,960.70) for the site development and landscaping portion of the Project scope. To date, three change orders have been executed, in the total amount of Fifty Two Thousand Three Hundred Thirty Six Dollars and Seventy Four Cents (\$52,336.74), or 9% of the original awarded contract amount awarded to Evergreen Environmental Inc. See below the list of approved change orders as of September 27, 2021:

| <b>Change Order No.</b> | <b>Amount</b> | <b>Description</b>   |
|-------------------------|---------------|--|
| CO1                     | \$1,474.07    | Provide Construction Banners per new RAP policy  |
| CO2                     | \$14,800.00   | Upgrade plastic header to concrete curbing to accommodate vehicular traffic                      |
| CO3                     | \$36,062.67   | Modifications to landscaping and sprinklers to allow for dust control at decomposed granite area |

RAP has received an additional five requests for change orders that have been negotiated but are currently pending approval totaling Seventy One Thousand Three Hundred Fifty Three Dollars and Twenty Six Cents (\$71,353.26), or 12% of the original awarded contract amount (Pending Change Orders). The change orders pending execution as of September 27, 2021, are listed below:

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| <b>Change Order No.</b> | <b>Amount</b> | <b>Description</b>   |
|-------------------------|---------------|--|
| CO4                     | \$3,948.75    | Substitution of above ground tree sprinklers for below ground models per LADWP standards   |
| CO5                     | \$31,086.16   | Modification to chain link fence and fence posts per LADWP standards   |
| CO6                     | \$5,169.25    | Relocate Existing Picnic Table and Pad. Demolish Chain-link Fence Entrance at South East Corner. Add decomposed granite to southwest caged area. |
| CO7                     | \$5,152.63    | Provide additional fine grading to dirt parking area to improve accessibility  |
| CO8                     | \$25,996.47   | Modify pipe layout per County Health requirements to accommodate both recycled water and potable water uses                                      |

Per Report No. 21-053, the budget contingency for the Park Facility Construction contracts was anticipated to be Seventy Seven Thousand Dollars (\$77,000.00). The total amount of the eight change orders listed is One Hundred Twenty Three Thousand Six Hundred Ninety Dollars (\$123,690.00), which exceeds the budget contingency amount. Additionally, RAP staff anticipates additional change order requests submitted by Evergreen Environmental Inc., (Evergreen) and anticipates that the total cumulative value of all change orders will exceed 25% of the original contract award amount, surpassing the authority limit per Report No. 06-136. It is therefore requested that the Board approve the Pending Change Orders Nos. 4-8 which, in combination with the previously approved change orders Nos. 1-3, exceed the budget contingency amount for Park Facility Construction contracts for this Project. In addition. RAP staff requests authorization to negotiate and execute additional future change orders with Evergreen in an amount not to exceed Thirty One Thousand Three Hundred Ten Dollars (\$31,310.00), which will result in a total cumulative value of all authorized change orders not to exceed One Hundred Fifty Five Thousand Dollars (\$155,000.00) or 27% of the original awarded contract amount. This increase in the amount of authorized change orders will cover the cost of change orders Nos. 1-8 and provide additional funding for future unanticipated change orders that may occur.

Separately, RAP has awarded a contract to PlayPower, Inc., a RAP vendor from the Purchase and Installation of Playground and Recreation Related Equipment, Accessories and Supplies on-call contract (Playground and Recreation contract), in the amount of Ninety One Thousand Nine Hundred Fifty Five Dollars and Twenty Five Cents (\$91,955.25) for the installation of shade structures. This contract has no change orders at this time. The budget contingency amount for the shade structure will be Fifteen Thousand Dollars (\$15,000.00).

RAP staff has determined that additional funding is necessary in order to cover the remaining Park Facility Construction change orders and future change order requests, if any, for the Playground and Recreation contract.

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### PROJECT FUNDING

Previously, the Board approved the allocation and commitment of Seven Hundred Sixty Five Thousand Dollars (\$765,000.00) in Quimby and Park Fees.

Upon approval of this Report, Seventy Thousand Dollars (\$70,000.00) in Park Fees can be committed to the proposed Project.

Upon approval of this Report, the total amount of funding available for the proposed Project will be Eight Hundred Thirty Five Thousand Dollars (\$835,000.00)

These Park Fees were collected within two (2) miles of Whitnall Dog Park, which is the standard distance for the commitment of Park Fees for neighborhood recreational facilities pursuant to Los Angeles Municipal Code Section 12.33 E.3.

### FUNDING SOURCE MATRIX

| <b>Source</b> | <b>Fund/Dept/Acct</b> | <b>Amount</b>       | <b>Percentage</b> |
|---------------|-----------------------|---------------------|-------------------|
| Quimby Fees   | 302/89/89460K-P4      | \$705,007.48        | 84%               |
| Park Fees     | 302/89/89716H         | \$59,992.52         | 7%                |
| Park Fees     | 302/89/718H           | \$70,000.00         | 9%                |
| <b>Total</b>  |                       | <b>\$835,000.00</b> | <b>100%</b>       |

### PROJECT CONSTRUCTION

RAP began construction of the Project in August 2021 and anticipates construction will be completed in Winter 2021.

### TREES AND SHADE

Per Report No. 21-053, the Project will have no impact to existing trees. As part of the Project, ten (10) new trees will be planted throughout the park and a new shade structure will be installed on the west side of the park.

### ENVIRONMENTAL IMPACT

The proposed Project consists of modifications to an existing project that has already been approved. The changes to the project are such, that a new determination of the applicability of the California Environmental Quality Act (CEQA) is required. The Project now proposed consists of exterior alterations involving minor construction where there be negligible or no expansion of use; minor alteration of existing pedestrian access trails; grading on land with a slope of less than ten percent (10%); new gardening, tree planting, and landscaping; minor trenching and backfilling where the surface is restored; and construction and placement of minor structures accessory to existing institutional facilities. As such, staff recommends that the Board determine that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA)

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pursuant to Article III, Section 1, Class 1(1), Class 1(3), Class 4(1), Class 4(3), Class 4(12) and Class 11(6) of City CEQA Guidelines as well as to Article 19, Section 15301(a), 15301(c), 15304(a), 15304(b), 15304(f) and 15311 of California CEQA Guidelines. Staff will file a Notice of Exemption with the Los Angeles County Clerk upon Board's approval.

### FISCAL IMPACT

The modification of the Project scope, the approval of change orders, and the commitment of additional Park Fees will have no fiscal impact on RAP's General Fund.

The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Park Fees or funding sources other than the RAP's General fund. The maintenance of the proposed park improvements can be performed by current staff with no overall impact to existing maintenance service at this facility.

### STRATEGIC PLAN INITIATIVES AND GOALS

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

**Goal No. 1:** Provide Safe and Accessible Parks

**Outcome No. 2:** All parks are safe and welcoming

**Result:** The refurbishment of the dog park will enhance the park users' experience.

This report was prepared by Meghan Luera, Management Analyst, Planning, Maintenance and Construction Branch.