

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>10/28/13</u>		Item Number: <u>C-8</u>	
CITY COUNCIL AGENDA ITEM: (1) Acceptance of Work Performed by Malibu Pacific Tennis Courts, Inc.; (2) Authorization to file a Notice of Completion; and, (3) Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period, for the Fox Hills Park Playground Project, PZ-958.			
Contact Person/Dept.: Patrick Reynolds, Parks Manager		Phone Number: 310-253-6470	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Meetings and Agendas – City Council (10/22/13); (E-Mail) Parks, Recreation and Community Services Commission (10/23/13); (E-Mail) Malibu Pacific Tennis Courts, Inc. (10/23/13).			
Department Approval: Dan Hernandez (10/17/13)		City Attorney Approval: Carol Schwab (by H. Baker) (10/21/13)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (10/22/13)		City Manager Approval: John M. Nachbar (10/22/13)	
 <u>RECOMMENDATION:</u> Staff recommends the City Council: (1) accept the work performed by Malibu Pacific Tennis Courts, Inc.; (2) authorize the filing of a Notice of Completion; and (3) authorize the release of the retention payment in the amount of \$4,465.08 after the expiration of the 35-day lien period, for the Fox Hills Park Playground Project, PZ-958. <u>BACKGROUND:</u> At the August 6, 2012 City Council meeting, the City Council (1) approved the purchase of Kompan playground equipment in an amount not to exceed \$96,000 from U.S. Communities; (2) approved the final plans and specifications; and, (3) authorized the publication of a notice inviting bids for the Fox Hills Park Playground Project (PZ-958). On January 28, 2013, the City Council awarded a construction contract to Malibu Pacific Tennis Courts, Inc. in the amount of \$93,999 along with a \$20,000 change order authority provided to the Parks Division Manager, for a total not-to-exceed amount of \$113,999 for the Project. <u>DISCUSSION:</u> The Fox Hills Park Playground has undergone a complete renovation of the playground area for children ages 2 – 5 and the area for children ages 5 – 12. State-of-the-art equipment was installed to promote a variety of physically and			

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mentally challenging play activities. The installation of ADA ramps has provided accessible routes for children of all ages and abilities. The sand fall surface was replaced with Engineered Wood Fibar, which is an American Society for Testing and Materials (ASTM) certified accessible surface and safe loose-fill fall surface. These improvements have made the new playground 100% accessible.

FISCAL ANALYSIS:

For this Project, expenditures to date are \$92,654.01. One change order in the amount of \$3,531.54 was approved by the Parks Division Manager, bringing the total expenditure amount (including the requested retention payment of \$4,465.08) to a total of \$100,650.63. There are currently sufficient funds available for the retention payment for the Fox Hills Park Playground Project in Capital Improvement and Acquisition (General) Funds Account Number 42080000.730100.PZ958 of the City Council Adopted Budget for Fiscal Year 2013/2014.

MOTIONS:

That the City Council:

1. Accept the work performed by Malibu Pacific Tennis Courts, Inc. for the Fox Hills Park Playground Project, PZ-958; and,
2. Authorize the Parks Division Manager to execute the Notice of Completion and submit it to the Los Angeles County Recorder's Office; and,
3. Authorize the City Manager to release \$4,465.08 in retention funds to Malibu Pacific Tennis Courts, Inc. after the expiration of the 35-day lien period.