

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 03/26/07		Item Number: <u>A-1</u>	
AGENDA ITEM: 1) Informational Report on Status of Discussions with 4-Con Engineering, Inc. and California Landscape and Design, dba California SkateParks, Regarding the Cost for Construction of the Skateboard Park Project P-830; and 2) Authorize Staff to Submit an Application for Proposition 40 Roberti-Z-Berg Harris Block Grant Funds in the Amount of \$107,980 for the Culver City Skateboard Park Project (P-830).			
Contact Persons/Dept.: Mate Gaspar/PW and William LaPointe/PR&CS		Phone Number: (310) 253-5602 and (310) 253-6682 respectively	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List (03/22/07); Parks and Recreation Commission (03/22/07), California Landscape and Design dba California SkateParks, 4-Con Engineering, Inc., and Skateboard Park stakeholders by e-mail on 3/22/07.			
Department Approval: Charles D. Herbertson 3/22/07		City Attorney Approval: Carol Schwab (by H. Iker) (03/22/07)	
City Controller Approval: Marlee Chang (by M. Cole) (03/22/07)		City Manager Approval: Jerry B. Fulwood (03/22/07)	
<u>RECOMMENDATION:</u> Staff recommends the City Council: 1. Receive an informational report on the status of discussions with 4-Con Engineering, Inc. and California Landscape and Design, dba California SkateParks, regarding the cost for construction of the Skateboard Park Project P-830. 2. Authorize staff to submit an application for Proposition 40 Roberti-Z-Berg Harris Block Grant Funds in the amount of \$107,908 for the Culver City Skateboard Park Project (P-830). <u>BACKGROUND:</u> On March 12, 2007, the City Council approved a motion to reject all bids for the construction of the Skateboard Park Project, P-830 (the "Project") and authorized staff to negotiate with the two bidders on the Project for a lower price per City Charter Section 2007. The March 12, 2007, City Council agenda report is included as Attachment 1. <u>DISCUSSION:</u> Negotiations immediately proceeded with 4-Con Engineering, Inc. and California Skateparks and the following revised cost proposals were received:			

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CONTRACTOR	NEGOTIATED CONSTRUCTION COST (Initial Bid Amount)	Difference (Bid v. Negotiation)
California SkateParks	\$539,655 (\$643,342.00)	\$(103,687)
4-Con Engineering, Inc.	\$549,775 (\$598,133.00)	\$(48,358)

California SkateParks:

Staff reviewed California Skatepark's proposal, which is based on a value engineering analysis of the project design and recommends several changes to the skatepark that will have minor impact on the overall skatepark design. California Skatepark is recommending that the center planter be reduced in size and the Skatepark be constructed 2 feet to the north (towards Jefferson Boulevard). As a result, a retaining wall at the back of the skatepark will not be required and fewer trees will have to be removed. In addition, the electrical conduit installation will be deleted from the project except in the portion that will be located under new concrete sidewalk along the Jefferson Boulevard frontage. Finally, they are proposing to relocate the entrance to the Skatepark and construct a concrete pad for future bleachers. They have also reduced the unit cost prices for various items.

4-Con Engineering, Inc.:

Staff also reviewed 4-Con Engineering's proposal, which indicates that they cannot start the project until August 2007. They have also given another lower total cost to their proposal in the amount of \$538,142 if the all-risk insurance and performance and payment bonds are eliminated (which option staff would not recommend). Their new proposal requires that (1) the City provide roll-off bins and dispose of the removed material at no cost to the contractor; (2) the City relocate the irrigation system at no cost to the contractor; and (3) the wrought iron fence be replaced with black vinyl chain link fence.

Comparing the two proposals based on the aforementioned facts, staff will be recommending that the City Council award a construction contract to California SkateParks. During the negotiations, staff felt that California SkateParks provided the best options to reduce the project cost. California SkatePark can begin the work after the execution of the contract. The expected construction start date is expected in May 2007 and the four months' construction schedule is slated to be completed by August 2007. 4-Con stated they cannot begin work until August 2007 which will result in the work being completed in approximately December 2007.

The construction of the project will be managed by Site Design, the design consultant for this project, as per the approved agreement. The City Council expressed concerns that Site Design may not have fulfilled their contract obligations due to the bids received that were higher than the engineer's estimate and the

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delays in completing the plans and specifications for the project. In the spirit of cooperation, Site Design has agreed to provide, at no additional cost to the City, revised construction plans based on California Skatepark's proposed value engineered layout of the Skatepark. Staff is in support of this arrangement and also believes it is in the City's best interest that Site Design continue to be under contract to manage the construction of the project, respond to any request for information, and approve shop drawings. The grading, concrete, and steel inspection will be conducted by one of the geotechnical engineering firms currently on contract with the City. The budget set aside for geotechnical inspection is \$20,000.

Award of the Contract:

The City's Charter provisions regarding public works contracts¹ give the Council the authority, by a four-fifths vote, to award a contract without complying with the bidding procedures, provided a public hearing is held on the award of the contract after notice has been given. Such notice must be published at least twice, the first of which must be at least 10 days prior to the hearing. In order to comply with the provisions of the Charter, the award of the contract with California SkateParks must be brought back to Council for consideration at its April 9, 2007 meeting.

FISCAL ANALYSIS:

This informational report does not create a fiscal impact. However, staff provides the following information for Council's reference:

Current Available Project Budget	
Funding Source	Amount
Land and Water Conservation Grant	\$204,000
Proposition 40 Per Capita Grant	\$170,000
Proposition 12 Grant	\$26,934
City General Funds	\$3,796
Total =	\$404,730

Estimated Project Expenses	
Construction contract	\$539,655
Construction Management	\$18,180
Construction inspection for grading, concrete, and steel	\$10,000
Contingency (5%), if necessary	\$27,000
Total Estimated Project Cost	\$594,835

¹ Charter Section 2007 provides that the procedures for awarding public works contracts as set forth in the "old" Charter will remain in effect until such time as the City Council establishes, by ordinance, different procedures. Therefore, the current procedures are set forth in "old" Charter Section 1304.

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Total Budget Amendment Required	\$190,105
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Proposed Budget Amendment	
Funding Source	Amount
Last Available Prop 12 Per Capita Funds	\$289
Proposition 40 RZH Block Grant	\$107,908
General Funds Reserve	\$82,816
Total Estimated Budget Amendment	\$190,105

On March 7, 2000, Proposition 12, the 2000 Parks bond Act was approved by California voters. The 2000 Parks Bond Act provides \$155 million for local park projects to be distributed with the Roberti-Z'Berg-Harris Urban Open Space and Recreation Grant Program.

The RZH grants are allocated to cities, counties, and park and recreation districts on a population-based formula. Funds allocated to local agencies will be appropriate primarily for projects that rehabilitate existing facilities at local parks; develop facilities that promote positive alternatives for youth and that promote cooperation between local parks and recreation services providers.

On October 13, 2003, the City Council adopted Resolution No. 2003-R084 approving staff's request to apply for grant funds for the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act Of 2002. A fully executed contract in the amount of \$107,908 was received by the City in March 2004. In order to secure funding for a specific project, a project application must be submitted to the California Department of Parks and Recreation Office of Grants and Local Services.

Staff will provide the City Council with a formal recommended budget amendment at the time the City Council considers the formal award of contract (expected on April 9, 2007).

ATTACHMENTS:

1. The City Council agenda report dated March 12, 2007, 'Consideration to Reject All Bids Received for Construction of the Skateboard Park Project, P-830.'
2. California Skateparks Statement of Qualifications and value engineering cost proposal dated March 20, 2007.
3. 4-Con proposal dated March 22, 2007.

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MOTIONS:

That the City Council:

1. Receive the informational report on the status of discussions with 4-Con Engineering, Inc. and California Landscape and Design, dba California SkateParks, regarding the cost for construction of the Skateboard Park Project P-830; and
2. Authorize staff to submit an application for Proposition 40 Roberti-Z'Berg-Harris Block Grant Funds in the amount of \$107,908.