

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

Meeting Date: 01/09/2012		Item Number: <u>JC-1</u>	
JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD			
AGENDA ITEM: FOUR-FIFTHS VOTE REQUIRED - (1) Approval of the Final Construction Contract Amount and Approval of a Related Budget Amendment, Acceptance of Work and Authorization to File the Notice of Completion for the Sepulveda Boulevard Pedestrian Improvements; (2) Authorization of the Release of Retention Funds after the Expiration of the 35-Day Lien Period; and (2) Authorization to Initiate Phase III of the Sepulveda Boulevard Area Improvement Plan			
Contact Person/Dept.:		Phone Number:	
Michael Pasternak, Community Development		(310) 253-5708	
Todd Tipton, Community Development		(310) 253-5783	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (U.S. Post) Property Owners, Occupants and Businesses located in the Project Area (12/31/11); (Email) Meetings and Agendas – City Council (01/06/12), Meetings and Agendas - Redevelopment Agency (01/06/12); (Email) Chamber of Commerce (01/06/12)			
Department Approval: Sol Blumenfeld (01/06/12)		City Attorney Approval: Carol Schwab (by H. Baker) (01/06/12) Agency General Counsel Approval: Murray Kane: (12/28/11)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball)(01/06/12)		City Manager/Executive Director Approval: John Nachbar (01/06/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council and Redevelopment Agency Board (Agency Board)(1) Approve the final construction contract amount of \$402,856.43 (including all change orders), accept the work and authorize filing a Notice of Completion for the Sepulveda Boulevard Pedestrian Improvements, P-797, Federal Aid Project No. STPLER-5240(013); and, (2) Authorize the release of the retention funds in the amount of \$20,142.82 after the expiration of the 35-Day lien period; and (3) Authorize the initiation of improvements for Phase III of the Sepulveda Area Improvement Plan (“AIP”) and related budget amendment. <u>(A budget amendment requires a 4/5ths vote)</u> <u>BACKGROUND:</u> On February 28, 2011, the Agency Board approved a construction contract with KASA Construction, Inc. for the construction of the Sepulveda Boulevard Pedestrian			

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Improvements (MTA Grant Project), which include replacement street trees, pedestrian oriented lighting, new street furniture and crosswalk enhancements. The MTA Grant Project constitutes Phase I of the Sepulveda AIP.

On January 24, 2011, the Agency Board authorized funding identified in the Sepulveda Boulevard AIP Program for a Commercial Façade Réhabilitation Grant Program for properties located along Sepulveda Boulevard between the Culver Boulevard intersection and the City-limit line south of Franklin Avenue. Additionally, on October 24, 2011 the City Council awarded a contract to Duncan Solutions, Inc. for the purchase of 13 Pay-by-Space, Multi-Space Parking Meter Stations to replace the parking meters removed during the MTA Grant construction. The façade work and parking meter technology upgrade constitutes Phase II of the Sepulveda AIP.

DISCUSSION:

The project area is self-contained with clear boundaries to the north at Culver Boulevard and to the south at Franklin Avenue where the area transitions to residential and larger commercial land uses. These distinct conditions create a village like atmosphere, which results from reduced vehicle speeds (caused by the narrow width of the street), neighborhood oriented business composition and access to bus lines and walking/bicycle paths.

The MTA Grant Project has revitalized the Boulevard's streetscape with new street trees, pedestrian amenities and bicycle parking, creating an environment that is more conducive to walking, shopping and spending time. In doing so, the MTA Grant Project has also served to implement portions of the Culver City Bicycle and Pedestrian Master Plan (BPMP), which identifies Sepulveda Boulevard as a "Pedestrian Improvement Corridor" and a target for bikeway facility upgrades. Staff recommends the City Council and Agency Board consider the Sepulveda AIP Phase III improvements outlined below in order to complete the streetscape's revitalization and further implement the BPMP.

.Sepulveda AIP Phase I - MTA Grant Project

KASA Construction, Inc. successfully completed the work and fulfilled the contractual 90-day landscape maintenance period on December 2, 2011. The construction management was performed by The Nickerson Company (through the City's on-call engineering and inspection contract) with construction inspection services provided by staff. Engineering design services were provided by CBM-KOA, the Agency's on-call engineering consultant. The project's initial conceptual design services were provided Lorcan O'Herlihy Architects through a competitive bidding process.

The Agency contract included a \$35,000 contingency contract amount. Change orders in the amount of \$53,793.93 were necessary due to quantity adjustments,

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extra work resulting from unforeseen field conditionsⁱ encountered during construction and to further enhance the project designⁱⁱ. A summary of the change orders is provided below.

Change Order Summary		
Change Order Item	Explanation	Amount
Parking Meter Removal	Enhance Project Design	\$ 4,200.00
Newsrack Relocation	Unforeseen Field Conditions	\$ 600.00
Additional Curb & Gutter	Unforeseen Field Conditions	\$11,600.00
Additional Driveway Work	Unforeseen Field Conditions	\$ 2,561.00
Add'l London Plane Tree	Enhance Project Design	\$ 345.00
Sign Post Replacement	Unforeseen Field Conditions	\$ 300.00
Bike Rack Upgrade	Enhance Project Design	\$ 300.00
Tree Stake Upgrade	Enhance Project Design	\$ 362.76
Remobilization	Unforeseen Field Conditions	\$ 3,457.56
Equipment Downtime	Unforeseen Field Conditions	\$ 3,905.10
Re-layout of Sawcut Lines	Enhance Project Design	\$ 1,546.12
Water Line Repair	Unforeseen Field Conditions	\$ 2,723.79
Monolithic Concrete Demo 1	Unforeseen Field Conditions	\$ 6,224.45
Monolithic Concrete Demo 2	Unforeseen Field Conditions	\$ 1,013.58
Additional Truncated Dome	Unforeseen Field Conditions	\$ 900.00
Modify Streetlight Pole	Unforeseen Field Conditions	\$ 240.31
Lighting Upgrade	Enhance Project Design	\$ 6,124.98
Trash Receptacle Upgrade	Enhance Project Design	\$ 8,193.00
Additional Truncated Dome	Unforeseen Field Conditions	\$ 2,511.28
Replace YMCA Driveway	Unforeseen Field Conditions	\$ 4,000.00
Quantity Credit to Agency	Credit Adjustments	(\$7,815.00)
Final Change Order Amount		\$53,793.93

Due to the unforeseen field conditions, additional Construction Management Services were necessary. Staff is currently in discussions with the Nickerson Company and anticipates returning to the Agency Board if additional compensation is required.

Sepulveda AIP Phase III

Additional work is necessary in order to complete the area improvements. The work includes (1) relocation of underground utilities and installation of trees in order to complete the uniformplanting designⁱⁱⁱ; and (2) enhancement of pedestrian and bicycle amenities^{iv} within the project area by honoring a "complete streets" design^v.

A summary of the Phase III work and associated costs is below:

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Future Work Improvement Summary		
Improvement Item	Explanation	Amount
Concrete Paver Crosswalk	Enhance Project Design	\$60,500
Utility Relocation	Unforeseen Field Conditions	\$37,000
Tree Planting	Unforeseen Field Conditions	\$ 1,400
Extra Benches	Enhance Project Design	\$18,000
Bicycle Sharrow Route	Implement BPMP	\$10,000
Newsrack Corrals (Optional)	Enhance Project Design	\$ 7,000
Subtotal of Future Work Amount		\$133,900
Contingency (10%)		\$13,390
Total		\$147,290

Due to the uncertainties surrounding the State Supreme Court's December 29, 2011 decision to uphold ABX1 26, staff intends to purchase and install the benches immediately and hold off on other items until the situation becomes clearer.

FISCAL ANALYSIS:

A summary of the project is provided below. Funds for Sepulveda AIP Phase II, façade rehabilitation and pay-by-space parking meters, are provided through a separate budget program (486902940) and thus not included.

Sepulveda AIP Phase I Project Budget	
Funding Source	Amount
MTA Grant (42300797)	\$291,000.00
Former Agency Unrestricted Funds – Matching funds (48592910)	\$135,000.00
Former Agency Tax Exempt Bond Funds – Matching funds (48692910)	\$150,000.00
Former Agency Unrestricted Funds(48592920)	\$ 35,528.00
Total	\$611,528.00

Final MTA Grant Project Expenses	
Original Construction Contract Amount	\$349,562.50
Change Orders	\$ 53,793.52
Final Construction Contract Amount	\$402,856.43
Construction Management Services	\$ 25,200.00
Engineering Design Services (PS&E)	\$37,930.00
Engineering Design Services (Extra Work)	\$ 2,120.60
Conceptual Design Services	\$9,099.13
Replace Damaged Pull Boxes	\$ 1,578.83
Printing of Revised Plan Sets	\$ 150.00
Total	\$478,934.99

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Remaining Sepulveda AIP Phase III Project Budget for Future Work	
Sepulveda AIP Phase I Budget	\$611,528.00
Final MTA Grant Project Amount	(\$478,934.99)
Proposed Future Work Amount	(\$147,290.00)
Total	(\$ 14,696.99)

Sufficient funds exist in the Sepulveda MTA Grant Program (486902910) to fund the final contract amount of \$402,856.43.

In order to implement all of the Phase III improvements identified in the table above, approximately \$15,000 must be appropriated from available fund balance in fund 485 (former Agency unrestricted tax increment funds).

ATTACHMENTS:

1. Map of Sepulveda AIP Project Area;
2. Photographs of MTA Grant Improvements;
3. MTA Grant Project Executed Change Orders;
4. Photograph of Tree Wells Impacted by Utility Line Conflicts;
5. Culver City Bicycle & Pedestrian Master Plan Excerpt
6. Photograph of Existing Concrete Paver Installation at Sepulveda Blvd./Green Valley Cr. Intersection; and
7. Photographs of Newsrack Corral Installation, City of West Hollywood, CA

MOTION:

That the City Council and Redevelopment Agency Board:

1. Accept the work performed by KASA Construction, Inc. for the construction of Sepulveda Boulevard Pedestrian Improvements, P-979, Federal Aid Project No. STPLER-5240(013);
2. Authorize the Community Development Director to execute the Notice of Completion and submit it to the Los Angeles County Recorder's office;
3. Approve the final construction contract amount of \$402,856.43 and;
4. Authorize the City Manager to release \$20,142.82 in retention to KASA Construction, Inc. after the expiration of the 35-day lien period.

AND

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5. Authorize the initiation of improvements for Phase III of the Sepulveda AIP (which at this time is the purchase of new benches);
6. Approve a budget amendment to appropriate \$15,000 in available fund balance from former Agency unrestricted tax increment funds (Fund 485) in the Sepulveda AIP program (48592920); and
7. Authorize the City Attorney/Agency General Counsel to review/prepare the necessary documents;
8. Authorize the City Manager/Executive Director to execute such documents on behalf of the City and Agency, respectively.

ⁱThe existing assemblage of telephone and utility poles, water meters, parking meters and other obstacles along the sidewalk challenged the ability to install tree wells and planters in a regular and attractive pattern and with common spacing on both sides of the street. Construction was further challenged by unmarked underground utilities, monolithic concrete pours and the need to address additional sidewalk safety hazards. These unforeseen conditions resulted in extra work due and the necessity to issue the change orders.

ⁱⁱStaff took the opportunity to enhance the project design by adding a recycling component to the trash receptacles as suggested by Councilman Cooper, upgrading the bicycle racks to match the street furniture and providing a streetlight better suited to the existing lighting infrastructure.

ⁱⁱⁱDue to conflicts with unmarked underground utility lines, the contractor was unable to plant five (5) trees per the construction plan. The utility lines will have to be relocated by a certified utility contractor before the trees can be planted.

^{iv}Construction of a bicycle sharrow route along this stretch of Sepulveda Boulevard will link the City's bicycle network from the Culver Boulevard Bicycle Path to the Ballona Creek Bicycle Path, and will also link up with the proposed Braddock Avenue bikeway improvements per the BPMP. Additionally, staff proposes to construct an inter-locking concrete paver crosswalk at the Lindblade Avenue intersection, which was identified in the conceptual plan for special treatment because of the high volume of pedestrian activity at this location. Staff recommends additional benches to allow for two benches per tree well, which will result in a symmetrical design and more seating in the project area. Lastly, in order to eliminate the blight caused by newsracks in the project area, staff proposes the option of locating all newsracks in designated corrals (note: a municipal Code amendment is required before implementation).

^v These improvements were identified in the needs assessment of the City's Bicycle and Pedestrian Master Plan and comply with the State of California's Complete Streets Act (AB 1358), which will ensure that the needs of all users of the roadway are met -- including pedestrians, bicyclists, users of public transit as well as motorists.