

REPORT OF GENERAL MANAGER

NO. 05-191

DATE June 15, 2005

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TAYLOR YARD PARK - GRADING - W.O. #E1904356 - CHANGE ORDERS TO CONTRACT NO 3144

J. Combs  
\*S. Huntley  
J. Kolb  
K. Regan

SK  
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H. Fujita  
B. Jensen  
F. Mok

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Robert H. Jensen (RM)  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Authorize staff to negotiate and finalize Change Order Nos. 12, 14, 16, 19, 20, 22 and 23 to Contract No. 3144 for removal of unforeseen debris for a total amount not to exceed \$200,000.00;
2. Authorize staff to negotiate and finalize Change Order No. 24 to Contract No. 3144 for re-grading of the turf soccer fields and adjoining parking lot for an amount not to exceed \$70,000.00;
3. Authorize staff to negotiate and finalize Change Order No. 18 to Contract No. 3144 for removal and stockpiling of the cement and soil mixture for an amount not to exceed \$45,000.00;
4. Authorize staff to negotiate and finalize Change Order No. 25 to Contract No. 3144 for exporting of stockpiled cement and soil mixture to a landfill for an amount not to exceed \$450,000.00;
5. Authorize staff to finalize Change Order No. 8 to Contract No. 3144 for deletion of cash allowance associated with the irrigation and turf for the soccer fields in the amount of \$231,000.00 for deletion;
6. Request the Chief Accounting Employee of Public Works to pay the change orders, identified in this report, from Fund/Department/Account No, 305/50/W215, in an amount not to exceed \$765,000.00; and,

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7. Authorize the Chief Accounting Employee to encumber funds, in an amount not to exceed \$534,000.00 from the following fund/accounts, in an exact amount to be negotiated by the BOE, under the authority of this Board Report:

<u>FUNDING</u>	<u>FUND/DEPT/ACCT</u>
CDBG	424/22/V742
Prop K - Yr 8	43K/10/W567

SUMMARY:

On November 17, 2004, the Board awarded a construction contract in the amount of \$2,131,000.00 to Southern California Grading, Inc., under Board Report No. 04-316 for construction of the Taylor Yard Park - Grading Project (#1356A) (W.O. #E1904346), located at 1900 San Fernando Road. The Board of Recreation and Parks executed Contract No. 3144 on January 7, 2005.

The construction work on this grading project is 80% complete and the entire project is expected to be completed by August 8, 2005.

The project has encountered two major issues. The first is the discovery of a large volume of unforeseen debris consisting of concrete, abandoned pipes/conduits and railroad ties. The debris has been documented by Preliminary Change Order Nos. 12, 14, 16, 19, 20, 22 and 23. The individual Preliminary Change Orders were issued to track the timeframe which the debris was discovered, as well as the type and location of the debris. The Bureau of Engineering (BOE) has not yet finalized negotiations with the Contractor, but has estimated the total cost of these change orders to be \$200,000.00.

The second issue is the discovery of a hard layer of soil mixed with cement approximately 18" thick in the southern area of the site under the turf soccer fields and adjoining parking lot. Upon investigation and testing of this material, it was discovered that this material was part of a soil remediation process that the previous property owner, Union Pacific Railroad, had performed on areas of the site. Upon further research with the Department of Toxic Substances Control (DTSC), a memo, titled, Explanation of Significant Differences, dated January 30, 1998, from DTSC, was provided describing this material as an approved remediation method for treating the soil and further stated that the lead concentrations would not pose a risk if the site were developed for residential or unrestricted use. It has been recommended by DTSC to leave the material undisturbed and left in place under the originally approved Closure Plan on file with DTSC. However, in order to leave it undisturbed, the grading plan in the area of turf soccer fields and adjoining parking lot in the southern portion of the site needs to be revised to provide adequate soil cover to allow for drainage and trenching for irrigation and other utilities. The re-grading of the aforementioned areas has been documented under Preliminary Change Order No. 24. The BOE has not yet finalized negotiations with the Contractor but has estimated the total cost of this change order to be \$70,000.00.

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In addition, when the material was first discovered, approximately 3,000 cubic yards were removed and stockpiled on site. This material was removed prior to knowing its origin but was contained and monitored on site until testing was completed. The stockpiled material can either be placed back into the site under direction and approval from DTSC or be exported from the site to a certified landfill. The BOE is recommending the soil be exported to a landfill and not used on site. The stockpiling of the material has been documented under Preliminary Change Order No. 18 and the exporting of the material is proposed under Preliminary Change Order No. 25. The BOE has not yet finalized negotiations with the Contractor but has estimated the total cost of these change orders to be \$45,000.00 and \$450,000.00, respectively.

Because the completion of the grading work for the turf soccer fields has been impacted by these issues and the contract documents had included a cash allowance of \$231,000.00 for the installation of irrigation and turf for these fields, the BOE is recommending that the installation of irrigation and turf work be completed under the next construction phase. These funds will then be available and utilized to complete the remaining project scope under this contract. This Change Order is proposed under Preliminary Change Order No. 8.

There are adequate funds in the following fund and accounts to cover the cost of these change orders. However, it is more appropriate that the cost of these change orders be covered by the State Parks and Recreation funds because the associated scope included soil remediation as an eligible expense. Therefore, it is recommended that the cost of these change orders be paid from Fund/Department/Account No. 305/50/W215 and an equal amount be encumbered, as indicated below.

The current funding for the existing contract and the funding for the recommended change orders is as follows:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ ACCOUNT</u>	<u>ORIGINAL CONTRACT ENCUMBRANCE AMOUNT</u>	<u>ADDITIONAL ENCUMBRANCE AMOUNT</u>
CDBG	424/22/V742	\$ 331,000.00	\$ 275,056.00
Prop K - Yr 8	43K/10/W567	\$ 300,000.00	\$ 258,944.00
<b>TOTALS</b>			<b>\$ 534,000.00*</b>

\* The \$231,000.00 resulting from the deletion of the cash allowance for Change Order No. 8 would be used to complete the total funding necessary (\$765,000.00) for the change orders identified in this report.

The total net positive change to Contract No. 3144, as a result of these change orders, would be in an amount not to exceed \$534,000.00.

This report was prepared by Mike Shull, Recreational and Cultural Facilities Program - Prop K, Bureau of Engineering.