

REPORT OF GENERAL MANAGER

**APPROVED**

NO. 11-010

DATE January 5, 2011

**JAN 05 2011**

C.D. 5

BOARD OF RECREATION  
and PARK COMMISSIONERS

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEPULVEDA BASIN COMMUNITY GARDENS – NEW RESTROOM BUILDING (PRJ20097) (W.O. #E170430F) – SUPPLEMENTAL AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, BUREAU OF ENGINEERING, AND DEPARTMENT OF GENERAL SERVICES

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u><i>M</i></u>
V. Israel	_____		

*Vol Israel for*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Supplemental Agreement to the Memorandum of Understanding (SMOU), substantially in the form attached, between the Department of Recreation and Parks (RAP), the Department of Public Works – Bureau of Engineering (BOE), and the Department of General Services (GSD) to increase the construction funding for Sepulveda Basin Community Gardens – New Restroom Building (PRJ20097) (W.O. #E170430F) by an additional \$100,000 to a new not to exceed total of \$500,000 and extending the term by 24 months to 48 months, subject to the approval of the City Attorney as to form;
2. Request the Department’s Chief Accounting Employee, in accordance with the proposed Supplemental Agreement and upon its execution, with the assistance of the CAO, to facilitate the necessary Council approval to appropriate \$100,000 in construction funds to GSD, as follows:

FROM:

<u>Funding Sources</u>	<u>Fund No./Dept. No./Account No.</u>	<u>Encumbrance Amount</u>
Quimby	302/89/460K/SI	\$ 100,000

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TO:

Through GSD Account and from there to the appropriate GSD accounts in Fund 100, Department 40, as follows:

1014 – Construction Salaries:	\$        0
1101 – Hiring Hall Construction:	\$ 43,000
1121 – Hiring Hall Fringe Benefits	\$ 17,000
3180 – Construction Materials and Supplies:	<u>\$ 40,000</u>
Total:	\$ 100,000

and transfer cash to GSD on an as-needed basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by RAP;

3. Direct the Board Secretary to transmit the proposed Supplemental Agreement to the City Attorney for review and approval as to form; and,
4. Authorize the Department’s General Manager to execute the Supplemental Agreement upon receipt of the necessary approvals.

SUMMARY:

The Sepulveda Basin Community Gardens – New Restroom Building Project, a Proposition K Competitive Grant Year 10 and Year 11 project, was awarded to GSD on June 4, 2008 (Board Report No. 08-148) for construction. Funds were obligated prior to the end of Fiscal Year 2007-2008 by way of an executed MOU in order to avoid loss of the funds. The MOU amount of \$400,000 was a budgetary figure provided to GSD and was not based upon a cost estimate developed by GSD. It was recognized that the MOU would have to be amended to reflect the total construction cost, at the time of completion of plans and specifications for the project. The Sepulveda Basin Community Gardens – New Restroom Building Project funding is derived from a combination of Proposition K Year 10, Year 11, and Quimby funds in the respective amounts of \$75,000, \$475,000, and \$170,000 for total project funding in the amount of \$720,000. The allocation of the \$170,000 in Quimby fees to this project was previously approved by the Board on February 4, 2009 (BR No. 09-021).

The scope of this project consists of the construction of a new, permanent 200 square-foot Americans with Disabilities Act (ADA) accessible restroom building with an outdoor wash basin for washing vegetables grown in the community gardens. The restroom building will have separate male and female entrances. New sewer, electrical, and plumbing are included in the construction.

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GSD has also completed a cost estimate in the amount of \$450,000, without contingency. An additional \$50,000 in contingency funds will be included for a total construction cost of \$500,000. Advanced written approval in the form of an executed change order of the BOE Project Manager will be required for any use of the contingency funds by GSD.

BOE therefore recommends that the Board approve the Supplemental Agreement and upon its execution, with the assistance of the CAO, to facilitate the necessary Council approval to appropriate and transfer funds in the amount of \$100,000 into GSD accounts.

GSD has indicated that they can complete all required construction within 270 calendar days after the transfer of funds to GSD or execution of the Supplemental Agreement, whichever occurs last, as follows:

<u>Funding Source</u>	<u>Fund/Dept./ Acct. No.</u>	<u>Funding for Original MOU</u>	<u>Funding for Supplemental MOU</u>
Proposition K-11	43K/10/C601	\$ 400,000	\$ 400,000
Quimby	302/89/460K/SI	\$ 0	\$ 100,000*
Total		\$ 400,000	\$ 500,000

\*Proposed Appropriation

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed construction will have no significant impact on the environment. A Notice of Exemption was filed with the Los Angeles City Clerk's office on June 22, 2006 and posted by the County Clerk's office on June 22, 2006, until July 24, 2006.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's General Fund. All funds are provided by the above-listed funding sources as specifically identified and approved for use on this project. The future operation and maintenance costs have yet to be determined.

This Report was prepared by Gary Lam, Project Manager, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Construction, Department of Recreation and Parks.