



WILLIAM T FUJIOKA  
Chief Executive Officer

County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
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*"To Enrich Lives Through Effective And Caring Service"*

Board of Supervisors  
GLORIA MOLINA  
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Fifth District

April 30, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

49 May 14, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS:  
BISCAILUZ CENTER REFURBISHMENT TRAINING ACADEMY PHASE II  
AWARD SUPPLEMENTAL AGREEMENTS  
APPROVE CHANGE ORDER  
SPECS. 6551; CAPITAL PROJECT NO. 86801  
(FIRST DISTRICT)  
(4 VOTES)**

**SUBJECT**

This action will award and authorize Supplemental Agreement 11 to Kajima Associates, Inc.'s design services agreement and Supplemental Agreement 7 to AMEC Environment and Infrastructure, Inc.'s agreement, and approve and authorize the execution of a change order to MTM Construction, Inc.'s construction contract for the Biscailuz Center Refurbishment Training Academy Phase II Project for a \$500,000 not-to-exceed amount.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Award and authorize the Director of Public Works, or her designee, to execute Supplemental Agreement 11 to Kajima Associates, Inc.'s Agreement FP/C 1006 for a \$192,000 not-to-exceed fee, and Supplemental Agreement 7 to AMEC Environment and Infrastructure, Inc.'s Agreement FP/C 1008 for a \$140,000 not-to-exceed fee, both supplemental agreements to be funded by Capital Project No. 86801; and authorize the Director of Public Works, or her designee, to establish the effective dates for both contracts following Board approval.
2. Approve and authorize the Director of Public Works, or her designee, to execute a change order with MTM Construction, Inc., for a \$500,000 not-to-exceed amount to carry out the repairs to Building B3/B4 at the Biscailuz Center Refurbishment Training Academy Phase II Project.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will approve and allow the Department of Public Works (Public Works) to execute supplemental agreements to Kajima Associates, Inc.'s (Kajima) and AMEC Environment and Infrastructure, Inc.'s (AMEC) agreements, and a change order to MTM Construction, Inc.'s (MTM) construction contract. This will enable Public Works to proceed with construction of the Biscailuz Center Refurbishment Training Academy Phase II (BCRT Academy Phase II) Project, located at 1060 North Eastern Avenue, in the community of East Los Angeles.

On October 18, 2011, the Board authorized Public Works to adopt, advertise, and award a construction contract for the BCRT Academy Phase II Project, which includes the remodel of six existing vacant classroom buildings, construction of an amphitheater for training exercises and ceremony seating, and the procurement and installation of a communication monopole antenna. Construction on this Project began on June 4, 2012, and is currently 50 percent complete.

### Unforeseen Condition

During the course of construction, it was discovered that Building B3/B4, one of the six buildings being renovated, had an existing longitudinal crack in the slab-on-grade along the entire length of the building. Furthermore, it was discovered that the building foundation had settled in the southwest corner, resulting in the tilting of the exterior framing of the building by approximately 2 inches.

Upon identification of this building issue during construction, extensive structural and soils analysis were performed. Analysis of the soil below the slab on-grade revealed it consisted of uncertified fill material consisting of overly expansive clay soils not suitable for use immediately underneath the building slab and foundations. The uncertified fill is believed to have led to uneven settlement of the foundation, which resulted in the longitudinal crack.

In order to prevent further settlement of the foundation, it is recommended that the southern half of the slab-on-grade be demolished and replaced with a structurally supported, raised floor. The top 2 feet of the existing uncertified fill would be removed, and a stem wall would be constructed along the center line of the building. The stem wall would act as a retaining wall for the soils beneath the northern portion of the building not being demolished. A new structurally supported floor would be constructed in the southern half of the building over the void space. The existing continuous footings along the southern face of the building would be underpinned using helical anchors, which would be drilled into the ground adjacent to the footings, and installed into the natural grade of weathered bedrock that underlies the uncertified fill. These helical anchors would attach to the foundations and support them in place. The first floor existing framing would be demolished and replaced. The existing second floor framing and roof structure would be structurally supported in place using temporary shoring extending down to the ground to allow the work on the first floor to proceed underneath. Completion of these proposed items would prevent further impacts to the existing building's foundation and structure.

### Recommended Supplemental Agreements and Construction Change Order

There is currently insufficient funding in Kajima's existing agreement to cover the cost of the required design services to address the repair of Building B3/B4. Supplemental Agreement 11 to Kajima's agreement for a \$192,000 not-to-exceed amount will cover Kajima's fee to design the repairs to

Building B3/B4, and also includes additional funding to cover the cost of any future design services required to address design modifications and unforeseen conditions.

There is currently insufficient funding in AMEC's existing agreement to cover the cost of the required geotechnical investigation and materials testing services to address the repair of Building B3/B4. Supplemental Agreement 7 to AMEC's agreement for a \$140,000 not-to-exceed amount will cover AMEC's fee for the repair of Building B3/B4, and also includes additional funding to cover any future geotechnical and materials testing work needed for the Project.

Public Works estimates the cost of the repairs to Building B3/B4 to be at \$500,000, based on conceptual drawings prepared by Kajima. Once Kajima completes the design of the repairs, Public Works will request a proposed change order from MTM to carry out the work. In order to reduce further impacts to the Project schedule, Public Works is requesting that the Board approve and authorize Public Works to execute a change order with MTM for a \$500,000 not-to-exceed amount. Should the final negotiated amount of the change order be greater than \$500,000, Public Works will return to the Board to request approval of the change order. Design and construction of the repairs to Building B3/B4 are currently anticipated to take approximately four months.

#### Green Building/Sustainable Design Program

The BCRT Academy Phase II Project supports the Board's Green Building/Sustainable Design Program by using energy-efficient light fixtures with light sensor controls and drought-tolerant landscaping. It is anticipated that there will be savings due to a reduction in electricity and water consumption as a result of the sustainable elements included in the design.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by planning for the renovation of existing facilities to enhance operational efficiency and minimize energy and water consumption/usage.

#### **FISCAL IMPACT/FINANCING**

On October 18, 2011, the Board approved a total Project budget of \$22,132,000 for the BCRT Academy Phase II Project, which includes plans and specifications, plan check, consultant services, civic arts, County services, equipment, and construction. The favorable bid conditions at the time of bid for the BCRT Academy Phase II Project resulted in \$3,840,676 in surplus project funds. Approval of the budget reallocation will authorize the transfer of a portion of these surplus project funds to the appropriate budget categories to cover the cost of Supplemental Agreement 11 to Kajima's consultant services agreement for a \$192,000 not-to-exceed amount; Supplemental Agreement 7 to AMEC's consultant services agreement for a \$140,000 not-to-exceed amount; a change order to MTM's construction contract for a \$500,000 not-to-exceed amount; and other miscellaneous expenditures, consultant, and County services required to perform this work. The remaining balance of these surplus funds will be allocated to contingency line items under the construction and County services budget categories. The total Project cost remains at \$22,132,000.

Public Works' construction cost estimate for the repairs to Building B3/B4 is \$500,000. In no event will a change order be executed with MTM for the repairs to Building B3/B4, if the final negotiated amount of the change order exceeds \$500,000, without returning to the Board for approval.

The revised Project Schedule and Budget Summary are included in the Attachment.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Standard supplemental agreements, in the form previously approved by County Counsel will be used. The existing contracts with Kajima, AMEC, and MTM contain terms and conditions supporting the Board's ordinances and policies, including but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

As required by the Board, the Project cost includes 1 percent of the actual design and construction costs to be allocated to the Civic Art Special Fund per the Board's Civic Art Policy, adopted on December 7, 2004, and revised on December 15, 2009.

Under Public Contract Code, Section 20137, the Board is authorized, as a 4-vote item, to approve individual change orders to construction contracts as long as they do not exceed 10 percent of the original construction contract amount. The original contract amount of the construction contract with MTM was \$10,742,500. Accordingly, the proposed change order in the amount of \$500,000 is below the 10 percent statutory threshold and within the Board's authority.

### **ENVIRONMENTAL DOCUMENTATION**

On November 30, 2004, the Board adopted a Mitigated Negative Declaration (MND) for the BCRT Academy Phase II Project, including mitigation measures to ensure that environmental effects of the Project remained below the level of significance. On January 24, 2006, the Board approved an Addendum to the MND, which addressed additional grading work for the Project. On October 18, 2011, the Board approved an Addendum to the MND, which modified the Project scope of work to include the elimination of the proposed parking lot south of the existing Row A and B Buildings, and the postponement of the construction of the proposed two-story 6,000 square-foot classroom building north of the existing Special Enforcement Bureau (SEB) Kitchen/Mess Hall Building, and the addition of a new 60-foot-high communication monopole antenna.

### **CONTRACTING PROCESS**

On June 1, 2004, the Board awarded Agreement FP/C 1006 with Kajima for design of the SEB Replacement Facility Project (Capital Project No. 77397) for a \$561,917 not-to-exceed fee. On February 6, 2010, the Board awarded Supplemental Agreement 6 to Kajima's contract to provide design services for the BCRT Academy Phase II Project. To date, 10 supplemental agreements for a total of \$2,061,000 have been executed for additional services, increasing the total agreement value to \$2,622,917. The recommended Supplemental Agreement 11 for a \$192,000 not-to-exceed fee will increase the total of Kajima's agreement to \$2,814,917.

On June 1, 2004, the Board awarded Agreement FP/C 1008 with MACTEC Engineering and Consulting, Inc. (MACTEC), to provide the soil testing and inspection services for the BCRT

Academy Phase II Project for a \$58,265 not-to-exceed fee. To date, six supplemental agreements for a total of \$460,901 have been executed for additional services, increasing the total agreement value to \$519,166. On November 17, 2011, MACTEC notified the County of its name change to AMEC Environment and Infrastructure, Inc. The recommended Supplemental Agreement 7 for a \$140,000 not to-exceed fee will increase the total of AMEC's agreement to \$659,166.

On March 27, 2012, Public Works awarded a construction contract to MTM for \$10,742,500 under Board-delegated authority to Public Works on October 18, 2011. To date, 28 change orders have been executed for a total of \$437,480, increasing the total of MTM's Construction contract to \$11,179,980. Public Works estimates the cost of the repairs to Building B3/B4 to be at \$500,000. In order to reduce the impacts to the Project schedule, Public Works is requesting authority from the Board to execute a change order with MTM for a \$500,000 not-to-exceed amount. Should the final negotiated amount be greater than \$500,000, Public Works will return to the Board to request approval of the change order.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Public Works and the Sheriff's Department will take the appropriate measures to minimize any impacts on departmental operations during completion of the BCRT Academy Phase II Project.

**CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; the Sheriff's Department, Facilities Planning Bureau; and Department of Public Works, Project Management Division II.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR:DJT  
JT:MD:zu

Enclosures

- c: Executive Office, Board of Supervisors
- County Counsel
- Arts Commission
- Auditor-Controller
- Public Works
- Sheriff

**ATTACHMENT**

**DEPARTMENT OF PUBLIC WORKS:  
 BISCAILUZ CENTER REFURBISHMENT TRAINING ACADEMY PHASE II  
 AWARD SUPPLEMENTAL AGREEMENTS  
 APPROVE CHANGE ORDER  
 SPECS. 6551; CAPITAL PROJECT NO. 86801  
 (FIRST DISTRICT) (4 VOTES)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>	<b>Revised Completion Date</b>
Design		
Contract Execution	03/17/10*	03/17/10*
Construction Document Submittal	06/20/11*	06/20/11*
Jurisdictional Approval	10/03/11*	10/03/11*
Bid and Award	03/27/12*	03/27/12*
Construction Substantial Completion	02/28/13	12/04/13
Acceptance	08/28/13	02/18/14

\*Indicates completed activity.

## II. PROJECT BUDGET SUMMARY

Budget Category	Original Project Budget	Impact of this Action	Total Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Construction Contracts	\$ 16,461,766	(\$ 3,840,676)	\$ 12,621,090
Change Orders - Construction	\$ 1,619,645	\$ 500,000	\$ 2,119,645
Civic Arts	\$ 174,213	(\$ 36,483)	\$ 137,730
Construction Contingency	\$ 0	\$ 2,000,000	\$ 2,000,000
Subtotal	\$ 18,255,624	(\$ 1,377,159)	\$ 16,878,465
Equipment	\$ 0	\$ 0	\$ 0
Plans and Specifications	\$ 960,000	\$ 192,000	\$ 1,152,000
Consultant Services			
Deputy Inspection	\$ 130,000	\$ 0	\$ 130,000
Methane Consultant/Asbestos Abatement	\$ 135,000	\$ 0	\$ 135,000
Geotech/Soils Test	\$ 30,000	\$ 140,000	\$ 170,000
Material Testing	\$ 100,000	\$ 0	\$ 100,000
Cost Estimating/Project Scheduling	\$ 45,000	\$ 40,000	\$ 85,000
Topographic Surveys	\$ 25,000	\$ 10,000	\$ 35,000
Environmental	\$ 10,000	\$ 10,000	\$ 20,000
Subtotal	\$ 475,000	\$ 200,000	\$ 675,000
Miscellaneous Expenditures			
Countywide Contract Compliance	\$ 0	\$ 63,000	\$ 63,000
Printing/Other	\$ 25,000	(\$ 10,000)	\$ 15,000
Subtotal	\$ 25,000	\$ 53,000	\$ 78,000
Jurisdictional Review/Plan Check/Permit	\$ 105,000	\$ 0	\$ 105,000
County Services			
Code Compliance and Quality Control Inspections	\$ 185,000	\$ 100,000	\$ 285,000
Contract Administration	\$ 88,400	\$ 50,000	\$ 138,400
Project Management	\$ 300,000	\$ 100,000	\$ 400,000
Project Management Support Services	\$ 187,000	\$ 50,000	\$ 237,000
Secretarial	\$ 20,000	\$ 10,000	\$ 30,000
Document Control	\$ 20,000	\$ 20,000	\$ 40,000
ISD ITS Communications	\$ 7,500	\$ 0	\$ 7,500
Project Technical Support	\$ 35,000	\$ 20,000	\$ 55,000
Consultant Contract Recovery	\$ 44,476	\$ 20,000	\$ 64,476
County Services Contingency	\$ 0	\$ 585,159	\$ 585,159
Office of Affirmative Action	\$ 23,000	(\$ 23,000)	\$ 0
Subtotal	\$ 910,376	\$ 932,159	\$ 1,842,535
Other Prior Project Expenditure	\$ 1,401,000	\$ 0	\$ 1,401,000
<b>Total</b>	<b>\$ 22,132,000</b>	<b>\$ 0</b>	<b>\$ 22,132,000</b>