



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
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WILLIAM T FUJIOKA
Chief Executive Officer

December 14, 2010

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

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: TOPANGA LIBRARY PROJECT
APPROVE REVISED BUDGET, CONSTRUCTION CHANGE ORDER FOR SOILS
EXPORT WITH FEI INTERPRISES, INC. AND
SUPPLEMENTAL AGREEMENT WITH GKKWORKS
SPECS. 6757; CAPITAL PROJECT 77484
CONTRACT PW-13190
(THIRD DISTRICT) (4 VOTES)**

SUBJECT

Approve and authorize the Director of Public Works to execute a construction change order for soils export and a supplemental agreement for additional construction administration for the Topanga Library Project.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and authorize the Director of Public Works to execute a construction change order for the export of 7,650 cubic yards of soil for a not-to-exceed fee of \$213,956 to Contract PW-13190 with FEI Enterprises, Inc.
2. Approve and authorize the Director of Public Works to execute Supplemental Agreement 4 to Contract PW-12885 with gkkworks, for additional design and construction administration services for a not-to-exceed fee of \$200,000.
3. Approve a revised budget of \$17,010,634 for the Topanga Library Project.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

37 DECEMBER 14, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will revise the project budget; allow the Department of Public Works (Public Works) to execute a construction change order for soil export, and a supplemental agreement for additional design and construction administration services as part of the Topanga Library Project.

On April 1, 2008, your Board delegated authority to the Director of Public Works to execute a construction contract for the Topanga Library Project. On August 21, 2008, the Director of Public Works executed a construction contract with FEI Enterprises, Inc., for \$6,843,100 for the construction of the Topanga Library Project. The project includes construction of an approximately 11,293-square-foot library, with Leadership in Energy and Environmental Design (LEED) Silver Level Certification status. The library includes a large reading area for adults, community meeting room, homework center to provide after school homework assistance for students, group study room, teen center for middle and high school students, children's area with an outside reading patio, express service checkout machines, public access computers with Internet access, and a new opening day collection of 42,000 books and other library materials. In addition, the project scope includes construction of an underground garage, landscaping, and installation of an irrigation system; off-site road improvements on Topanga Canyon Boulevard to improve access to the library and the installation of water mains along Topanga Canyon Boulevard to provide the necessary fire and domestic flow demands for the library.

Construction Change Order

To provide adequate space on the site for the underground garage, the design provided for removal of an existing slope and grading of the entrance of the site. The quantities associated with the soil removal activity increased from an estimated total of 1,917 cubic yards of soil to the actual total of 9,567 cubic yards of soil. The total cost of this additional work has been negotiated between Public Works and the contractor for a not-to-exceed amount of \$213,956, which also includes 13 days of compensable time. In order to expedite completion of this work and avoid possible delays, Public Works authorized a Proceed Order in the amount of \$150,000 for the initial portion of this work using delegated authority.

Supplemental Agreement

On October 11, 2005, your Board awarded a consultant agreement to Liedenfrost/Horowitz and Associates, Inc. (LHA) to provide design, consultant, and construction administration services for the project for a \$741,283 not-to-exceed fee. On April 26, 2007, Supplemental Agreement No. 1 was executed in the amount of \$74,120 to revise the construction documents to include all the necessary documentation required to obtain the Silver Level of LEED certification which increased the total value of Contract PW-12885 from \$741,283 to \$815,403. Supplemental Agreement No. 2 was executed on January 5, 2009, with no increase in the contract amount to change the name of the LHA, to gkkworks after a corporate merger. Supplemental Agreement No. 3 was executed on July 28, 2010, for extended construction administrative services to account for project change orders related to signage standards updates, redesign of the elevator hoist beam, relocation of a traffic signal box, and satellite television and frequency modulation antenna conduit routing, and additional materials and finish presentation boards, which increased the total value of Contract PW-12885 from \$815,403 to \$840,403.

The schedule for completion of the Topanga Library Project has been delayed for approximately 12 months to date. Public Works is actively managing the project and evaluating available options to ensure more timely progress of the work. Public Works has directed FEI Enterprises, Inc., to provide a recovery schedule to mitigate the delays being encountered. The contractor's schedule now shows a substantial completion date of February 24, 2011, followed by the library installation of the fixed furniture and equipment. Prior to occupancy, the contractor will implement the Sheet Metal and Air Conditioning National Contractors' Association (SMACNA) "Indoor Environmental Air Quality" (IEAQ) management plan per the guidelines for occupied buildings under construction, which can take up to 34 days depending on the prevailing weather and humidity conditions to flush-out the indoor air after construction to ensure occupant health and comfort. In addition, the design team will perform the required project close-out and assist in the final acceptance of the project in August 2011.

Due to the delays encountered on the project, the construction administration efforts by gkkworks and their consultants have been extended by 12 months. This Supplemental Agreement No. 4 for \$200,000 will compensate gkkworks for extension of construction administration services and design of supplemental scope items such as structural support to ensure proper anchoring of the heavy two story sculpture, additional low voltage for security and telecommunications for card readers, data voice outlets, speakers for paging system, additional audio/visual for the community meeting room, as requested by Public Library. In addition, there is a need for the design team to constantly and quickly resolve arising conflicts and field issues to expedite the project

completion. gkkwork's original contract value was \$741,283. The not-to-exceed fee of \$200,000 for Supplemental Agreement No. 4 represents an increase of 27 percent of the original contract amount and can be accommodated with the current budget.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Operational Effectiveness (Goal 1), Children, Family, and Adult Well-Being (Goal 2), and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance cultural, recreational, and lifelong learning opportunities for County residents.

FISCAL IMPACT/FINANCING

On April 1, 2008, your Board approved the Topanga Library Project with a budget of \$16,507,634. The budget is revised to include an additional \$503,000 funded by Utility Users Tax (Cy Pres) funds to mitigate the delays in the project delivery.

The total revised project cost, including plans and specifications, plan check, construction, utility connection fees, consultant services, miscellaneous expenditures, and County services, is \$17,010,634. Sufficient appropriation is available in the Fiscal Year 2010-11 Capital Project/Refurbishment Budget for Topanga Library Project (Capital Project No. 77484) to fund the recommended action. The project budget reflects adjustments to the budget categories to accommodate the recommended actions. The Project Schedule and Budget Summary are detailed in Attachment A.

The Topanga Library Project is funded with \$7,400,000 net County cost allocated for Enhanced Unincorporated Area Services, \$2,851,000 of Vehicle License Fee Gap Loan, \$4,658,000 Third District capital project net County cost, \$769,634 prior year net County cost, \$503,000 Utility Users Tax (Cy Pres) funds, \$110,500 Civic Art Special fund contribution, \$506,000 Third District Road funding, and \$212,500 from the Waterworks District No. 29 Accumulated Capital Outlay funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Section 20137 of the Public Contract Code allows your Board, with a four-fifths vote, to authorize a change order to a construction contract that does not exceed 10 percent of the original contract amount without having to obtain bids for the work. The recommended change order in the amount of \$213,956 represents 3.13 percent of the original contract amount.

A standard supplemental agreement, in the form previously approved by County Counsel will be used. The existing agreement includes the standard Board-directed clauses that provide for contract termination, renegotiation, hiring of qualified displaced County employees, and consideration of Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

ENVIRONMENTAL DOCUMENTATION

On November 25, 2003, your Board adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this project, and the work encompassed by the requested change order is within the scope of the project considered in the Mitigated Negative Declaration.

CONTRACTING PROCESS

Under the County Code, the Director of Public Works has the delegated authority to approve individual construction change orders in specified amounts up to a maximum of \$150,000 per change order, with an aggregate amount of 25 percent of the original contract amount (\$1,710,775). Since execution of the construction contract, five change orders have been approved by Public Works under delegated authority in the aggregate amount of \$239,284.22 or 3.5 percent of the original construction contract amount. The amount of this requested change order exceeds the maximum \$150,000 individual change order amount that the Director of Public Works may approve under delegated authority.

For Architect/Engineer contracts, the Director of Public Works has the delegated authority to approve individual supplemental agreements of \$75,000 or 10 percent (whichever is less), with an aggregate amount of 25 percent of the original contract amount (\$185,320.75). The amount of this requested supplemental agreement with gkkworks exceeds the maximum \$74,128 individual supplemental agreement change amount that the Director of Public Works may approve under delegated authority.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended action will have no impact on current services or projects.

The Honorable Board of Supervisors
December 14, 2010
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CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office (Capital Projects Division); Public Library; and Public Works (Project Management Division I).

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GF:DJT
DKM:AC:zu

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Public Library
Public Works

December 14, 2010

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS: TOPANGA LIBRARY PROJECT
APPROVE CHANGE ORDER FOR SOILS EXPORT AND
APPROVE SUPPLEMENTAL AGREEMENT TO GKKWORKS
SPECS. 6757; CAPITAL PROJECT 77484
CONTRACT PW-13190**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Award Design Contract	08/12/05*	08/16/05*
Execute Design Contract	09/07/05*	09/07/05*
Schematic Design	10/12/05*	10/12/05*
Design Development	01/02/06*	01/02/06*
Construction Documents	05/29/07*	05/29/07*
Jurisdictional Approvals	12/14/07*	12/14/07*
Construction Award	06/05/08	08/21/08*
Construction Start	06/10/08	09/02/08*
Substantial Completion	08/10/09	02/24/11
Library Opening	03/12/10	06/11/11
Final Acceptance	04/29/10	08/11/11

* Actual completion date.

I. PROJECT BUDGET SUMMARY

Budget Category	Board-Approved Project Budget	Impact of this Action	Revised Project Budget
Land Acquisition	\$467,548	(\$127,048)	\$340,500
Plans and Specifications/Programming	\$969,402	\$315,634	\$1,285,036
Plan Check and Jurisdictional Reviews	\$90,808	(\$18,264)	\$72,544
Construction			
Road Improvements	\$250,000	\$0	\$250,000
Water Main	212,500	0	212,500
Library Building			
Construction Contract	8,828,227	(\$292,252)	8,535,975
Change Order	882,823	503,000	1,385,823
Contingency		-	-
Utility Connection Fees/Telecom	<u>575,000</u>	<u>0</u>	<u>575,000</u>
Construction, (excluding demo)	\$10,748,550	\$210,748	\$10,959,298
Demolition (prior expenditures)	<u>17,073</u>	<u>0</u>	<u>17,073</u>
Total Construction	10,765,623	\$210,748	10,976,371
Furniture, Fixtures, and Equipment	\$845,045	\$0	\$845,045
Other Consultant Services	\$402,431	\$121,930	\$524,361
Civic Art	\$110,500	\$0	\$110,500
Library Materials	\$1,565,000	\$0	\$1,565,000
Miscellaneous Expenditures	\$22,159	\$0	\$22,159
County Services	\$1,269,118	\$0	\$1,269,118
Total Project Budget	\$16,507,634	\$503,000	\$17,010,634