



City of Carson Report to Mayor and City Council

May 1, 2012
New Business Consent

SUBJECT: CONSIDERATION OF THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH VANIR CONSTRUCTION MANAGEMENT, INC., FOR PROJECT NO. 1223: CARSON PARK MASTER PLAN

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Submitted by Farrokh Abolfathi
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David C. Biggs

Approved by David C. Biggs
City Manager

THIS IS A COMPANION AGENDA ITEM

I. SUMMARY

This report summarizes the recent changes in the construction management services, and contracts and funding requirements for the construction of the Carson Park Master Plan. Staff is requesting authorization to proceed with the Second Amendment to the Professional Services Agreement with Vanir Construction Management, Inc. (Vanir), as a result of City Council's direction to staff to include all ancillary contracts entered into with respect to Project No. 1223: Carson Park Master Plan, be subject to the City of Carson Project Labor Agreement (PLA).

II. RECOMMENDATION

APPROPRIATE \$73,832.00 from the unreserved, undesignated general fund balance to augment the amount currently budgeted for Project No. 1223: Carson Park Master Plan.

III. ALTERNATIVES

1. DO NOT APPROVE the Second Amendment to the Professional Services Agreement with Vanir.
2. TAKE another action the City Council deems appropriate consistent with the requirements of law.

IV. BACKGROUND

On December 1, 2009, the Carson Redevelopment Agency approved a Professional Services Agreement with Westberg and White, Inc., for the preparation of the construction plans, specifications and estimates (PS&E) for Project No. 1223: Carson Park Master Plan (Exhibit No. 1). Plans and specifications were then prepared and completed for the construction of the Carson Park project.

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In November 2010, the City of Carson entered into its second 5-year PLA with the Los Angeles / Orange Counties Building and Construction Trades Council. That agreement, like the one before it, is between the City of Carson and the Los Angeles / Orange Counties Building and Construction Trades Council. There never was (nor was there ever requested) a PLA between the Carson Redevelopment Agency and the Los Angeles / Orange Counties Building and Construction Trades Council (nor can there be since the Carson Redevelopment Agency was abolished).

On June 7, 2011, the Carson Redevelopment Agency approved the PS&E, and staff was instructed to advertise the work and call for bids for Project No. 1223: Carson Park Master Plan. During the advertisement period, bidders were advised that in order for their bids to be considered "responsive," they must be presented in the following alternative (Exhibit No. 2): (1) the bid was to be submitted without regard to the requirements of the existing city PLA, and; (2) an alternate bid was to be submitted taking into account the requirements of the existing city PLA.

Bidders were also advised that their bids would be reviewed in two steps. First, the Carson Redevelopment Agency would determine, as a matter of public policy, whether to award the bid for park construction to be subject to the PLA or whether to award the bid for park construction without regard to the PLA. Second, following the Carson Redevelopment Agency's policy determination, the construction contract would then be awarded to the lowest responsive and responsible bidder as selected by the Carson Redevelopment Agency.

The project was advertised from June 11, 2011 to July 31, 2011. Fifteen bids were received and opened by the Agency Secretary on August 1, 2011.

The lowest responsive and responsible bidder on both the PLA and the Non-PLA categories was CWS Systems, Inc., with a bid in the amount of \$8,841,000.00 (Non-PLA bid) and \$9,351,000.00 (PLA bid). At its meeting of September 6, 2011, the Carson Redevelopment Agency made the policy decision to award the construction contract, subject to the PLA, to CWS Systems, Inc., notwithstanding that the Carson Redevelopment Agency did not have a PLA in place (Exhibit No. 3).

At that same meeting, the Carson Redevelopment Agency entered into an ancillary contract for Construction Management Services with Vanir to perform extensive oversight and management services with respect to the Carson Park Master Plan construction. That ancillary contract was not made subject to the PLA because, again, the ancillary contract was between a third-party vendor (Vanir) and the Carson Redevelopment Agency.