



City of Carson

Report to Mayor and City Council

June 18, 2013
New Business Consent

**SUBJECT: CONSIDER APPROVAL OF CHANGE ORDER NO.1 TO RELOCATE THE
REMOTE RESTROOM FOR PROJECT NO. 999: DOLPHIN PARK
IMPROVEMENTS - PHASE I**

Farrokh A. Abolfathi

Submitted by Farrokh Abolfathi
Director of Public Works

David C. Biggs

Approved by David C. Biggs
City Manager

I. SUMMARY

On March 19, 2013, the City Council awarded the Construction Contract for Project No. 999: Dolphin Park Improvements – Phase I to Rafael 26 Construction, Inc., in the amount of \$195,800.00 (Exhibit Nos. 1 and 2).

The construction of the remote restroom building, per zoning code, needed to be only 15 feet north of the property line of the neighboring residents. Several of the residents complained about the location because of the proximity of the restroom to their homes, blocking of their view onto the park, and possible offending odor. Staff investigated these complaints, talked with residents, and proposing a new location for the remote restroom building, to be located along the centerline of Pontine Avenue and approximately 35 feet to the west of the original location.

II. RECOMMENDATION

APPROVE Change Order No. 1 in the amount of \$17,000.00 to relocate the remote restroom building's location.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

The City's Capital Improvement Program calls for the design and construction of Project No. 999: Dolphin Park Improvements – Phase I, located at 21205 Water Street. The Los Angeles County Transportation Development Act (TDA) Bicycle Pathway Fund, and State Grant funds are the funding sources for this project.

On March 19, 2013, the City Council awarded the construction contract for Project No. 999: Dolphin Park Improvements – Phase I to Rafael 26 Construction, Inc., in the amount of \$195,800.00.

The project involves construction of an approximately 450 square foot remote restroom building within Dolphin Park to augment existing restroom facilities to be available to bikers and residents using this park.

After construction started, several residents complained about the proximity of the restroom to their homes, blocking of their view onto the park, and possible offending odors, since the remote restroom area was originally planned to be 15 feet north of the property line of the neighboring residents as the zoning code requires. Staff met with the residents to find a solution, and it was decided that the building could be moved. The new location of the building will be along the centerline of Pontine Avenue and approximately 35 feet to the west of the original location. Progress of the construction cost of the remote restroom building during May, 2013 was \$17,000.00, which is the reason for Change Order No. 1. This amount will be paid from the authorized contingency of the project. The contractor will be compensated for this amount for the completed work thus far and to backfill and repair the grounds to their original state.

Staff has distributed letters to neighboring residents notifying them of the proposed new location of the remote restroom building.

V. FISCAL IMPACT

Funds in the amount of \$354,112.00 for this project are included in the adopted 5-year CIP coming from TDA Bicycle Pathway Funds (\$75,862.00) and State Grant Funds (\$278,250.00). However, the executed State Grant agreement indicates that the maximum amount of this Grant is \$233,950.00 (Exhibit No. 3). Therefore, the available project budget is \$309,812.00.

The project cost summary is shown below:

Fund Source	Account No.	Amount
TDA Bicycle Funds	17-90-999-004-8008/0099901	\$75,862.00
State Grant Funds	86-80-999-004-8008/0099901	233,950.00
TOTAL		\$309,812.00

VI. EXHIBITS

1. Minutes, March 19, 2013, Item No. 10. (pg. 4)
2. Location Map. (pg. 5)
3. State of California, Standard Agreement No. 11-HRPP-8307 summary. (pg. 6)

Prepared by: Rick Boutros, P.E., Associate Civil Engineer

TO: Rev06-11-2013

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

Action taken by City Council

Date _____ Action _____

**ITEM NO. (10) CONSIDER AN AWARD OF A CONSTRUCTION CONTRACT FOR
PROJECT NO. 999: DOLPHIN PARK IMPROVEMENTS - PHASE I
(PUBLIC WORKS DEPARTMENT)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AWARD a Construction Contract for Project No. 999: Dolphin Park Improvements - Phase I, in the amount of \$195,800.00, to the lowest responsible bidder, Rafael 26 Construction, Inc.
2. AUTHORIZE the expenditure of a construction contingency, if necessary, in an amount not-to-exceed \$29,370.00 (15%) for change orders such as the removal and remediation of contaminated soil, substructure conflicts, and other unforeseen construction work that may be required to complete this project.
3. AUTHORIZE the Mayor to execute the Construction Contract following approval as to form by the City Attorney.

ACTION: Item No. 10 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

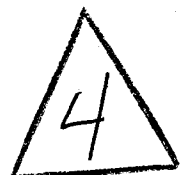
Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro Tem/Agency Vice
Chairman/Authority Vice Chairman Ruiz-Raber, Council Member/Agency
Member/Authority Commissioner Davis-Holmes, Council Member/Agency
Member/Authority Commissioner Gipson, and Council Member/Agency
Member/Authority Commissioner Santarina

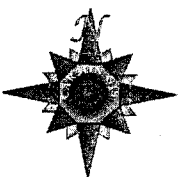
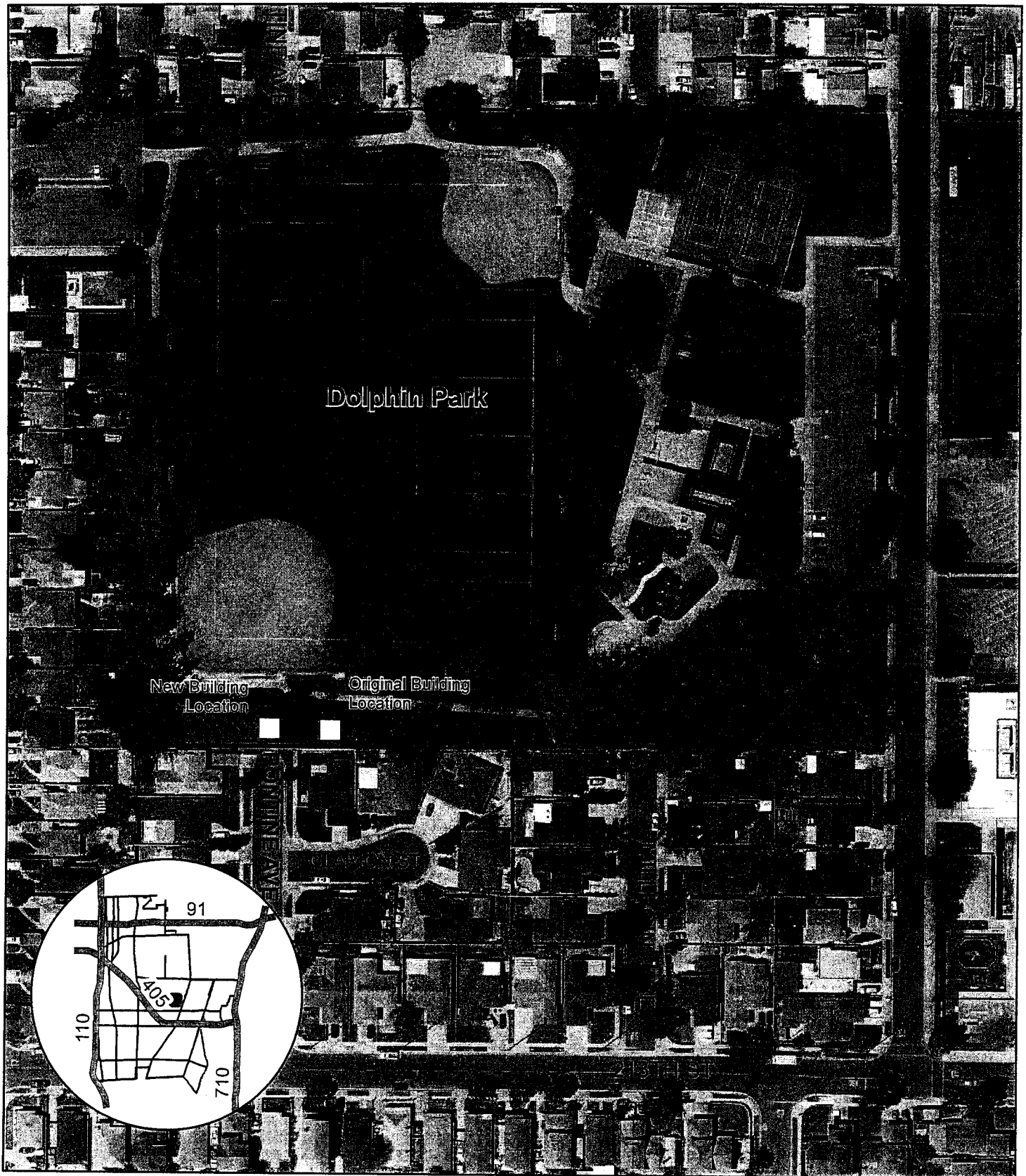
Noes: None

Abstain: None

Absent: None

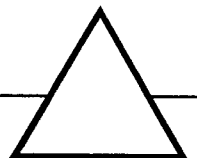
EXHIBIT NO. 01





Location Map
Project No. 999
Dolpin Park Improvements Phase I
Remote Restroom Area

EXHIBIT NO. 1



CONTRACTOR'S COPY

AGREEMENT NUMBER

11-HRPP-8307

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:
STATE AGENCY'S NAME

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

City of Carson

2. The term of this Agreement is: Upon HCD Approval through 09/30/2016
3. The maximum amount of this Agreement is: \$233,950.00
4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A - Authority, Purpose and Scope of Work	2
Exhibit B - Budget Detail and Payment Provisions	3
Exhibit C - State of California General Terms and Conditions*	GTC - 610
Exhibit D - HRPP Terms and Conditions	2
Exhibit E - Special Terms and Conditions	0
Exhibit F - Additional Provisions	0
Exhibit G - Definitions	7 pages

TOTAL NUMBER OF PAGES ATTACHED:

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <http://www.documents.dgs.ca.gov/ols/GTC-610.doc>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc)

City of Carson

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

701 E. Carson St., Carson, CA 90745

STATE OF CALIFORNIA

AGENCY NAME

Department of Housing and Community Development

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Stacy Q. Hernandez, Contracts Manager, Business & Contract Services Branch

ADDRESS

1800 Third Street, Room 350, Sacramento, CA 95811

California Department of
General Service
Use Only

JAN 25 2013

* Exempt per: SCM 4.04.3 (DGS Memo dated 6/12/81)

EXHIBIT NO. 03

