



## AGENDA REPORT

**Meeting Date:** November 20, 2012  
**Item Number:** F-7  
**To:** Honorable Mayor & City Council  
**From:** Charles Ackerman, Project Administrator  
**Subject:** APPROVAL OF THE AWARD OF A CONTRACT TO VENTURA CONSTRUCTION CORPORATION FOR THE LA CIENEGA PARK EXERCISE AREA PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND  
APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$85,000 TO VENTURA CONSTRUCTION CORPORATION FOR THE CONTRACT WORK  
**Attachments:** 1. Agreement

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### **RECOMMENDATION**

It is recommended that the City Council approve the "Award of a Contract to Ventura Construction Inc. for the La Cienega Park Exercise Area Project", Bid No. 13-09, in the amount of \$77,000; approve the construction contingency of \$8,000; and delegate the authority to approve change orders to the Director of Public Works & Transportation, approve plans and specifications for the project dated August 28, 2012, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$85,000.

### **INTRODUCTION**

The proposed contract provides for the installation of a designated exercise area including exercise equipment at La Cienega Park.

### **DISCUSSION**

The City engaged a landscape architect, Community Works Design Group, to prepare plans and specifications for an exercise area including an exercise equipment layout at the park. Community Services Recreation staff along with Community Works Design Group selected a location for the installation of the exercise area.

The proposed concept was presented to the Recreation & Parks Commission at their regularly scheduled meeting in March of this year and received their full support and approval.

The scope of work includes the creation of a designated exercise area that includes 9 individual pieces of exercise equipment that can accommodate up to 23 people at a time. Included in the scope of work is the installation of irrigation and landscaping around the area and a wood fiber surface around the equipment.

On October 24, 2012, bids were received after public advertising for the La Cienega Park Exercise Area project. Project Administration with the assistance of the Community Services Recreation staff prepared the bid documents.

Four firms obtained bid documents for this project. The project was advertised in the local Beverly Hills newspapers and the construction trade publication of McGraw-Hill Construction Information Group (Dodge Report). Four bids were received as follows:

<u>Contractor</u>	<u>Total Bid</u>
Ventura Construction Inc.	\$77,000
G2K Construction Inc.	\$84,750
1 <sup>st</sup> California Construction	\$98,400
Bravo Concrete Construction	\$157,000

The low bidder, Ventura Construction Inc. submitted a fully responsive bid, and as reported by the State Contractors Licensing Board, their license is current and in good standing. Review of the firm's references indicates that the firm has successfully executed similar work.

Staff recommends that the base bid be accepted as the contract work. The total contract amount is \$77,000. In addition, a contingency of \$8,000 (approximately 10% of the contract amount) is recommended for change due to unforeseen conditions to complete the work.

The bid documents specify a 60 calendar day completion period for the work, resulting in completion of the project in early-February 2013.

### **FISCAL IMPACT**

Funding for this contract work has been budgeted from the fiscal year 2012-13 Capital Improvement Program budget for Park Facilities Renovation – La Cienega Park #0315.

  
\_\_\_\_\_  
Noel Marquis  
Finance Approval

  
\_\_\_\_\_  
David D. Gustavson  
Approved By

**APPENDIX A**

**FORM OF CONTRACT**

This contract ("Contract") is entered into by and between the City of Beverly Hills ("City"), a California municipal corporation, and Ventura Construction Inc., a Corporation, whose address is 1316 Pathfinder Ave. Westlake Village, CA. 91362.

In consideration of the agreements herein contained, the parties agree as follows:

1. **WORK TO BE PERFORMED.** Contractor shall furnish at Contractor's own expense all labor, materials, supplies, equipment, tools, transportation and other items of expense necessary to complete in a workmanlike manner all Work in accordance with the terms and conditions of the Contract, except for the labor, materials, supplies, equipment, tools, transportation and other items of expense as may be required to be furnished by the City. The Work is defined in detail in the Contract Documents, which govern the interpretation and performance of this Contract, but may be generally described as follows:

**LA CIENEGA PARK EXERCISE AREA PROJECT**

Item Description: Construction of an exercise area including the installation of exercise equipment and irrigation at La Cienega Park, located at 8400 Gregory Way, Beverly Hills, California 90210.

2. **CONTRACT DOCUMENTS.** This contract consists of this Form of Contract and the following Contract Documents, including all exhibits, appendices, addenda, drawings, specifications and documents therein and attachments thereto, all of which are by this reference incorporated herein and made a part of this Contract:

- SECTION 1: NOTICE INVITING BIDS**
- SECTION 2: INSTRUCTIONS TO BIDDERS**
- SECTION 3: SPECIAL CITY REQUIREMENTS**
- SECTION 4: GENERAL SPECIFICATIONS**
- SECTION 7: ADDITIONAL FORMS**
- APPENDIX B: SCOPE OF WORK**
- APPENDIX C: PAYMENT PROCEDURES**
- APPENDIX D: BID FORM**
- APPENDIX E: TECHNICAL SPECIFICATIONS**

as contained in City's Bid Document for Bid No. 13-, dated September 28, 2012 and

- SECTION 5: BIDDER'S BID**
- SECTION 6: SIGNATURE PAGE AND LEGAL STATUS**

of Contractor's Bid in response thereto, all of which are incorporated herein by reference, and all of which shall comprise the Contract Documents for this Contract. If any item of the Scope of Work, Payment Schedule, or any other item of the Bid Package is modified by either of the parties or arrived at by negotiation between the parties, that item as finally agreed upon by the parties shall also become a Contract Document, it shall supersede the corresponding item of the Bid Package, if any, and it shall be subject to all terms and conditions of the Contract.

3. **PERFORMANCE PERIOD.** Contractor shall commence Work after execution of the Contract, and shall complete all Work in 45 calendar days from the date of Notice To Proceed as set forth in the Contract Documents.

4. PAYMENT. City shall pay Contractor as full consideration for the satisfactory performance by Contractor of all Work required under this Contract the sum of Seventy Seven Thousand Dollars (\$77,000), payable as provided in the Contract Documents.

5. The City Manager or his designee shall administer the terms of the Agreement on behalf of the City.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed as of the date stated below.

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

CITY OF BEVERLY HILLS  
"City"

VENTURA COSNTRUCTION INC.  
"Contractor"

\_\_\_\_\_  
WILLIAM W. BRIEN, M.D.  
Mayor

By: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
BYRON POPE  
City Clerk

APPROVED TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

\_\_\_\_\_  
JEFFREY KOLIN  
City Manager

\_\_\_\_\_  
DAVID D. GUSTAVSON  
Director of Public Works & Transportation

\_\_\_\_\_  
ALAN SCHNEIDER  
Director of Project Administration

\_\_\_\_\_  
KARL KIRKMAN  
Risk Manager