

# Agenda Report

April 4, 2022

**TO:** Honorable Mayor and City Council  
**FROM:** Department of Public Works  
**SUBJECT: REPORT ON EMERGENCY PURCHASE ORDER TO COMPLETE LA PINTORESCA PARK IMPROVEMENTS**

## **RECOMMENDATION:**

Per Pasadena Municipal Code Section 4.08.150, City Council shall receive and file this report on the circumstances of the Emergency Purchase Order to complete the La Pintoresca Park Improvements project.

## **BACKGROUND:**

On December 14, 2020, Council authorized the City Manager to enter into a contract with Civic Construction Associates to construct La Pintoresca Park Improvements project for an amount not-to-exceed \$1,300,000. The project scope included renovations to numerous park elements including, but not limited, the following: demolition and replacement of the splash pad and skate park; resurfacing of the basketball court; installation of a new playground shade structure; installation of LED lighting at the skate park and basketball court; and interior remodel of the park restrooms. On March 8, 2021, the 90-working-day contract commenced with an established completion date of July 16, 2021.

The project began experiencing delays in May 2021. The significant delays on the project were attributed to a lack of oversight from Civic Construction's project manager and the unsubstantiated decrease in workforce. The construction site, consisting of the majority of the park and its amenities, remained inadequately fenced off to the public, with grading, irrigation, turf installation, bathroom upgrades, and site cleanup pending. Civic Construction was notified on several occasions regarding the urgency of completing the contracted work, but no actions were taken. Due to the unfinished work, the project site was potentially unsafe in its present condition and posed a potential liability to the City. The site conditions required immediate attention to address unmarked open trenches, debris piles, and jobsite security.

On February 8, 2022, Public Works, with assistance from the City Attorney's office, issued a Notice of Intent to Terminate Contract (see Attachment A) by exercising the City's option under paragraph 7.15, *Termination for Convenience (without cause)*, of Labor and Materials Contract No. 31,948. Under the terms of the notice, Contract No. 31,948 was effectively terminated on February 23, 2022 (15 calendar days after issuance of the notice). At the time of issuance of the Notice of Intent to Terminate Contract, the project was approximately 85% complete.

In order to safely secure the site and expedite the completion of the unfinished work, staff contacted local Pasadena contractors with successful project delivery history. G Team Landscape Construction, Inc. indicated they were able to mobilize immediately following the termination of Civic Construction's contract and submitted a proposal. Their line-item cost proposal breakdown was in line with Civic Construction's approved billing schedule of values and was within the range of what would be expected if the project were formally advertised for bid.

G Team Landscape Construction, Inc. began construction on February 28, 2022 and has substantially completed the scope of work to safely re-open the park for public use. The scope of work includes the children's playground, new splash pad, new skate park, renovated basketball court, and open green space. The installation of decorative perimeter fencing on the south side of the skate park and basketball court, as well as the replacement of the park restroom doors, will be completed by alternate vendors at the end of April 2022.

Located in Pasadena, G Team Landscape Construction, Inc. has previously performed work for the City on the Hahamonga Watershed Park - Habitat Restoration project in FY 2019 for a contract amount of \$230,000 and Lower Arroyo Seco - Habitat Restoration project in FY 2021 for a contract amount of \$484,998.

The purchase order contract with G Team Landscape Construction, Inc. was set up as follows:

Base Bid	\$ 173,112
Contingency	<u>\$ 20,000</u>
Contract Not-to-Exceed Amount	\$ 193,112

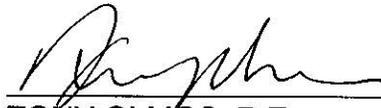
**COUNCIL POLICY CONSIDERATION:**

This project is consistent with the City Council's goal to improve, maintain and enhance public facilities and infrastructure. It also supports the Public Facilities Element of the General Plan by maintaining public facilities to enhance the quality of life of the community.

**FISCAL IMPACT:**

The cost of this contract is \$193,112. Funding for this action will be addressed by the utilization of existing appropriations in the *La Pintoresca Park Improvements FY 2021 – 2025* (78087) project. It is anticipated that all costs will be spent in FY 2022.

Respectfully submitted,



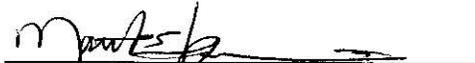
TONY OLMOS, P.E.  
Director of Public Works

Prepared by:



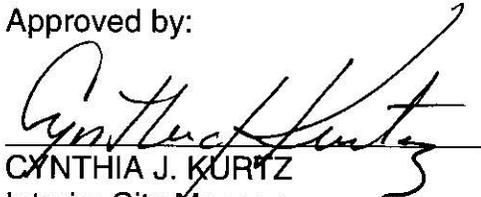
Kris Markarian, P.E.  
City Engineer

Concurrence:



MATTHEW E. HAWKESWORTH  
Director of Finance

Approved by:



CYNTHIA J. KURTZ  
Interim City Manager

Attachment A - Notice of Intent to Terminate Contract