

0150-08246-0000

TRANSMITTAL

TO The Council	DATE AUG 29 2007	COUNCIL FILE NO.
FROM The Mayor		COUNCIL DISTRICT

The attached contract amendment with Swinerton Management and Consulting, Inc., for Program Management/Construction Management services for the Proposition F Animal Bond Program is transmitted for your consideration. See City Administrative Officer report attached.



MAYOR

KLS:RAS:

SEP 07 2007
PUBLIC WORKS

Report From
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Analysis of Proposed Contract
(\$25,000 or Greater and Longer than Three Months)

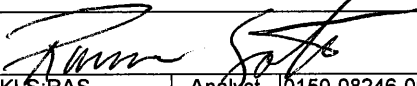
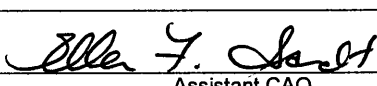
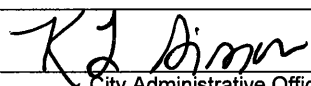
To: The Mayor	Date: 08-20-07	C.D. No.	CAO File No.: 0150-08246-0000
Contracting Department/Bureau: Bureau of Engineering		Contact: Kiran Vohra	
Reference: Board of Public Works action dated March 30, 2007; referred by the Mayor			
Purpose of Contract: To provide program and construction management services to the Bureau of Engineering on an as-needed basis for the Proposition F – Animal Facilities Bond Program			
Type of Contract: () New contract (X) Amendment		Contract Term Dates: September 1, 2007 through August 31, 2011	
Contract/Amendment Amount: None			
Proposed amount \$ None + Prior award(s) \$ 5,500,000= Total \$ 5,500,000			
Source of funds: Proposition F General Obligation Funds			
Name of Contractor: Swinerton Management and Consulting, Inc.			
Address: 865 South Figueroa Street, Suite 2690, Los Angeles, CA 90017			
	Yes	No	N/A*
1. Council has approved the purpose	X		
2. Appropriated funds are available	X		
3. Charter Section 1022 findings completed	X		
4. Proposals have been requested	X		
5. Risk Management review completed	X		
6. Standard Provisions for City Contracts included	X		
7. Workforce that resides in the City: %			
8. Contractor has complied with:		Yes	No
a. Equal Employmt. Oppty./Affirm. Action		X	
b. Good Faith Effort Outreach**		X	
c. Equal Benefits Ordinance		X	
d. Contractor Responsibility Ordinance		X	
e. Slavery Disclosure Ordinance		X	
f. Bidder Certification CEC Form 50		X	
*N/A = not applicable ** Contracts over \$100,000			

COMMENTS

In November 2000, the voters approved Proposition F, which authorized the issuance of \$532.6 million in General Obligation Bonds to finance the construction of eight animal shelters and 20 fire facilities throughout the City. Of the \$532.6 million approved by the voters, \$154.1 million was approved for the animal facilities.

The City Council initially approved a contract with Swinerton Management and Consulting, Inc. (Swinerton) in January 2002 (C.F. 01-2607) for a term through August 31, 2007 and a contract ceiling of \$5.5 million. The purpose of the contract is to provide Program Management/Construction Management (PM/CM) services to the Animal Bond Program. Swinerton was selected through a request-for-proposals process in 2001.

Though most of the Animal Bond projects will be completed during Fiscal Year 2007-08, the proposed South Los Angeles animal shelter is not expected to be completed until sometime close to 2011. Therefore, the Bureau of Engineering (BOE) is requesting a four-year extension of the PM/CM contract with Swinerton, from September 1, 2007 through August 31, 2011. There is no change in scope of work or compensation at this time.

 KLS:RAS Analyst 0150-08246-0000	 Assistant CAO	 City Administrative Officer
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As PM/CM consultants, Swinerton has six primary support duties as follows:

1. Program Management Support—Developing a program delivery strategy to streamline and/or speed the design and construction process.
2. Program Management Control Systems—Developing a program-wide work breakdown structure to provide a common means of coding and defining individual projects and cost categories; reviewing and validating original budget and schedule assumptions; developing and maintaining a master program schedule summarizing key design, approval, bid, construction and occupancy milestones for projects; and, preparing independent construction cost estimates from schematic design to design development through to construction documents.
3. Design Management Support—Assisting in the update of existing City design guidelines; and, performing reviews of design documents at specific milestones to provide constructability and value engineering comments.
4. Construction Management Support—Developing a construction document tracking system to track and record all construction management activities; assisting in the bidding of construction contracts; and, developing a change order tracking system.
5. Post Occupancy Support—Assisting in resolving any post-occupancy problems related to construction and building systems; and, providing construction support for resolving minor construction-related problems.
6. Program Management Plan—Assisting in the creation of a program management plan to define roles and responsibilities of each of the stakeholders, define the goals and objectives for the Bond Program.

To date, \$3.33 million of the \$5.50 million contract ceiling has been expended on the Swinerton contract. BOE anticipates that maximum expenditures to Swinerton through August 2008 will total \$700,000. In the three subsequent years covered by the amendment, anticipated maximum annual expenditures are expected to be \$350,000, \$350,000 and \$400,000 respectively. Further, as the Animal Bond Program winds down and begins to de-staff, it is expected that BOE will increase its utilization of Swinerton's services to address short-term PM/CM spikes and other workload needs on an as-needed basis.

There is a need for Council approval because the contract term as amended, would exceed five years from the date of execution of the initial contract, and the estimated or actual annual payments by the City exceed \$100,000, adjusted annually in accordance with the consumer price index (Los Angeles Administrative Code, Section 10.5 (c) 2).

RECOMMENDATION

That the Council, subject to the approval of the Mayor, approve and authorize the President of the Board of Public Works to execute Amendment No. 1 to Contract No. C-102635 between the City and Swinerton Management and Consulting, Inc, to extend the contract term for four years through August 31, 2011, subject to the approval of the City Attorney.

FISCAL IMPACT STATEMENT

The proposed amendment extends the term of the Program Management/Construction Management contract between the City and the above-referenced consulting firm, with no fiscal impact on the General Fund. These services are paid by the Proposition F General Obligation Bond.

KLS:RAS:0508003

CITY OF LOS ANGELES

CALIFORNIA

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2007 APR 10 AM 10:49
CITY ADMINISTRATIVE OFFICER

ANTONIO R. VILLARAIGOSA
MAYOR

March 30, 2007

OFFICE OF THE BOARD OF PUBLIC WORKS

200 NORTH SPRING STREET
ROOM 361, CITY HALL
LOS ANGELES, CA 90012

JAMES A. GIBSON
EXECUTIVE OFFICER

GENERAL INFORMATION
Tel: 213-978-0261 Fax: 213-978-0278

#2 CE/CON AD

Mayor Antonio R. Villaraigosa
Room 303, CH

Attn: June Lagmay

Subject: REQUEST FOR EXECUTION OF AMENDMENT NO. 1 FOR TIME EXTENSION ONLY
TO THE CONSULTING DESIGN SERVICES AGREEMENT WITH SWINERTON
MANAGEMENT AND CONSULTING, INC. (SWINERTON) FOR THE 2000 ANIMAL
FACILITIES BOND PROGRAM

As recommended in the accompanying report of the City Engineer and the Director of the Bureau of Contract Administration, which this Board has adopted, the Board of Public Works requests approval and forwarding to the City Council for approval and authorization to execute Amendment No. 1 to the design services agreement with Swinerton Management and Consulting, Inc. for the 2000 Animal Facilities Bond Program. This amendment is for time extension only. No additional funds will be required.

Fiscal Impact Statement:

The proposed amendment is only for the extension of time for the Personal Services Contracts between the City and the above-referenced consulting firm, with no fiscal impact on the General Fund.

Respectfully yours,

James A. Gibson
Executive Officer
Board of Public Works

JAG:cg

Department of Public Works

Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 2

March 30, 2007
CD Nos. All

ADOPTED BY THE BOARD OF
PUBLIC WORKS OF THE CITY
of Los Angeles, California
AND REFERRED TO THE MAYOR
MAR 30 2007


Secretary

REQUEST FOR EXECUTION OF AMENDMENT NO. 1 FOR TIME EXTENSION ONLY TO THE CONSULTING DESIGN SERVICES AGREEMENT WITH SWINERTON MANAGEMENT AND CONSULTING, INC. (SWINERTON) FOR THE 2000 ANIMAL FACILITIES BOND PROGRAM

RECOMMENDATIONS

1. Approve and forward this report and transmittals to the Mayor and City Council requesting:
 - a. Approval of the Personal Services Contract Amendment No.1 between the City of Los Angeles (City) and Swinerton (C-102635), the Project and Construction Management consultant for the Animal Facilities Bond Program (Program).
 - b. Authorization for the President of the Board to execute the four-year extension in the Project and Construction Management Services Agreements with Swinerton.
2. Notify the Bureau of Engineering (BOE), Animal Facilities Bond Program [Kiran Vohra at (213) 580-3725] when the proposed amendment is to be executed by your Board, whereupon five original documents will be delivered to the Secretary of the Board for signature.
3. Upon execution, request the City Clerk to attest and certify the original copies of the amendment. (The City Clerk and the Board of Public Works each shall retain one original and forward three originals to Kiran Vohra of BOE).

FISCAL IMPACT STATEMENT

The proposed amendment is only for the extension of time for the Personal Services Contracts between the City and the above-referenced consulting firm, with no fiscal impact on the General Fund.

TRANSMITTALS

1. Copy of Contract C-102635 between Swinerton and the City.
2. Proposed Amendment No. 1 to Contracts C-102635.

DISCUSSION

Background

On November 7, 2000, the voters of the City approved the Proposition "F" - Public Safety General Obligation Bond initiative to provide improvements to emergency Fire/Paramedic Stations, Air Operations Facilities, and Animal Services Facilities. The Animal Facilities' portion of the Bond is \$154,100,000, to be used for the repair, expansion and/or replacement of animal shelter facilities throughout the City. The Program has made excellent progress in the completion of construction of the animal facilities. To date, one project is completed and six projects are in their final stages of construction.

At the beginning of this Bond Program, the Board, through a Request for Qualifications (RFQ) process, developed an "On-Call" list of six Architectural/Engineering (A/E) consulting firms to provide design and program management/construction management services for the Program. Swinerton was awarded a contract, C-102635, to provide project and construction management services for the Program. The expiration date for this contract is August 31, 2007.

The construction contracts for seven of the eight projects are expected to be completed by August 2007. However, work on three elements will extend beyond that date:

1. The Buildout of the Spay and Neuter clinics which was recently added to the program by the Oversight Committee.
2. A possible "Phase II" Renovation at North Central if there are adequate funds available near the end of the program.
3. The design and construction of the South LA Shelter, which was put on hold by the Oversight Committee in the summer of 2003 at the request of Council District No. 8.

It is expected that the South LA Shelter will be the last of these to be completed, in early 2011, if the go ahead is given for the project to resume this spring. Therefore, it will be necessary to extend the duration of the Swinerton contract to cover this time period.

Swinerton is a responsive and responsible consulting firm. It has been providing valuable Project Management/Construction Management (PM/CM) services to the Program; and the firm and its sub-consultants have responded in a timely and professional manner to all requests of the Project Management Team. The recommended extension would insure continuation of the consulting firm's valuable services to the end of the Program.

On November 29, 2000, the City Administrative Office determined that the work involved with the Animal Shelter Bond Funded Projects can be performed more economically or feasibly

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by independent contractors than by City employees. Since the proposed contract amendment neither adds a new labor component to the contract nor requires any additional costs, no Charter Section 1022 determination is necessary.

The City Attorney's office has approved the contract amendment as to form.

Minority Business Enterprise/Women Business Enterprise/Other Business Enterprise (MBE/WBE/OBE) Subcontractor Outreach Program

At the time of distribution of the original RFQ for this contract, the City had established an MBE/WBE/OBE Subcontractor Outreach Program for this project with anticipated MBE and WBE participation levels of 18 and 4 percent respectively. There were no participation levels pledged in the original contract. The current pledged participation levels including Amendment No. 1 are 9.35 percent MBE, 5.41 percent WBE, and 27.29 OBE. The actual participation levels achieved on the work performed as of January 11, 2007 are 14.75 percent MBE, 9.41 percent WBE, and 27.41 percent OBE.

Subsequent to the execution of the contract, ACT Consulting Engineers, Inc. was added for their expertise in program management information services, Cordoba Corporation for independent cost estimating, Terry A. Hayes & Associates for noise analysis, Viniegra & Viniegra Architecture for constructability reviews, Dugan & Associates for independent cost analysis, Jubany Architecture, Inc. for interdisciplinary coordination and constructability review, Davis Langdon Adamson for independent cost estimating, DRY Design for landscape consulting, Environmental Planning & Design, LLC for environmental planning, KPRS Construction Services, Inc. for independent estimating, Parkcenter Realty Advisor for land appraisal, Pleskow & Rael, LLC for architectural design, and Syska Hennessy for sustainable desing. These subconsultants were subsequently added to provided additional services unforeseen at the time of the execution of the contract.

Gender/Ethnicity Codes:

AA=African American
SAA=Subcontinent Asian American
C=Caucasian
M=Male

HA=Hispanic American
APA=Asian Pacific American
NA=Native American
F=Female

As of January 11, 2007, the MBE/WBE/OBE subconsultants information for Swinerton is as follows:

Swinerton Management and Consulting				
Subconsultants	Gender/ Ethnicity	MBE/ WBE/ OBE	(%) of Contract Amount Invoice	Sub-Contract Amount Invoiced
ACT Consulting Engineers, Inc.	M/APA	MBE	3.79%	\$ 120,000
Cordoba Corporation	M/HA	MBE	0.47%	\$ 14,720
Dugan & Associates	F/C	WBE	1.51%	\$ 47,817
Jubany Architecture, Inc.	F/APA	WBE	0.96%	\$ 30,274
LKG-CMC, Inc.	F/C	WBE	5.73%	\$ 181,098
Nuntio Consulting	F/APA	OBE	0.31%	\$ 9,880
TEC Management Consultants, Inc.	M/AA	MBE	4.81%	\$ 152,004
Terry A. Hayes & Assoc.	M/AA	MBE	1.23%	\$ 38,850
The Sierra Group	F/HA	WBE	0.90%	\$ 28,535
Viniegra & Viniegra Architecture	F/APA	MBE	3.46%	\$ 109,348
William J. Yang & Associates	M/AA	MBE	1.00%	\$ 31,500
Cushman & Wakefield	M/C	OBE	1.07%	\$ 33,775
Davis Langdon Adamson	M/C	OBE	0.81%	\$ 25,500
DRY Design	F/C	OBE	1.83%	\$ 57,864
Environmental Planning & Design, LLC	M/C	OBE	2.04%	\$ 64,622
Fields Devereaux Architects & Engineers	M/C	OBE	11.36%	\$ 359,382
King R. Woods & Associates, Inc.	M/AA	MBE	1.39%	\$ 43,882
KPRS Construction Services, Inc.	M/C	OBE	2.21%	\$ 70,000
Parkcenter Realty Advisors	M/C	OBE	0.16%	\$ 5,000
Pleskow & Rael, LLC	M/C	OBE	3.90%	\$ 123,500
Sanchez Kamps Associates Design	M/HA	MBE	0.94%	\$ 29,690
Syska Hennessy	M/C	OBE	1.70%	\$ 53,685
Total MBE Participation			14.75%	\$ 466,422
Total WBE Participation			9.41%	\$ 297,604
Total OBE Participation			27.41%	\$ 866,902
Total Invoiced				\$3,162,780

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Revised contract pledged participation with additional subconsultants (including proposed Amendment No. 1:

Swinerton Management and Consulting Proposed Amendment No. 1				
Subconsultants	Gender/ Ethnicity	MBE/ WBE/ OBE	(%) of Contract	Sub-Contract Amount
ACT Consulting Engineers, Inc.	M/APA	MBE	3.00%	\$ 165,228
Cordoba Corporation	M/HA	MBE	0.27%	\$ 14,720
Dugan & Associates	F/C	WBE	0.87%	\$ 47,817
Jubany Architecture, Inc.	F/APA	WBE	0.55%	\$ 30,274
LKG-CMC, Inc.	F/C	WBE	3.29%	\$ 181,098
Nuntio Consulting	F/APA	OBE	0.18%	\$ 9,880
TEC Management Consultants, Inc.	M/AA	MBE	2.76%	\$ 152,004
Terry A. Hayes & Assoc.	M/AA	MBE	0.76%	\$ 41,570
The Sierra Group	F/HA	WBE	0.52%	\$ 28,535
Viniegra & Viniegra Architecture	F/APA	MBE	1.99%	\$ 109,348
William J. Yang & Associates	M/AA	MBE	1.57%	\$ 31,500
Cushman & Wakefield	M/C	OBE	0.61%	\$ 33,775
Davis Langdon Adamson	M/C	OBE	0.46%	\$ 25,500
DRY Design	F/C	OBE	1.05%	\$ 57,864
Environmental Planning & Design, LLC	M/C	OBE	1.17%	\$ 64,622
Fields Devereaux Architects & Engineers	M/C	OBE	18.08%	\$ 994,366
King R. Woods & Associates, Inc.	M/AA	MBE	0.80%	\$ 43,882
KPRS Construction Services, Inc.	M/C	OBE	1.27%	\$ 70,000
Parkcenter Realty Advisors	M/C	OBE	0.09%	\$ 5,000
Pleskow & Rael, LLC	M/C	OBE	2.25%	\$ 123,500
Sanchez Kamps Associates Design	M/HA	MBE	0.54%	\$ 29,690
Syska Hennessy	M/C	OBE	1.46%	\$ 80,226
Total MBE Participation			9.35%	\$ 514,370
Total WBE Participation			5.41%	\$ 297,604
Total OBE Participation			27.79%	\$1,528,425
Total Contract				\$5,500,000

The Office of Contract Compliance has verified the subconsultants' certification status.

The contract with Swinerton, with a cost ceiling of \$5,500,000, was executed on February 11, 2002 and is expiring on August 31, 2007. Because of Swinerton's involvement in the Program since its inception, and the firm's deep knowledge of every aspect of the projects, it is in the City's best interest to extend the contract with this firm. The technical quality of the PM/CM services provided by this firm is above the industry standards.

According to the Los Angeles Residence Information form, the Consultant currently employs 135 people. Eight of those employees resides in the City, so 6 percent of the Consultant's employees are City residents.

The firm is subject to compliance with the requirements specified in the City's Contractor Responsibility Ordinance No. 173677, (Article 14, Chapter 1, Division 10, Los Angeles Administrative Code [L.A.A.C.]) Failure to comply with all requirements specified in the Ordinance will render the contract subject to termination pursuant to the conditions expressed therein.

In accordance with Article 13, Chapter 1, Division 10 of the L.A.A.C., the appropriate City Personnel responsible for the quality control of these personal services contracts shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration, Special Research and Investigation Section upon completion of this contract.

It is recommended that the Board approve the recommendations presented above for extension of the contract C-102635 with Swinerton. The extension would be for an additional period of four years from September 1, 2007 to August 31, 2011.

STATUS OF FUNDING

The recommended time extensions do not require any additional funding.

(MPB KV BMS WHH WFB)

Report prepared by:

Animal Facilities Capital Program

Kiran Vohra, P.E., Program Manager
Phone No. (213) 580-3725

Compliance Review Performed
and Approved by:

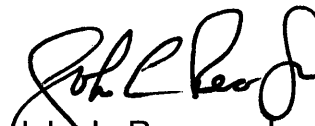


Hannah Choi, Program Manager
Office of Contract Compliance
Bureau of Contract Administration
Date: 3/20/07

Respectfully submitted,



Gary Lee Moore, P.E.
City Engineer



John L. Reamer, Jr.
Inspector of Public Works

KV/MM/01-2007-0019.AFC.gva

Questions regarding this report
may be referred to:

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