



## Legislation Text

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**File #:** 22-0329, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Erick Lee, Public Works Director  
Katherine Doherty, City Engineer  
Bianca Cardenas, Associate Engineer

**SUBJECT:**

Consideration of Accepting as Complete Work Performed by Pro Finish Painting, Inc., dba Pro Finish Construction Services, Inc., Regarding the Parking Structure Lot 3 Repairs Project (Public Works Director Lee).

**ACCEPT AND AUTHORIZE**

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**RECOMMENDATION:**

Staff recommends that the City Council:

- 1) Formally accept as complete the Pro Finish, Inc. construction contract;
- 2) Authorize the filing of the Notice of Completion with the County Recorder; and
- 3) Release the retention of \$23,293.13

**FISCAL IMPLICATIONS:**

On November 2, 2021, City Council awarded the construction contract for the Parking Structure Lot 3 Repairs Project to Pro Finish, Inc. for a total not to exceed \$428,600. On June 21, 2022, City Council approved an additional \$37,353 for unanticipated and urgent concrete repairs identified during the course of construction, increasing the total not to exceed to \$465,953. Pro Finish completed work on the project for the total cost of \$465,863. After formal acceptance of Pro Finish's work and the filing of the Notice of Completion, retention will be released and the remaining contract balance will be returned to the Parking Fund.

**BACKGROUND:**

Lot 3 is located at the southwestern corner of 12th Street and Morningside Drive and has a parking capacity of 144 vehicles. Built in 1971, it includes two supported upper levels and one slab-on-grade lower level. The facility provides public parking for patrons of nearby shops, restaurants, offices, and the beach.

Gobas Engineering Management Services, Inc., a consultant through SA Associates, performed a repairs report on the 50-year-old structure in 2021 that identified a number of deficiencies in need of attention. The Engineering Division proceeded to develop a project that addressed areas for repair

and the installation of a preventive waterproofing treatment at the top-level parking deck with the intent to significantly abate future concrete spalls on the underside of the deck where there is vehicle parking.

The scope of work for the project included:

- Filling of cracks in the concrete floor using joint sealant;
- Replacing damaged joint sealant;
- Repairing curb spalls, delamination and deteriorating patchwork;
- Repairing concrete spalls, delamination and failed patchwork on each level;
- Installing a waterproofing membrane on the surface of the roof level and ramps;
- Restriping parking stalls and pavement markings on the roof and in damaged areas on parking levels 1 and 2; and
- Sandblasting and recoating corroded steel stairway and other steel elements.

On November 2, 2021, following a competitive bid process for the Parking Structure Lot 3 Repairs Project, City Council awarded a construction contract to Pro Finish, Inc. in the amount of \$372,763 and authorized a construction contingency for additional work up to \$55,838. During construction, additional repair needs were identified. This included increased quantities of construction for concrete spalling and loose concrete above parking stalls and pedestrian and vehicular paths of travel. In the interest of safety, City staff directed Pro Finish to complete this additional work while onsite. On June 21, 2022, City Council adopted a resolution increasing the City Manager's authority to approve additional work from \$55,838 to \$93,190 (a maximum allowable 25% of the construction contract cost) for the emergency repairs.

## **DISCUSSION:**

The Parking Structure Lot 3 Repairs Project began on January 3, 2022, and was substantially complete on May 27, 2022. The contractor recently fulfilled the remaining "punchlist" items to the City's satisfaction.

One change order was necessary for the work performed by Pro Finish. It included \$167,895 in emergency work for cracks, floor spalls, ceiling spalls, and curbs that were primarily concentrated at or near the roof level. Contract Change Order No. 1 also included credits and deductions that totaled \$74,795 for a traffic coating equivalent and reductions from the final bid item quantities for the ground level, second level, steel, and drainage work. The total value of Change Order No. 1 was \$93,100, with a time extension of 22 working days.

The Pro Finish contract budget and expenditure summary is as follows:

### **Budget:**

\$372,763	Original Contract Award
\$ 93,190	Authorized Contingency
\$465,953	Total Combined Pro Finish Contract Budget

### **Expenditures:**

\$372,763	Contract Expenditures
\$ 93,100	CCO #1 - Additional Work
\$465,863	Final Pro Finish Contract Costs

The contractor has completed all work for a total construction cost of \$465,863 and is now requesting formal acceptance of the project. The five percent retention amount of \$23,293.13 will be released 35 days after the recordation of the Notice of Completion with the County Recorder. All work inspected by the Public Works Department has been found to be in conformance with the plans and specifications and of good quality.

#### **PUBLIC OUTREACH:**

Planning and discussion was ongoing with the Downtown Manhattan Beach Business + Professional Association, the Chamber of Commerce, and all affected agencies regarding construction details throughout the project. The businesses and parking permit holders impacted were provided advance information regarding the project, including dates, times of construction, and contact information for the project's manager.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to Section 15301 Class 1 (repair and maintenance of existing public facilities, involving negligible or no expansion of use) of the State CEQA Guidelines. A Notice of Exemption was filed with the Los Angeles County Clerk's Office for the Project.

#### **LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.