



## Legislation Text

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**File #:** 14-0589, **Version:** 1

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Recommendation to authorize City Manager to execute the Third Amendment to Contract No. 32932 with Job Order Contracting (JOC) contractor Exbon Development to extend the term by one year and increase the contract amount by \$2,850,000 to perform the demolition of the Belmont Pool and related temporary improvements, for a revised not-to-exceed amount of \$12,850,000; and

Authorize City Manager to execute the Third Amendment to Contract No. 32982 with Gordian Group to increase the contract amount by \$55,575 for professional services and access rights to their proprietary Pro-Gen software necessary to manage the JOC program during the demolition of the Belmont Pool and related temporary improvements, for a revised not-to-exceed amount of \$623,075. (District 3)

On September 18, 2012, the City Council authorized the City Manager to execute agreements with Exbon Development Corporation, along with four other JOC Contractors, for both anticipated and unanticipated (emergency) construction of various City infrastructure repairs and improvements under the JOC method. On May 14, 2013 and December 3, 2013, the City Council authorized additional purchasing authority and term extensions for these JOC contracts, for various projects unrelated to the Belmont Pool. Concurrent with each JOC Contract amendment, the City Council authorized the City Manager to execute contract amendments with the Gordian Group for access rights to their proprietary project management software and to provide professional services to manage the JOC program.

On January 13, 2013, the Belmont Pool was temporarily closed to investigate the seismic stability of the building. It was subsequently deemed seismically unsafe in the event of a moderate earthquake, and was closed permanently to protect the safety of the public several weeks later.

On April 15, 2014, the City Council authorized the City Manager to proceed with the design and bidding phase for the proposed demolition and requisite temporary facilities and improvements, and considered Statutory Exemption SE 14-01 to effectuate the demolition in the interest of mitigating potential public safety issues.

Staff has expedited the design process, which has occurred in parallel to the Coastal Development and Building and Safety permit application submittals. The utilization of the JOC program method is recommended in order to obtain market bid pricing on the required work and to expedite the demolition of the Belmont Pool in the best interest of public safety. Upon approval of the Coastal Development and Building and Safety permits, the JOC program method would allow the demolition work to begin in Fall 2014 and occur before the

bird nesting season begins in early 2015, which would require additional regulatory requirements.

Exbon has competitively bid the unique demolition elements of the project to three qualified demolition and abatement contractors. The resulting JOC price in the amount of \$2,850,000 (including a 10% contingency) has been reviewed and determined to be reasonable.

The Belmont Pool Revitalization Project estimate of \$99,000,000 as presented in the June 17, 2014 City Council Study Session, included a rough estimate of \$2.4 million for hard and soft costs associated with the demolition of Belmont Pool. Due to expenses related to temporary facilities required at the temporary pool and during construction, as well as the need for more extensive hazardous materials abatement than originally anticipated, the actual cost to demolish the existing pool is \$3,146,001. The difference of \$746,001 over the prior demolition cost estimate will be absorbed in the overall cost of the permanent project.

There are certain items that will be salvaged from the building, which do not have any repurposing potential or apparent value to the City, but have been requested by the Long Beach Aquatics Capital of America Foundation. The Aquatics Capital of America Foundation's strategic initiatives are to support aquatic events, clean water and water conservation efforts; and to lead fundraising efforts to support local youth aquatics and "water proofing" Long Beach youth, refurbish and improve local facilities, improve access to pool and water-related activities, and provide aquatic scholarships. The list of the items that have been requested by the Aquatics Capital of America is attached. The proper mechanism for the transfer, lease or disposal of these items will be determined prior to beginning any demolition activities.

An application for a Coastal Development Permit (CDP) for the demolition of the Belmont Pool was submitted to the Coastal Commission on June 19, 2014 and is pending approval. The Notice to Proceed for the demolition work will not be issued until the CDP is approved, and work onsite will not be allowed to proceed until all other required permits are obtained.

This matter was reviewed by Deputy City Attorney Amy Webber on August 4, 2014 and by Budget Management Officer Victoria Bell on August 7, 2014.

## SUSTAINABILITY

Recycling of building materials generated from the demolition of the facilities will be implemented wherever feasible and in compliance with the City's Construction and Demolition Waste Permit.

City Council action on this matter is requested on August 19, 2014, in order to proceed with expeditious facility demolition in the interest of public safety.

An initial funding set-aside for the Belmont Pool project was appropriated by City Council on February 19, 2013. Funding to support the contract increases of \$2,905,575 is budgeted in

the Tidelands Operations Fund (TF 401) in the City Manager Department (CM). On April 23, 2014, the State Lands Commission approved the City's estimate of \$13,500,000 for architectural and engineering design services and demolition costs. The contract increases of \$2,905,575 were included in the City's approved estimate. Approval of this recommendation will provide continued support to our local economy.

Approve recommendation.

PATRICK H. WEST  
CITY MANAGER

GEORGE CHAPJIAN  
DIRECTOR OF PARKS, RECREATION AND MARINE