

Staff Report City of Manhattan Beach

TO: Honorable Mayor Fahey and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Sherilyn Lombos, Deputy City Manager

DATE: November 21, 2005

SUBJECT: Consideration of the Police & Fire Facility Project Status Report and Disbursement

of Progress Payment #20 in the Net Amount of \$865,496.13 to Swinerton Builders

RECOMMENDATION:

Staff recommends that the City Council accept a presentation regarding progress of the Police & Fire Facility project and approve issuance of the subject progress payment to Swinerton Builders.

FISCAL IMPLICATION:

Updates of the various project budgets are included in the body of the attached report.

BACKGROUND:

At the City Council meeting on November 15, 2005, the Police & Fire Facility portion of the status report, including approval of the progress payment, was deferred until tonight's meeting.

DISCUSSION:

An updated recovery schedule will be distributed and discussed at tonight's meeting. Approval of the progress payment was deferred until the updated recovery schedule was given to the City.

Attachment: November 15, 2005 Staff Report



Staff Report City of Manhattan Beach

TO: Honorable Mayor Fahey and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Sherilyn Lombos, Deputy City Manager

Richard Thompson, Community Development Director

Dana Greenwood, City Engineer

DATE: November 15, 2005

SUBJECT: Consideration of the Police & Fire Facility / Metlox / Public Improvements Project

Status Report, Disbursement of Progress Payment #20 in the Net Amount of \$865,496.13 to Swinerton Builders and Consideration of a Change Order to Pankow

Builders for Completion of the Metlox Town Square Project Elements

RECOMMENDATION:

Staff recommends that the City Council take the following actions:

- A) Accept a presentation regarding progress of Shade Hotel
- B) Accept a presentation regarding progress of the Metlox project
- C) Approve a change order in the amount of \$111,897 to Pankow Builders for final completion of the Metlox Town Square project elements and appropriate funds as directed by Council
- D) Accept a presentation regarding progress of the Police & Fire Facility project
- E) Approve issuance of the subject progress payment to Swinerton Builders

FISCAL IMPLICATION:

Updates of the various project budgets are included in the body of this report. A discussion of the change order for \$111,897, or less than 1% of the total \$14 million dollar budget for Metlox and potential funding sources, is included within the Metlox section of this report.

BACKGROUND:

The City of Manhattan Beach has embarked on several very significant projects that are complex, long-term and potentially disruptive during construction, including the Police and Fire Facility, the Metlox project, and a variety of supporting public improvement projects.

Given the significance of these projects, staff is providing a regular status report to the Council and the community. Information regarding the projects can be obtained through a number of other sources including the following:

The City's website
 Construction hotline
 www.citymb.info
 310-802-5299

Construction Issues Committee
 Construction newsletter
 Project reports to Council
 Telephone inquiries
 Meets 4th Tuesday, 9am, City Hall
 Call hotline to be put on mailing list
 2nd Council meeting of every month
 City Manager's Office, 310-802-5053

DISCUSSION:

These reports are broken down into three sections corresponding with the three major projects taking place: Police & Fire Facility Project, Metlox Project, and Public Improvement Projects.

Police & Fire Facility

Budget

Below is a table summarizing the project budget of \$40.7 million and outlining the payments made through October 2005.

Line Item	Budget	Adjustments	Payments	Remaining	%
					Used
Construction (Swinerton contract)	\$28,647,000	\$1,363,492	\$22,782,602	\$7,227,890	71.2%
Hazardous Material Abatement	\$70,290		\$67,449	\$2,841	96.0%
Demolition	\$92,000		\$88,099	\$3,901	95.8%
Contingency:	\$3,700,790	(\$1,363,492)	\$192,440	\$2,144,858	42%
Unforeseen Changes		\$1,036,701			
Owner Requests		\$326,791			
Furniture, Fixtures & Equipment	\$1,687,500		\$81,189	\$1,606,311	4.8%
Architectural/Engineering	\$2,384,350		\$2,355,479	\$28,871	98.8%
Project/Construction Management	\$1,420,592		\$1,420,132	\$460	99.9%
Relocation	\$1,129,488		\$1,102,985	\$26,506	97.7%
Owner's Cost Items	\$1,562,500		\$423,793	\$1,138,707	27.1%
TOTAL	\$40,694,510		\$28,814,167	\$12,180,343	70%

Change Orders / Potential Change Orders / Work Orders

Attached is a summary report of all the approved budget adjustments (Attachment "A"). Thirty-six change orders have been approved to date for a total of \$1,363,492; of that, \$326,791 (24% of the total amount spent so far on change orders) was as a result of owner-requested upgrades (plaza elevator-#11, solid surface-#24, casework-#25 and build out of jail cells-#36). The funds for these change orders were taken from the Contingency line item and put into the Construction (Swinerton contract) line item.

Progress Payment:

As of October 31st, the contractor has completed approximately 78.5% of the construction contract. Work accomplished since the last progress payment includes sleeving for irrigation, masonry, face brick, insulation installation, waterproofing, installation of the vehicle sallyport doors, security work, interior glazing/glass installation, ceramic tile installation, painting, building of the two elevators, and ongoing plumbing, mechanical and electrical work. The contractor has submitted a request for Progress Payment No. 20 in the net amount of \$865,496.13. All work items covered by

this payment have been reviewed by Vanir Construction Management and the Public Works Department and were found to be in conformance with the plans, specifications and the approved schedule of values. Following is a list of all progress payments to Swinerton:

P.P. #	Amount	P.P. #	Amount
1	\$1,320,556.00	14	\$1,581,658.00
2	\$341,954.43	15	\$1,349,616.00
3	\$876,220.66	16	\$1,638,650.00
4	\$1,062,247.20	17	\$1,520,866.00
5	\$666,650.11	18	\$1,632,988.00
6	\$996,569.00	19	\$1,612,726.00
7	\$1,663,171.00	20	\$865,496.13
8	\$1,281,610.00	TOTAL	\$23,715,021.40
9	\$1,245,127.00		
10	\$746,027.00		
11	\$750,268.00		
12	\$1,415,165.87		
13	\$1,147,455.00		

Schedule

Swinerton has committed to providing a recovery schedule to be distributed at tonight's meeting; therefore, at this time there is no schedule to include with the report.

Issues of Concern:

- ♦ Roofing: the roof was in the process of being installed when concerns were raised about the flatness of the roof (the sheet metal roof was not flat). While it is not clear at this point whether the existence of the bumps in the roof were the result of design or installation, a fix has been proposed and will be installed. Once the bumps are flattened out, roof installation can be completed.
- Casework: all casework is in production and installation will begin when the exterior windows are installed.
- ♦ Windows/glass: the contractor submitted a request to use a different glass manufacturer; the design team performed energy calculations to ensure the substituted glass is comparable and gave approval of the new glass manufacturer. The order was placed and the first delivery of exterior glass is scheduled for Thanksgiving week.
- ◆ *Plaza/water features*: as has been reported, the design of the three water features in the plaza has been a source of problems for the contractor. The original design of the water features inappropriately sized pumps, equipment vaults, reservoir tanks and piping. In order to make the three features work properly, a specialty designer reviewed the design and provided recommendations on how to make the water features work properly. As a result of that work it was determined that water features 1 and 2 (#1 is in front of city hall; #2 is in the central area of the plaza) were buildable; however a change order was required due to changes in equipment, pipes, the equipment vault and the water reservoir for both features. It was further determined that water feature #3 (on the stairs going to 13th Street) had significant constructability issues (there is no place to put appropriately sized pumps, equipment vault, reservoir tanks, etc. as they are too big to fit underground in that area with all the building footings and utilities) and

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Public Works had significant maintenance issues with the fountain. The Council sub-committee met on November 3rd and approved a change order in the amount of \$87,790 which allows the work on features 1 and 2 to move forward. The Council sub-committee also approved the substitution of water feature #3 with a creative wall that will simulate the look of a wave flowing down the 13th Street stairs, which also allows construction work to move forward in that area of the plaza.

Council Sub-Committee on Construction: The City Council sub-committee on construction is met on October 14 to discuss HOK and Vanir compensation extensions (subsequently approved by the full City Council at the October 18 Council meeting). They also approved a change order that was within their approval authority. Minutes of that meeting are attached (Attachment "B"). The sub-committee also met on November 3 to discuss construction progress, hot list issues and the water features mentioned above. Minutes of that meeting are attached (Attachment "C").

Construction Issues Committee: This Council-appointed committee made up of two Downtown Business Association representatives, a Chamber of Commerce representative, two adjacent residents and two at-large residents meets on the fourth Tuesday of every month to discuss construction related issues such as traffic, parking, noise, air quality, etc. and help develop ways to solve issues that are identified. The committee met on October 25th (see Attachment "D" for minutes of that meeting).

Metlox

Metlox Parking Structure and Town Square Budget Update Summary

Project Total per DDA	Progress Payments	Balance Remaining
\$14,000,000	\$13,095,491	\$904,509

In February 2003 the City of Manhattan Beach authorized Metlox LLC/Tolkin Group and Pankow Construction to enter into an agreement to build a two-level public parking structure, Town Square, and public open space areas. The Metlox project is a design-build contract with a total project budget not to exceed \$14 million dollars, with Pankows' fixed price contract being a portion of the total \$14 million. The following is a summary of the establishment of the project budget, the City's agreement with Metlox LLC, and the Metlox LLC contract with Pankow.

April 2002- Council approved Disposition and Development Agreement (DDA) and \$13.5 million budget for garage and Town Square

December 2002- Council approved an amendment to the DDA to add the H20 building parking lot and an additional \$0.5 million, for a \$14 million total budget.

February 2003- Tolkin Group entered into an agreement with Pankow Construction to construct the parking garage, Town Square and other public spaces. Construction commenced on the garage.

June 2003- City Council approved the design elements for the Town Square and other public spaces, including the fire screen, fountains, and kiln fire sculpture.

January 2004- Opening of the 460 space public parking structure

September 2004- Construction commenced on the site.

December 2005- Ribbon cutting and dedication of the Metlox site.

Contingency

Within the \$14 million total budget a project contingency of \$277,377 was established to address project changes that may occur, such as items specifically excluded from Pankows' contract or allowance items. The last three items shown on the following chart are new items that will be paid from the contingency account; all of the other items were previously reviewed by the City Council. With the payment of these last three items out of the contingency account there will be a zero balance in the account. The following chart provides a summary of the project contingency account:

Description	Type	Amount	Contingency Balance
Removal of buried foundations not indicated in contract documents, including remedial work at Soldier Pile #27.	Unforeseen conditions	\$9,475	\$267,902
Relocate fountain Pump Room from Morningside loading dock to P-1 Room near Fan Room. Provide new sewer line and divider wall from Fan Room	Project refinement	\$7,042	\$260,860
Relocate Fountain Pump Room. Associated drain relocation.	Project refinement	\$348	\$260,512
Provide Upgraded Lighting inside parking structure at escalator lobby areas on both P-1 and P-2 levels	Project upgrade	\$9,910	\$250,602
Professional services- geotechnical, legal, architectural, fountain design, lighting, construction site supervision, and survey/soldier pile monitoring.	Project refinement	\$9,289	\$241,313
Fountain refinement- Town Square, dog, and water wall in 13 th Street Garden.	Project refinement	\$180,000	\$61,313
Glass tile on wall of fountain at 13 th Street Garden	Project upgrade	\$8,210	\$53,103
Garage "Metlox" graphics and signage	Project upgrade	\$41,003	\$12,100
Plaster on stairwells for graphics and tile	Project upgrade	\$12,100	\$0

The first new item is for the glass tile on the water wall fountain in the 13th Street Garden. The entire wall will be finished with varying colors of blue glass tiles that evoke the feeling and image of waves tumbling onto the shore. The second item is the graphics in the parking garage that the City Council reviewed and approved earlier this year, which will direct the public to the stairwells, elevator and escalator, as well as the vehicular exit, through a series of whimsical Metlox themes. In order for the graphics and Metlox tile shards to be incorporated into the stairwells, the concrete block was plastered with an off-white smooth finish stucco to match the buildings above, which is the third item to be paid out of the contingency.

Allowances

Within the project there are several areas where there are allowances within the project budget for items such as the fire screen, fountains, kiln, signage, landscaping, and site furnishings, where detailed designs and plans were not yet available when the contract was entered into with Pankow Construction in February 2003.

Attached is a letter from Jon Tolkin, Metlox LLC/Tolkin Group requesting a change order to the project budget related to these allowance items (Attachment "E"). Staff has worked with Metlox LLC/Tolkin Group, Pankow, Tolkin Architects, and their subcontractors to refine the scope of the allowance items, finalizing the design for each, and to keeping the costs down as much as possible, while still maintaining the vision for the project. These allowance items are critical to enhancing the unique aesthetics of the project and making the public spaces areas that the community will be drawn to linger and enjoy.

Many of the allowance items, including the fountains, the Metlox dog sculpture, the fire screen at the escalator, and the kiln fire sculpture are unique one-of-a-kind art pieces. Through the design review process the importance of establishing the fire/water elements and the Metlox/Manhattan Beach connection was emphasized. The artwork weaves the history of the Metlox site into the project in a subtle and very effective manner, with the fire and water providing two basic elements that reflect the site and Beach community, as well as basic elements of life. The site lighting throughout the Town Square and public spaces was originally designed as utilitarian lighting with a minimal amount of illumination. The design team felt that the services of a professional lighting consultant would benefit the project and so it was determined that upgrading the Town Square lightning with tree lights, string lights along the paseos, and planter lights would significantly enhance the site. Other minor changes have also been made to the project to further enhance the site, such as the upgrade of the waterproof strong box enclosures for the electrical theater boxes that was requested by the Public Works Department.

Almost 3 years has passed since the establishment of the \$14 million budget for the project, and construction, labor and material costs have increased significantly within that time frame. Metlox LLC has seen an increase of over \$3.7 million for construction of the Metlox commercial buildings. Construction costs for the Shade Hotel have increased more than 50% from the original estimate. Scheduling of quality subcontractors due to lack of availability and the rapid growth in demand has been very challenging, and construction labor costs have increased an average of 12.5% in 2½ years. Material costs have increased significantly too, with steel increasing 70% in 2½ years and concrete has increased 55% in less than 1 year. While costs have risen, the Metlox team has strived to minimize budget impacts. As an example, the original bids for the three fountains averaged over \$700,000, and through working closely with the fountain designer, other subcontractors and Pankow Construction, the cost was reduced by over 44%.

Metlox LLC/Tolkin Group is requesting a change order to the \$14 million dollar budget of \$111,897, less than 0.8% of the total budget. The attached letter from Metlox LLC, as well as the change order detail sheets from Pankow, further describes the proposed change order. The Disposition and Development Agreement (DDA) indicates that if after design development the project budget exceeds the \$14 million dollars, that construction should stop and the City and

Metlox LLC has the option of renegotiating and altering the scope of the design to reduce the project costs. The City would then be obligated to only pay the costs incurred to date. The DDA indicates that if the City approves the design as currently proposed that we are financially obligated to pay the costs.

The following chart provides a description of the project elements and a summary of the approved budget which the Council has seen in previous status reports. The actual costs for each project element has not been identified in previous status reports and is now finalized and being presented to the Council with the change order request.

Project Elements	Approved Budget	Actual Costs
Fountains- Town Square, dog sculpture and	\$150,000 (original)	\$388,834
fountain, and water wall in 13 th Street garden,	\$330,000 (CO #14-	
including the extension of the shower bar on	approved 3-05)	
the water wall		
Kiln fire sculpture- Town Square	\$43,000	\$98,518
Fire Screen at escalator	\$41,250	\$53,630
Town Square and public area lighting	\$59,000	\$152,044
Landscaping	\$74,000	\$88,454
Signage- Directional	\$46,500	\$47,926
Waterproof strong box enclosures for electrical	\$0	\$1,986
theater boxes for performances		
Site Furnishings	\$75,000	\$58,363
Landscape Architect	\$5,000	\$2,000
Ventilation Sound traps- deleted	\$12,000	\$0
Garage painting of doorways, window frames	\$137,000	\$35,000
and other miscellaneous metals		
Pankow Construction costs and fees-Bonds,	\$0	\$7,892
taxes and insurance, builders fee		
Total- \$111,897 (Less than 0.8% of \$14	\$822,750	\$934,647
million budget-)		

Potential funding sources

There are a number of City funding sources that could be used to finance the change order. Since the bonds to finance the project were issued in January 2003, almost 3 years ago, there is \$24,000 of interest that has accrued that could be used to assist in financing the allowance items. The Public Art Fund was specifically established to fund public art such as the fountains, dog sculpture, fire screen, and kiln fire sculpture. The balance for the Art Fund is currently \$296,278. Of the \$296,278 total, \$50,000 has been committed to the sample Art Alcove on the Strand, and \$60,000 has been identified as potentially being used for a future sculpture garden project, which leaves the balance of \$186,278 shown below. The Public Art Fund was specifically established to fund art in public places. The fees that are paid into the fund must be committed to a specific art project within five years of being deposited or they must be refunded.

Potential City Funding Sources	
Funding Source	Available funds

Interest on Metlox bonds	\$24,000
Public Art Fund	\$186,278 (uncommitted funds)

Other potential funding sources include the Capital Improvement Fund, the Parking Fund and the General Fund. The City Council could also consider requesting that Metlox LLC fund a portion of the amount as the enhancements benefit the commercial project as well as public areas of the site, or the scope of the project could possibly be reduced.

Conclusion

Staff supports using the interest on the bonds and the Public Art monies to fund the \$111,897 change order for the Metlox project.

Project Schedule & Milestones

- The exterior finishes including the stucco, stone, and wood siding of the Metlox buildings are complete. In addition, metal canopies and trim, and the windows and wood frames are completed. The metal escalator canopy and the trellis over the Morningside entrance ramp have been installed. The synthetic wood has been installed on the metal canopies at the buildings and escalator. Landscaping has started and is scheduled to be completed with the next few weeks.
- The topping slabs are nearly complete and the glass embedded concrete in the Town Square is scheduled to be completed this week, then the trees will be installed in the Town Square. Lighting in the Town Square is being installed. Work on the fountains is continuing; the waterproofing is completed on the main fountain and the dog fountain and the tumbled glass topping slab in the main fountain is scheduled to be completed this week. The concrete dog sculpture is nearing completion and is curing prior to application of the final finish and installation on the site. The Fire Screen artwork in the escalator has been installed. The metal framework for the kiln fire sculpture in the Town Square has been delivered and installed on site and the masonry is scheduled to be installed around the framework this week.
- The tables and chairs for the Town Square have been delivered. The streetscape improvements surrounding the project including the sidewalk, curb, gutters, and street trees have been completed except for punchlist items. The permanent graphics inside the garage have been completed on the walls, and the graphics on the stairwells are underway.
- The first tenants on the site, Design within Reach-Furniture and Papyrus, opened within the past few weeks. Buster and Sullivan, Curves and Cold Stone Creamery are expected to follow shortly. Temporary Certificates of Occupancy have been issued for the building shells on Manhattan Beach Boulevard, which initiates the beginning of the 6-month period prior to when the profit participation rent as detailed in the DDA becomes payable to the City. Other tenants under construction include, Trilogy Day Spa, Petro's Greek restaurant, Junior's Deliboys, Le Pain Quotidien Bakery, Salon Brit, Color Me Mine, Ozer Dental, Janelle Holden, DDS, True Religion Brand Jeans, Space Spin and Dance Studio, Look! Eyewear, O'My Sole Footwear, Petro's Vintage, Fresh Produce, and Coldwell Banker. All the spaces are 100% leased and the final two tenants, Chefmakers Cooking Academy and 23rd Street Jewelers are preparing plans for plan check. Staff is working with the developer, their sign consultant and the tenants on a second floor tenant signage package as the tenant mix has

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changed from a concept of primarily offices to largely personal service uses which unlike the office uses, tend to have a need for tenant identification signage.

- The Metlox Potteries sign has been installed and during the stuccoing of the walls adjacent to the ramps for the garage there will be scaffolding installed on the ramp and temporary traffic diversions into and out of the garage through mid-November.
- At the Shade Hotel final touches throughout the interior and exterior of the hotel are being completed. Several temporary events have been held in the interior courtyard of the hotel, but no overnight occupancy of the hotel has yet been approved. All departments are working closely with the hotel developer to ensure timely completion of the project.
- Deliveries, utility installations, and on-going construction continue to require occasional lane and ramp closures on Valley Drive and Manhattan Beach Boulevard, as well as traffic control within the garage itself.
- Staff continues to meet with the construction team to ensure the final installation of the design elements for the Town Square, fountains, landscaping, artwork and public areas, are consistent with prior Council approvals.
- The Ribbon Cutting and Dedication of the site is scheduled for December 1st.

Public Improvement Projects

13th Street Extension:

- o Sewer, storm drain and water main work has been completed
- o A change order has been issued which covers additional pavement demolition, reconstruction of a sewer manhole, and installation of additional water valves.
- o Road sub-grade has been built, the aggregate base has been placed and the curb and gutter on the south side of the street has been poured.
- o Relocation of fiber optic conduits and installation of new gas main has been completed
- o Base paving has been completed to allow for construction staging
- o Final paving will be completed (asphalt and striping) during the second week of December as part of a larger resurfacing project which includes Valley Drive, Morningside Drive, and 15th Street.

Signal work on Valley (making Valley 2-way):

- o Design is complete
- o In addition to signal work, new street lights along 15th Street and Valley Drive will be installed with modern heads to reduce glare. The new lights will be fed underground.
- o A contract was awarded for the signal work at the May 17th Council meeting and construction is underway. The contractor must wait until the new curbs around the Police/ Fire facility are installed before constructing the new street light foundations.

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o Construction is scheduled to be complete by the end of November. Staff is currently working with SCE to identify their costs associated with the new street lighting system.

Morningside:

- o Construction of right-of-way improvements is nearing completion (will be done by the end of October).
- o Pankow will complete the streetscape, but the actual street striping (design and construction) will be completed by Public Works. Staff is working with Pankow to identify costs incurred for additional work performed in the Public right of way surrounding the site (curb work, side walk finishing additional concrete work etc.)

Streetscape:

- o Funds for the streetscape project are included in the current fiscal year budget
- o Streetscape work on Valley/Manhattan Beach Blvd/Morningside/south side of 13th Street (around the Metlox project) is under construction and nearing completion by the Metlox contractor
- o Streetscape work on 15th/13th/Valley (around the Police & Fire Facility) has been designed and will be built by the contractor as part of that project
- o The city's street resurfacing project has been awarded and is under construction. Construction is scheduled to be completed by the second week of December.

Attachments: A.

- A. Construction / Hard Cost Summary Report
- B. Council Sub-Committee Minutes October 14, 2005
- C. Council Sub-Committee Minutes November 3, 2005
- D. Construction Issues Committee Minutes October 25, 2005
- E. Letter from Metlox, LLC

Official Start Date: February 9, 2004
Approved Time Extensions: 117 days
Original Contract Value (hard cost only): \$28,647,000
Adjusted Contract Value: \$30,010,492
Contingency Remaining: \$2,144,858

Approved Adjustments

Unforeseen Conditions, Architect's Changes, Value Engineering

<i>CO</i> #		Summary Description	Contractor	Approved \$
			Proposal	
1	PCO#2	Mobilize earthwork equipment for 13 th Street work	\$3,333	\$3,333
2	PCO#1	Demolition work not originally in contract-\$7,440	\$14,665	\$13,272
	PCO#8	Demolish & remove cellular antennae foundation-\$3,166		
	WO#1	Removal of underground concrete & debris-\$2,666		
3	PCO#4	Relocate City Hall sewer not in as-built drawings (north of	\$12,259	\$11,447
		entrance)	·	
4	PCO#5	Adjust shoring along Valley to miss existing sewer-\$20,947	\$34,426	\$26,413
	PCO#9	Removal of underground debris-\$5,466	·	
5	PCO#7	Install SCE substructure to deal with utility conflict at SE	\$37,150	\$32,716
		corner of Library	·	
6	PCO#13	Relocate/revise existing City Hall sewer line (south of	\$42,221	\$33,195
		entrance)	ŕ	ŕ
7	PCO#3	Removal of seven light poles not originally included in	\$10,185	\$8,318
		contract; demolition of SCE duct bank-\$5,517	,	
	PCO#6	Credit for duplicate water line & double check valve-(\$11,921)		
	PCO#12	Replace the jail cell doors with electric locking system for		
		electric sliding cell doors-\$11,755		
	PCO#14	Install elevator shaft casing for plaza elevator-\$2,966		
8		Credit to pay for the architect/engineer services required to	(\$3,400)	(\$3,400)
		evaluate the HVAC digital control system substitution request.		
9		Extend contract by 51 days; pay extended general conditions	\$120,000	\$120,000
		for 40 days at the agreed upon rate of \$3,000 per day		
10		Credit for accepting the substitution of Honeywell Controls for	(\$98,839)	(\$98,839)
		the HVAC system		
12	PCO#11	Add two pole lights at City Hall entry-\$10,059	\$14,681	\$13,195
	PCO#26	Removal of unforeseen underground debris-\$2,358		
	PCO#18	Survey to locate sidewalk for Edison vault-\$778		
13	PCO#10	Make various revisions to documents-\$27,140	\$63,700	\$34,443
	PCO#28	Telephone and data outlet modifications-\$7,303		
14	PCO#17	Revise door hardware lockset per architect-\$363	\$23,583	\$23,436
	PCO#21	Structural steel revisions per architect-\$2,228		
	PCO#27	Backwater valve installation-\$3,964		
	PCO#35	Steel framing at moment connection-\$843		
	PCO#47	Galvanize pipe and fittings-\$16,038		

<i>CO</i> #		Summary Description	Contractor Proposal	Approved \$
15	PCO#48	Hose tower hoist revisions-\$15,142	\$13,667	\$13,642
	PCO#62	Credit for multiple revisions to storefront drawings-(\$1,500)		
16	PCO#22	Credit for roofing modifications-(\$1,845)	\$21,756	\$14,352
	PCO#23	Credit for changing exterior glaze from green to clear-(\$814)		
	PCO#31	Detention door hardware changes per architect-\$9,322		
	PCO#46	Emergency repair of existing sewer-\$2,183		
	PCO#58	Change scullery and floor sinks in fire work room-\$1,121		
	PCO#74	Re-route two storm drain lines away from doorway-\$1,250		
	PCO#90	Re-route storm drain piping to below structural deck-\$1,258		
	PCO#94	Revise sump pump discharge-\$1,877		
17	PCO#71	Reroute waste piping west of Fitness Room-\$828	\$3,636	\$3,564
	PCO#87	Revise plumbing layout for jail cell lavatories-\$3,122		
	PCO#101	Delete two interior walls and relocate electrical-(\$386)		
	PCO#115	Delete holes in jail cell bunks-\$0		
18	PCO#40	Provide sloping locker tops-\$4,566	\$7,539	\$7,011
	PCO#33	Delete veneer brick and extend exterior windows-(\$791)		
	PCO#34	Delete installation of antenna mast-(\$2,772)		
	PCO#49	Furnish and install canopy embeds-\$2,995		
	PCO#86	Revise concrete beam reinforcing-\$417		
	PCO#116	Furnish/install power and switches to motorized gates-\$2,596		
20	PCO#60	Jail door monitoring and control system	\$130,450	\$119,950
21	PCO#79	Add heaters to firing range-\$7,900	\$25,451	\$24,823
	PCO#96	Additional rebar at hose tower-\$3,052	·	·
	PCO#108	Repair existing waterproofing at City Hall-\$13,871		
22	PCO#20	Hardware revisions-\$34,000	\$40,086	\$35,003
	PCO#44	Move 18x18 duct out of drop panel-\$599		ŕ
	PCO#102	Hollow metal frame revisions-\$404		
23	PCO#43	Add five hose bibs at the jail-\$4,388	\$111,060	\$96,008
	PCO#45	Drawing revisions for air and electric hose reels-\$9,753		. ,
	PCO#92	Pipe rerouting at room A165-\$0		
	PCO#95	Provide storm drain offset-\$4,011		
	PCO#106	Provide pipe offset at draft pit/firing range-\$2,704		
	PCO#110	Pipe rerouting at sobering cell-\$0		
	PCO#111	Pipe rerouting at room 089-\$0		
	PCO#112	Pipe rerouting at Jail Corridor-\$0		
	PCO#122	General plumbing revisions-\$75,152		
26	PCO#37	Furnish and install patio gate in fire department area-\$4,048	\$13,096	\$12,907
	PCO#69	Revise door, frame and hardware for door 101-\$2,870		. ,
	PCO#82	Revise exhaust and roof fans-\$1,009		
	PCO#97	Modification of site wall details-\$1,439		
	PCO#103	Furnish and install antenna mast embeds-\$1,491		
	PCO#140	Install parapets to apparatus bay roof-\$2,014		
28	PCO#53	Revise turnout lockers-\$7,357	\$24,548	\$22,279
	PCO#67	Draft pit pump electrical-\$831	Ţ_ :,e :0	~, - , >
	PCO#75	Structural steel revisions-\$7,862		

<i>CO</i> #		Summary Description	Contractor Proposal	Approved \$
	PCO#85	Concrete reinforcement changes-\$920	_	
	PCO#129	CMU infill at jail cell 84-\$1,114		
	PCO#151	Revise beam elevations at apparatus bay-\$4,195		
29	PCO#135	Revise antennae brackets-\$4,770	\$23,591	\$22,784
	PCO#141	Hose tower pent plate & angles-\$8,465		
	PCO#146	Dog kennel walls-\$10,549		
30	PCO#121	Antennae revisions-\$1,718	\$24,514	\$24,235
	PCO#132	Add four wood doors with frames-\$9,751		
	PCO#150	Relocate roof penetration framing-\$12,766		
31	PCO#152	Add fire line at 13 th Street & 15 th Street	\$67,360	\$42,117
32		Extend contract by 66 days; pay extended general conditions	\$160,025	\$160,025
		for 37 days at the agreed upon rate of \$4,325 per day	ŕ	·
33	PCO#30	Dry weather flow and electrical changes	\$187,154	\$187,154
	R1	•	·	
34	PCO#84	Add additional reinforcement to beam-\$685	\$33,758	\$23,537
	PCO#88	Reroute of piping in jail corridor-\$10,505	ŕ	
	PCO#93	Change window to security frame\$339		
	PCO#109	Add breakers-\$2,500		
	PCO#157	Add two fire/smoke dampers-\$2,918		
	PCO#158	Add fire/smoke damper-\$2,012		
	PCO#159	Add fire/smoke damper-\$1,615		
	PCO#161	Demo column top, form to suit-\$2,422		
	PCO#162	Provide mirrored swing for one door and frame-\$867		
	PCO#164	Installation credit for deletion of TV shelf-(\$326)		
	PCO#172	Change gun locker location prior to install-\$0		
35	PCO#54	Revise hose tower parapet height & roof surfacing-(\$959)	\$12,093	\$9,781
	PCO#56	Credit to install non-metallic conduit in lieu of EMT-(\$7,108)		
	PCO#61	Appliance credit-(\$9,244)		
	PCO#78	Elec./Fire suppression change-\$14,740		
	PCO#89	Delete stainless steel shelf and supports-(\$105)		
	PCO#99	Delete planter and replace with concrete walk-(\$3,184)		
	PCO#107	General finish hardware change-\$12,723		
	PCO#155	Add fire/smoke dampers-\$2,918		

\$1,173,738 \$1,036,701

Approved Adjustments Owner Requested Changes

<i>CO</i> #		Summary Description	Contractor Proposal	Approved \$
11	PCO#15	Furnish and install an elevator in the plaza area	\$121,360	\$121,360
24	PCO#63	Change plastic laminate to solid surface throughout	\$86,128	\$86,128
25	PCO#84	Add-back casework previously deleted	\$66,282	\$66,282
36	PCO#114	Build out jail cells	\$55,646	\$53,021

\$329,416 \$326,791

Police & Fire Facility Council Sub-Committee Meeting AGENDA

Friday, October 14, 2005 10:00 a.m. – 11:00 a.m. City Manager's Conference Room

Attendees: Mayor Pro Tem Ward, Councilmember Montgomery, Geoff Dolan, Sherilyn Lombos, Neil Miller, Moshir Kellada, Dale Reissig

1. Discussion of construction progress with Swinerton/Vanir team

The sub-committee discussed progress with the team

2. Project budget discussion

A budget-versus-expenditure spreadsheet was distributed and discussed. In addition, the look forward analysis was discussed with the understanding that the project budget is in good shape.

3. "Jail Cell Build Out" Add-Back:

The Police Department discussed the importance of building in the jail cells that were taken out during value engineering. The sub-committee approved a change order in the amount of \$53,021.

4. HOK compensation extension

A discussion was held regarding staff's recommendation to extend compensation to the architect/engineer team corresponding with the extension of the Swinerton contract. The subcommittee recommended approval to the full City Council.

5. Vanir compensation extension

A discussion was held regarding staff's recommendation to extend compensation to the project management team corresponding with the extension of the Swinerton contract. The sub-committee recommended approval to the full City Council.

Police & Fire Facility Council Sub-Committee Meeting AGENDA

Thursday, November 3, 2005 3:30 p.m. – 4:15 p.m. City Manager's Conference Room

Attendees: Mayor Pro Tem Ward, Councilmember Montgomery, Geoff Dolan, Sherilyn Lombos, Neil Miller

1. Discussion of construction progress

The sub-committee discussed construction progress with staff. Specific issues discussed were the glass, roof, jail floor, cell angles and brick

2. Hot list issues

The sub-committee discussed the list of issues that Swinerton has identified as "hot list" items and discussed progress towards resolution.

3. Water features

The sub-committee discussed a change order of \$87,790 allowing work on water features #1 & #2 to move forward. The sub-committee approved the substitution of water feature #3 with a creative wall that will simulate the look of a wave flowing down the 13th Street stairs.

Police & Fire Facility/Metlox CONSTRUCTION ISSUES COMMITTEE DRAFT Minutes October 25, 2005

A meeting of the Construction Issues Committee was held on the 25th day of October 2005 at the hour of 8:30 a.m. in the City Manager's Conference Room, 1400 Highland Avenue in Manhattan Beach, California.

ROLL CALL

Present: Bushman, Cohen, Fournier, Hubbard, Koch,

Absent: Donahue, Hughes

Staff: Combs, Groat, Lombos, Thompson

Public:

Clerk: Lombos (acting)

Deputy City Manager Lombos welcomed the committee members, staff and others present. Meeting began at 9:00 a.m.

AUDIENCE PARTICIPATION

None

SCHEDULED

Committee Comments

- Koch the construction site is messy and access to some downtown areas have been completely cut off. The recent gas company work has been a problem, i.e., closing off Morningside and 12th, plus blocking parking on MBB.
- Hubbard concerned about noise coming out of SHADE.
- Bushman concerned about a certificate of occupancy being issued for SHADE; ensure everything is safe. Also, John has an extensive collection of Metlox pottery.
- Fournier concerned about the role of the committee has the role morphed? Concerned about not being kept in the loop regarding schedule and budget issues.

Construction Activity Reports

- Police & Fire Facility- Lombos gave an update on what is happening on site and construction progress.
- Metlox- Thompson gave an update on happenings on the Metlox site.

ADJOURNMENT

The next meeting is scheduled for 9:00 a.m. Tuesday, November 22, 2005.

At 9:30 a.m. the meeting was adjourned.

SHERILYN LOMBOS

Metlox, LLC

c/o TOLKIN GROUP

51 West Dayton Street, Suite 100 Pasadena, California 91105 JTolkin@TolkinGroup.com www.TolkinGroup.com Tel: 626-535-0317 Fax: 626-535-0319

November 8, 2005

Geoff Dolan, City Manager City Council Members City of Manhattan Beach 1400 Highland Avenue Manhattan Beach, CA 90266

Re: Metlox Project - Update on Costs to Complete

Dear Mr. Dolan and Council Members:

It is an exciting time as our joint efforts on the Metlox site are coming to fruition after so many years. I think we all share the feeling that that the project has met our expectations and is a realization of a shared vision.

While we have been extremely successful, by construction industry standards, in completing the Metlox Public project close to the original \$14,000,000 budget set in 2002, we will exceed this amount by approximately \$112,000 or .08%. This amount is made up of the following items:

- Finalizing the town square allowance items. These allowances were for the one-of-a-kind project features, such as the three fountains, kiln fire sculpture, fire screens and site furnishings. As one-of-a-kind features (or "creative inventions") it is extremely hard to budget and contract for these items as builders are unwilling to accept any cost risk. Additionally, as the budget was established 3 years ago, the final cost reflects industry wide cost increases in both labor and materials. For example, the price for concrete has gone from \$62 per yard in December 2004 to \$96 per yard today, an increase of 55%.
- Enhancements to the project lighting. While the lighting enhancements cost approximately \$93,000, a majority of this cost is offset by savings in other cost categories. The budget established in December 2002 included a utilitarian minimal lighting solution. The team felt that there was a one time opportunity to make these enhancements which are essential to realizing the magic of the project design and the one-of-a-kind features. Consequently, a professional lighting design consultant was retained to implement a lighting solution more consistent with the caliber of design of the entire project. These upgrades include tree lights in the plaza, string lights along the paseos, planter lights, and other lighting for the specialty features.

[Note: The project contingency of \$61,000 is being used to fund portions of the one-of-a-kind features contracted by Metlox, LLC directly; including, \$53,000 for implementation of the "Metlox" garage graphics designs, and \$8,000 for tile for the water wall fountain. \$77,000 of the project contingency, which would otherwise been available to fund additional costs, was used to fund improvements which were not originally obligated to be part of the Metlox Public Budget.]

Our team's success in completing the Metlox Public Project so close to budget is exceptional, and something we are proud of. We have been less fortunate on the privately funded Metlox improvements, where construction costs are \$3,700,000 over our April 2002 budget, a +100% increase (not to mention the delays caused by the winter 2005 rains). Additionally, Tolkin Group is about to commence construction on another project in which we have seen 40% cost increase in construction costs since December 2004.

Despite the cost increases, the City's income from the Metlox Project is anticipated to exceed its original projection. Additionally, if Shade Hotel reaches its current revenue projections, the City's income is expected to be even higher.

Metlox Project Update November 8, 2005

Page 2

As usual, please feel free to contact me at any time should you desire additional information, have any questions or input. The best place to reach me is my mobile phone 626-833-0450.

Sincerely, Metlox, LLC

Jonathan Tolkin, its Manager

Metlox LLC

51 West Dayton Street, Suite 100 Pasadena, California 91105

Attention: Mr. Jonathan Tolkin

Metlox Public Improvements Manhattan Beach, California Project No. **CPB-1021**

93,044.00

OWNER CHANGE ORDER

Change Order No. 9r2	Date: November 7, 2005

To: Charles Pankow Builders, Ltd. 3280 E. Foothill Blvd., Suite 100 Pasadena, California 91107

RE: Construction Agreement between Metlox LLC (Tenant) and Charles Pankow Builders, Ltd. (Contractor) for the Metlox Public Improvements, dated February 20, 2003

ADD

\$

The following changes to the Agreement Between Owner and Design/Builder:

1	Design and build the Fire Screen assembly at the escalator area.	Costs ov	er the Al	lowance.
2	Design and build the Kiln. Costs over the Allowance.	ADD	\$	12,380.00
3	Provide and install the Site Furnishings. Deduction from the Allov	ADD vance.	\$	55,518.00
4	DEI Provide and install the Landscaping. Costs over the Allowance.	DUCT	\$	(16,637.00)
5	Additional design and changes to the Water Features.	ADD	\$	14,454.00
6	Additional public signage as requested by Owner.	ADD	\$	58,834.00
7	Deduction for Landscape Architect consultation.	ADD	\$	1,426.00
8	DEI Provide and install the Site Lighting package as designed by Mich Costs over the original package through Sasco.	DUCT nael Wall	\$ and Tolki	(3,000.00) n Assoc.

9	Deduction for reduced Painting scope in the Garage frames in garage and the Town Square steel paint	Painting	Painting of doors and				
10	Provide and install two (2) Strong box enclosures	DEDUCT	•	(102,000.00)			
11	Deduction for inlet sound traps in garage ventilation	ADD n system per Alternat	\$ e #2 in E	1,986.00 Exhibit H.			
12	Subguard, taxes, insurance and fee	DEDUCT	\$	(12,000.00)			
		ADD	\$	7,892.00			
		TOTAL ADD	\$	111,897.00			
For which the Contract Sum under the Agreement, dated November 18, 2003, shall be Increased X Decreased No Change as follows: This Change							
	TLOX LLC	Accepted by: CHARLES PANKOW A California Limited Partnership By: Pankow Operatin					
Ву:		By:	laus O	Mina Daniel Lord			
Da	te:	Joseph C. Sand Date:					

Metlox Public Improvements



Change Order No. 9r2

11/07/05

Description		Quantity Unit	Unit Price	Extension :	Scope of Work (Exhibit B)
Es	timate			\$104,005	
1	Provide and install the Fire Screen. All costs including consulting fees are included.	1 ls	12,380.00	12,380	Difference between Real Costs of \$53,630 versus the Allowance of \$41,250
2	Provide and install the Kiln. All costs including consulting fees are included.	1 ls	55,518.00	55,518	Difference between Real Costs of \$98,518 versus the Allowance of \$43,000
3	Provide and install the Site Furnishings. All costs including consulting fees are included.	1 Is	-16,637.00	-16,637	Difference between Real Costs of \$58,363 versus the Allowance of \$75,000
4	Provide and install the Landscaping. All costs including consulting fees are included.	1 ls	14,454.00	14,454	Difference between Real Costs of \$88,454 versus the Allowance of \$74,000
5	Provide and install the Water Features. All costs including consulting fees are included.	1 ls	58,834.00	58,834	Difference between Real Costs of \$388,834 versus the Allowance of \$330,000
6	Provide and install the Signage. All costs including consulting fees are included.	1 ls	1,426.00	1,426	Difference between Real Costs of \$47,926 versus the Allowance of \$46,500
7	Provide and install the Landscape Architect. All costs including consulting fees are included.	1 ls	-3,000.00	-3,000	Difference between Real Costs of \$2,000 versus the Allowance of \$5,000
8	Provide and install the Site Lighting Package for Town Square.	1 ls	93,044.00	93,044	Difference between Kirkwood's Costs based on Consultant's design of \$149,120 versus Sasco's Balance Remaining of \$59,000; Consultant Fees
9	Provide and install the Painting for Garage and Town Square.	1 ls	-102,000.00	-102,000	Difference between Real Costs of \$35,000 versus the Allowance of \$137,000

10 Provide and install the two (2) Strong Box enclosures for the Theater boxes.	1 ls 1,986.0	0 1,986	Includes boxes, tax, shipping, installation
11 Deduct for Sound Traps	1 ls -12,000.0	0 -12,000	Deduction from base contract
	SUBTOTAL	. ,	
	GENERAL CONDITIONS	S \$0	
	PERMI	T \$0	
	SUBCONTRACTOR BONDS	S \$1,300	
	TAX & INSURANCI	E \$1,264	
	SUBTOTA	L \$106,569	_
	FEE	\$5,328	
	TOTAL PRICE	\$111,897	

Townsquare Architectural Elements

Real Costs vs Allowances As Of 11/7/05

FIRE SCREEN				
	Rea	al Costs	Allo	wance
Purchase of the screen	\$	23,592		
Printing of image onto screen	\$	-		
Installation	\$	2,500		
Costs required to make design constructible				
Design and Costs for (3) intermediate connections	\$	-		
Design and Cost for wire edge protection	\$	-		
Misc Metal required at canopy to attach wire screen to	\$	3,500		
Ltg Conduit	\$	2,500		
Allowance for 6 Lights at \$1000; Support	\$	7,000		
Consultant Fees	\$	14,038		
Projected Future Consultant Fees	\$	500		
Total =	\$	53,630	\$	41,250

KILN		
	Real Costs	Allowance
Masonry	\$ 33,495	
Steel	\$ 25,100	
Electrical	\$ 3,842	
Plumbing/Gas	Existing	
24" Fire Pit System Assemby	\$ 5,000	
Consultant Fees	\$ 30,081	
Projected Future Consultant Fees	\$ 1,000	
Total =	\$ 98,518	\$ 43,000

SITE FURNISHINGS						
		Rea	al Costs		All	owance
Planter		\$	6,805		\$	7,273
Bollard		\$	7,922		\$	3,851
Bench		\$	13,915		\$	13,531
Trash Receptacle		\$	16,585		\$	14,970
Bicycle Rack		\$	1,079		\$	1,000
Café Chair		\$	3,003		\$	20,000
Café Table		\$	2,109		\$	14,375
CPBL Misc. Anchoring/ Coordination		\$	1,500		\$	-
Consultant Fees		\$	5,445			
Total =		\$	58,363		\$	75,000

LANDSCAPING				
	Re	al Costs	Alle	owance
Landscaping	\$	48,716		
90 Day Post Install Maintenance	\$	4,776		
Over-Structure Soil	\$	34,000		
Consultant Fees	\$	962		
Total =	\$	88,454	\$	74,000

WATER FEATURES			
	R	eal Costs	Allowance
Captured Sea	\$	330,000	\$ 330,000
Plumbing	\$	15,842	
Electrical	\$	2,000	
Consultant Fees	\$	15,302	
Ceramic Tile at Water Wall	\$	11,290	
Water Wall Spray Bar Extension	\$	15,000	
Deduct for Finish Coat at Water Wall	\$	(1,600)	
Projected Future Consultant Fees	\$	1,000	·
Total =	\$	388,834	\$ 330,000

SIGNAGE									
		Real Costs			Allowance				
Garage Graphics Allowance		\$	35,075		\$	10,000			
Town Square Graphics Allowance		\$	9,840		\$	36,500			
Striping@Signage in Garage		\$	2,500						
Consultant Fees		\$	511						
Total =		\$	47,926		\$	46,500			

LANDSCAPE ARCHITECT									
		Real Costs		Allowance					
Landscape Architect		\$ 2,000		\$	5,000				
Total =		\$ 2,000		\$	5,000				

SUMMARY \$ 737,724 \$ 614,750

TOTAL INCREASE \$ 122,974