



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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December 4, 2003

IN REPLY PLEASE

REFER TO FILE: **OS-1**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PUBLIC WORKS MAIN WAREHOUSE ROOF REPAIR
CONTRACT AUTHORIZATION
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Director of Public Works to enter into a sole source contract with Best Roofing & Waterproofing, Inc., in the amount of \$139,145 for the removal and replacement of Public Works' Main Warehouse roof located at 1537 Alcazar Street, Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In September 2001, following receipt of competitive bids, Purchase Order PM 40499 to renovate the roof of the Main Warehouse at 1537 Alcazar Street, Los Angeles, was awarded to Best Roofing & Waterproofing, Inc., in the amount of \$125,473. The specifications required that repairs be performed on weak areas of the original roofing material and the entire roof (50,000 square feet) then be treated with a liquid restoration material. This method of treatment was selected to avoid the more costly alternative of replacing the entire roof. The vendor provided a 10-year labor and material warranty on the work.

The contract work was completed in January 2002. Shortly thereafter, we experienced heavy rains, and several roof leaks were observed. The contractor performed corrective work under the contract warranty at no cost to the County. The contractor has since returned several times to perform additional corrective work after significant rainstorms, but the roof has continued to leak.

While we could continue to summon the contractor to perform repairs under the warranty, we, the contractor, and the material supplier agree that the original restorative process was inadequate, and additional repeated repair work is not a satisfactory long-term solution due to operational disruptions and the potential for damage to warehouse commodities.

To rectify the problem, the contractor has agreed to remove the existing roofing material and install a new roofing system with an estimated value of \$264,600. The contractor will credit us \$125,473, the entire cost of the original contract. The new roof will have a 15-year warranty.

We believe this new contract is in the best interest of the County. If competitively bid, the cost of the improvements would be significantly higher than the net cost of the proposed contract. The failure of the original project was a result of the restorative process selected and not due to lack of performance or competency on the part of the contractor. The contractor has not skirted responsibility and has acted in good faith by returning numerous times to perform corrective action. In addition, the contractor is willing to credit the County for the entire cost of the first contract, thus avoiding County expense in trying to recoup the money already paid.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goals of Workforce Excellence and Fiscal Responsibility since it maintains and improves the workplace environment and preserves and protects County structures and their contents.

FISCAL IMPACT/FINANCING

Sufficient funds are available in various Fiscal Year 2003-04 Public Works funds to cover the cost of this project.

We have confirmed that the Child Support Services Department has received the contractor's Principal Owner Information form in compliance with the Los Angeles County Code Chapter 2.200 (Child Support Compliance Program).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Upon your approval, a contract will be entered into with Best Roofing & Waterproofing, Inc., for the complete removal of the old roof and the installation of the new roof as required in the specifications.

ENVIRONMENTAL DOCUMENTATION

This project is exempt under Class 1 of the County of Los Angeles Environmental Document reporting procedures and guidelines approved by your Board on November 17, 1987.

CONTRACTING PROCESS

For the reasons set forth above, we recommend a sole source contract for this project. The project specifications contain provisions 1) requiring the contractor to comply with the County's Child Support Compliance Program, 2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, 3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program, and 4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There are no anticipated impacts on current services or projects.

The Honorable Board of Supervisors
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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Internal Services Department
Office of Affirmative Action Compliance