



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 27, 2005

IN REPLY PLEASE REFER TO FILE: **PM-2**

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:

**LOS ANGELES METRO BRANCH TRAFFIC COURT
EARTHQUAKE RECOVERY PROJECT
AWARD CONSTRUCTION CONTRACT
SPECS. 5560; LACO 5266; DSR 33242
SUPERVISORIAL DISTRICT 1
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Approve the revised total project budget of \$1,631,000 for the repair of the Los Angeles Metro Branch Traffic Court Earthquake Recovery project.
2. Find that Toby B. Hayward, Inc., is the apparent lowest responsible and responsive bidder, and award and authorize the Acting Director of Public Works to execute a construction contract with Toby B. Hayward, Inc., for the Los Angeles Metro Branch Traffic Court Earthquake Recovery project, subject to the satisfactory and timely completion, by the contractor, of the consultant services agreement to prepare various submittals for the project including, but not limited to, the baseline construction schedule for the project and receipt by the County of acceptable Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.
3. Delegate to the Acting Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the contractor has satisfied the above conditions for contract award; authorize the Acting Director to execute the construction contract, in the

form previously approved by County Counsel, to Toby B. Hayward, Inc., for the Los Angeles Metro Branch Traffic Court Building project for \$926,970; establish the effective date of the construction contract if the Acting Director determines that the above conditions have been satisfied.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles Metro Branch Traffic Court building was dedicated in 1973. It consists of an eight-story, 223,274-square-foot structure, including a mechanical penthouse located on the ninth floor at the top of the main roof level, and a 450,000-square-foot, 3-level underground parking garage. A portion of the parking garage is beneath the main courthouse building. As a result of the Northridge Earthquake and its aftershocks, this building sustained structural damage consisting primarily of cracks in concrete walls and slabs. This project will repair cracks in reinforced concrete shear walls, granite plaza plinth facings, terrazzo floors, and wall finishes. In addition, the project addresses various code compliance items including Americans with Disabilities Act accessibility requirements applicable to the project scope.

On October 19, 2004, your Board adopted plans and specifications for the project and instructed the Executive Officer to advertise for construction bids. Of the five bids received on December 2, 2004, Toby B. Hayward, Inc., was the apparent lowest responsible bidder meeting the criteria adopted by your Board.

Implementation of Strategic Plan Goals

These actions meet the County's Strategic Plan Goal of Service Excellence by taking appropriate actions to complete the project and provide the community with a safer building.

FISCAL IMPACT/FINANCING

The low bid of \$926,970 is \$218,030 lower than the construction estimate of \$1,145,000 approved by your Board on October 19, 2004. The budgeted and approved market condition contingency of \$229,000 will not be required.

The recommended construction contract with Toby B. Howard, Inc., is \$926,970. Since Toby B. Hayward, Inc.'s, bid was less than Public Works' fair construction estimate of \$1,145,000, additional review and evaluation of their bid package was conducted to confirm their understanding of the work and accuracy of their bid increasing the bid evaluation duration. Public Works concluded from its review that Toby B. Hayward,

Inc., demonstrated an acceptable level of knowledge of the work. Public Works now recommends awarding a construction contract to Toby B. Hayward, Inc.

Repair of the facility is funded through the FEMA Grant Acceleration Program and Net County Cost commitment, as appropriate. Sufficient funds are available in the Federal and State Disaster Aid Budget to cover the total estimated project cost of \$1,631,000.

The Project Schedule and Budget Summary are included in Enclosure A.

The change order contingency fund of \$139,030 is included in the project budget. No expenditures from the fund will be made without the review and authorization from the Chief Administrative Office.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration of contract award, Toby B. Hayward, Inc., is willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

The project specifications contain provisions 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.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135, the Safely Surrendered Baby Law, and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Toby B. Howard, Inc., is in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

Toby B. Hayward, Inc., as required on all publicly funded projects in excess of \$1,000, will be required to pay prevailing State wage rates to all persons employed on the project.

ENVIRONMENTAL DOCUMENTATION

On October 19, 2004, your Board found that the repairs to the Los Angeles Metro Branch Traffic Court are statutorily exempt under the California Environmental Quality Act.

CONTRACTING PROCESS

On October 19, 2004, your Board approved plans and specifications for the project at an estimated construction cost of \$1,145,000, and instructed the Executive Officer to advertise for construction bids. On December 2, 2004, five bids were received. Toby B. Hayward, Inc., submitted a bid of \$926,970 to perform the work and was the apparent lowest responsible bidder meeting the criteria adopted by your Board. The bid results are summarized in Enclosure B.

Toby B. Hayward, Inc.'s, Community Business Enterprises participation data and three-year contracting history with the County are on file with Public Works.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the "Doing Business with Us" website.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on any other programs or projects as a result of this action. This project allows for continuous uninterrupted operations of the Court since this earthquake construction repair work will be performed at night.

The Honorable Board of Supervisors
January 27, 2005
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CONCLUSION

Please return one adopted copy of this letter to the CAO and Public Works.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

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Enc. 2

cc: County Counsel
Superior Court
Department of Public Social Services (GAIN/GROW Program)

January 27, 2005

ENCLOSURE A

**LOS ANGELES METRO BRANCH TRAFFIC COURT
EARTHQUAKE RECOVERY PROJECT
AWARD CONSTRUCTION CONTRACT
SPECS. 5560; LACO 5266; DSR 33242**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Project Program	N/A	
Design		
Contract Execution	07/02/01*	07/02/01*
Construction Document Submittal	06/08/04*	06/08/04*
Jurisdictional Approvals	06/30/04*	06/30/04*
Construction Bid and Award	01/18/05	02/22/05
Construction		
Start Construction	02/15/05	02/23/05
Substantial Completion	08/16/05	08/24/05
Acceptance	10/20/05	12/06/05

*Indicates completed activity.

PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of this Action	Revised Project Budget
Construction			
(a) Construction	\$1,145,000	(\$ 218,030)	\$ 926,970
(b) Market Condition Contingency (20 percent)	229,000	(229,000)	0
(c) Change Orders (15 Percent)	<u>171,000</u>	<u>(31,970)</u>	<u>139,030</u>
Subtotal	\$1,545,000	\$ 479,000	\$1,066,000
Consultant Services			
(a) Design Services	\$ 123,000		\$ 123,000
(b) Construction Management	115,000		115,000
(c) Survey, Testing, & Inspection	<u>50,000</u>		<u>50,000</u>
Subtotal	\$ 288,000	\$ 0	\$ 288,000
Miscellaneous Expenditures			
(a) Print/Blueprinting	\$ 4,000		\$ 4,000
(b) Legal Advertising	<u>6,000</u>		<u>6,000</u>
Subtotal	\$ 10,000	\$ 0	\$ 10,000
Jurisdiction Reviews/Plan Check	\$ 8,000	\$ 0	\$ 8,000
County Services	\$ 259,000	\$ 0	\$ 259,000
TOTAL	\$2,110,000	\$ 479,000	\$1,631,000

January 27, 2005

ENCLOSURE B

**LOS ANGELES METRO BRANCH TRAFFIC COURT
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This project repairs cracks in reinforced concrete shear walls, granite plaza plinth facings, terrazzo floors, and wall finishes. In addition, the project addresses various code compliance items including Americans with Disabilities Act accessibility requirements.

Bid Opening Date: December 2, 2004

Bid Summary:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Lump Sum Bid</u>
Toby B. Hayward, Inc.	\$ 926,970	\$ 979,220
Armand Gonzales Inc. dba Gonzales Construction	\$ 1,199,025	\$ 1,228,775
Trimax Construction Corp.	\$ 1,480,000	\$ 1,549,000
Morillo Construction, Inc.	\$ 1,848,000	\$ 2,036,500
Mallcraft, Inc.	\$ 2,033,000	\$ 2,176,300

NOTES: 1. The low bid was determined based on the lump sum bid. The lump sum bid was calculated based on the advertised formula utilizing base bid, extended home office overhead rate, and the difference in unit prices for addition and deletion of assumed scopes of work.

2. The contract will be issued for \$926,970, the base bid amount.