



# 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

DONALD L. WOLFE, Director

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

IN REPLY PLEASE  
REFER TO FILE: **C-1**

May 2, 2006

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:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS  
SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Award and authorize the Director of Public Works, or his designee, to prepare the construction and maintenance services contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. FCC0000963 - Boone Avenue-Olive Avenue Drain, Boone-Olive Pumping Plant Low Flow Diversion, in the Venice area of the City of Los Angeles (3), to Humphrey Constructors, Inc., in amount of \$138,300.00.

Project ID No. RMD1446015 - Parkway Tree Planting, MD 1 (As Needed) FY 2004-05, vicinities of Industry, Diamond Bar, and Covina (1, 4, and 5), to Azteca Landscape, in amount of \$100,300.00.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

We are recommending that your Board award these construction and maintenance services contracts and authorize the Director of Public Works, or his designee, to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including an addendum to the contract specifications for Project ID No. FCC0000963.

The recommended construction and maintenance services contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

### **Implementation of Strategic Plan Goals**

The award of these construction and maintenance services contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

### **FISCAL IMPACT/FINANCING**

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2005-06 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBES) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

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, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

### **ENVIRONMENTAL DOCUMENTATION**

Each of these projects was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

## **CONTRACTING PROCESS**

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

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.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance 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.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

These construction and maintenance services contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

The Honorable Board of Supervisors  
May 2, 2006  
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**CONCLUSION**

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

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

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Enc. 2

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance

AWARD OF CONTRACT  
May 2, 2006

PROJECT ID NO. FCC0000963, BOONE AVENUE-OLIVE AVENUE DRAIN, BOONE-OLIVE PUMPING PLANT LOW FLOW DIVERSION  
(in the Venice area of the City of Los Angeles), Supervisorial District 3

TYPE OF WORK: Construction of a low-flow diversion system including a pump, control system, and 3-inch force main; reinforced concrete pipe joint repair; modifications to an existing pump station; and other appurtenant work.

CALL FOR BIDS DATE: March 21, 2006 (Synopsis 51)

BID OPENING DATE: April 25, 2006

BID SUMMARY:

Low	Humphrey Constructors, Inc., a corporation 21314 Hideout Drive Diamond Bar, California 91765 (909) 635-5945	\$138,300.00
2	Fleming Environmental, Inc.	\$139,883.00
3	*Reyes Construction, Inc.	\$233,500.00

\*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$137,500.00
Amount of recommended contract	\$138,300.00
Amount of recommended contract above estimate	\$ 800.00

The amount of the recommended contract is 0.6 percent above the estimate.

Sufficient funds for this project are available to the Flood Control District for Fiscal Year 2005-06.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Humphrey Constructors, Inc., has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal or State DBE goal.

On September 6, 2005, Synopsis No. 48, your Board found that this project is categorically exempt from the provisions of the California Environmental Quality Act.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 40 working days. It is estimated that the work will start in July and be completed in September 2006.

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AWARD OF CONTRACT  
May 2, 2006

PROJECT ID NO. RMD1446015, PARKWAY TREE PLANTING, MD 1 (AS NEEDED),  
FY 2004-05, (in the vicinities of Industry, Diamond Bar, and Covina),  
Supervisorial Districts 1, 4, and 5

TYPE OF WORK: Planting of parkway trees.

CALL FOR BIDS DATE: March 14, 2006 (Synopsis 40)

BID OPENING DATE: April 11, 2006

BID SUMMARY:

Low *Azteca Landscape, a corporation 1027 East Acacia Street Ontario, California 91761 (909) 673-0889	\$100,300.00
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\*MBE

Mega Way Enterprises submitted a bid in the amount of \$168,950.00; however, their bid failed to include the CBE Firm/Organization Information Form and the Bidder's Industrial Safety Record. Also, Section 2-3.2, Additional Responsibility of the Standard Specifications, states that the contractor shall perform at least 50 percent of the contract work. Mega Way Enterprises listed a subcontractor who would perform more than 50 percent of the work. Therefore, their bid was considered nonresponsive and rejected as provided in the "Instructions to Bidders."

FINANCIAL INFORMATION:

Amount of estimate	\$ 99,300.00
Amount of recommended contract	\$100,300.00
Amount of recommended contract above estimate	\$ 1,000.00

The amount of the recommended contract is 1 percent above the estimate.

This project is included in the Fiscal Year 2005-06 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Azteca Landscape has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal or State DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsection (x)(9), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

This is an as-needed contract for an one-year period beginning in July 2006 and ending in June 2007.

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