

# **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

August 3, 2006

IN REPLY PLEASE
REFER TO FILE: AS-0

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:

AS-NEEDED PUMP PULLING AND MACHINE REPAIR SERVICES PROGRAM ALL SUPERVISORIAL DISTRICTS 3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICTS AND THE MARINA DEL REY WATER SYSTEM AND SEWER MAINTENANCE DISTRICTS:

- 1. Find that the contract work is exempt from the provisions of the California Environmental Quality Act (CEQA).
- 2. Award the contracts for As-Needed Pump Pulling and Machine Repair Services Program in an annual aggregate sum not to exceed \$900,000 to Zim Industries, d.b.a. Bakersfield Well & Pump Co., located in Bakersfield, California; Rottman Drilling Co., located in Lancaster, California; and Vaughan's Industrial Repair Company, Inc., located in Paramount, California. These contracts will be for a term of one year commencing on September 2, 2006, with four 1-year renewal options, not to exceed a total of five years. Financing for these services is included in Public Works' 2006-07 Waterworks Districts Funds and Public Works' 2006-07 Sewer Maintenance Districts Funds.
- 3. Delegate authority to the Director of Public Works to execute these contracts; to renew them for each additional renewal option, if, in the opinion of the Director, renewal is warranted; to grant month-to-month extensions at the conclusion of each final contract term not exceeding a

total of six months, for the convenience of the County; and to terminate these contracts, if, in the opinion of the Director, it is in the best interest of the County to do so.

# PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Since 2003, Public Works has contracted for as-needed pump pulling and machine repair services at various locations throughout the County.

The current contracts were for initial one-year periods with two 1-year renewal options beginning September 2, 2003. The purpose of this action is to continue contracting for these as-needed pump pulling and machine repair services. A Request for Proposals (RFP) was released on June 8, 2006, for a replacement contract. Subsequently, changes in scope of work and pricing requirements during the solicitation process affected Public Works' timely receipt and evaluation of bids, thereby causing delays in awarding these contracts. The work to be performed will consist of pump pulling and installations, water well rehabilitations, well casing repairs and installations, water well video inspections, and repair services on various types of pumps in order to avoid customer water shortages or outages and/or public health safety problems caused by sewage overflows. By utilizing multiple contractors, Public Works can respond in a timely manner to repairs that may be needed to its facilities.

### <u>Implementation of Strategic Plan Goals</u>

This action is consistent with the County Strategic Plan Goals of Service Excellence and Organizational Effectiveness. These services are to be provided on a part-time and intermittent basis, and the contractors have the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner.

#### FISCAL IMPACT/FINANCING

These contracts are for an annual aggregate amount not to exceed \$900,000. This amount is based on the unit prices/hourly rates quoted by the contractors and our estimated annual utilization of the contractors' services.

Financing for these services is included in Public Works' 2006-07 Waterworks Districts Funds and Public Works' 2006-07 Sewer Maintenance Districts Funds. When the need arises for services under these contracts, we will finance the services from the appropriate fund source. Total annual expenditures for these services, however, will not exceed the amount approved by your Board, and no services will be ordered without the

funding authorization of Public Works' Financial Management Branch. There will be no impact on net County cost.

# FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Prior to the Director executing these contracts, which will be substantially similar to Enclosure A, each contractor will sign and County Counsel will reviewed them as to form.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to these recommended contracts, which are for services required on an as-needed, intermittent basis; hence, these contracts are not Proposition A contracts (Los Angeles County Code Chapter 2.121).

# **ENVIRONMENTAL DOCUMENTATION**

These services are categorically exempt from CEQA as set forth in Section 15301, Class 1, of the State CEQA guidelines.

# **CONTRACTING PROCESS**

On June 8, 2006, Public Works solicited proposals from 181 independent contractors and community business enterprises to accomplish this work. Also, a notice of the RFP was placed on the County's bid website (Enclosure B) and an advertisement was placed in the <u>Los Angeles Times</u>.

Pursuant to the applicable memorandum of understanding, the RFP of these contracted services was submitted on June 6, 2006, to the Local 660 Union for review before being released to the public. The Union declined to meet with Public Works.

On July 10, 2006, three proposals were received. The proposals were first reviewed to ensure they met the mandatory requirements outlined in the RFP. The proposals having met these requirements, were then evaluated by an evaluation committee consisting of Public Works staff. The committee's evaluation was based on criteria described in the RFP, which included the proposed price, experience, work plan, and references. Proposals and price quotations were rated separately for each of the six work category items. A work item will be assigned to the highest-rated contractor for that item. If the highest-rated contractor is not able to perform the work item, the work item will be offered to the second highest-rated contractor as listed on Enclosure A, Sample Agreement; and Exhibit E, Contractor Ratings by Service Item. For all six

items, the highest-rated contractor had submitted the lowest proposed price. By utilizing multiple contractors, Public Works can respond in a timely manner to repairs that may be needed to its facilities. Public Works does not guarantee that any or all contractors will receive work under this Program.

Enclosure C reflects the proposers' minority participation. The contractors were selected upon final analysis and consideration without regard to race, creed, gender, or color.

These contracts contain terms and conditions supporting Board-sponsored policies, such as contractor responsibility and debarment (revised), jury service requirements, the Safely Surrendered Baby Law, and charitable activities compliance.

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractors before any work is assigned.

As requested by your Board, the contractors have submitted safety records that reflect the activities conducted by the contractors in the past have been according to reasonable standards of safety.

In accordance with the Chief Administrative Officer's June 15, 2001, instructions, this is Public Works' assurance that the contractors will not be requested to perform services that will exceed the contracts' approved amount, scope of work, terms and conditions, and/or duration.

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

The award of these contracts will not result in the displacement of any County employees.

# **CONCLUSION**

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE Director of Public Works

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Enc. 3

cc: Chief Administrative Office

**County Counsel** 

### SAMPLE AGREEMENT FOR

# AS-NEEDED PUMP PULLING AND MACHINE REPAIR SERVICES PROGRAM (2006–AN002)

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2006, by and between the COUNTY OF LOS ANGELES, acting as the governing body for the WATERWORKS DISTRICTS AND MARINA DEL REY WATER SYSTEM AND SEWER MAINTENANCE DISTRICTS (hereinafter referred to as DISTRICTS), and [NAME OF CONTRACTOR], a [Form of Entity], (hereinafter referred to as CONTRACTOR).

#### WITNESSETH

<u>FIRST</u>: The CONTRACTOR, for the consideration hereinafter set forth and the acceptance by the Board of Supervisors of said DISTRICTS and the CONTRACTOR'S Proposal filed with the DISTRICTS on July 10, 2006, hereby agrees to provide services as described in the attached specifications for As-Needed Pump Pulling and Machine Repair Services Program (2006-AN002), including, but not limited to, Exhibit A, Scope of Work.

SECOND: This AGREEMENT, together with Exhibit A, Scope of Work; Exhibit B, Service Contract General Requirements; Exhibit C, Internal Revenue Service Notice 1015; Exhibit D, Safely Surrendered Baby Law Posters; Exhibit E, Contractor Ratings by Service Item; and the CONTRACTOR'S Proposal, all attached hereto; the Request for Proposals; and Addenda to the Request for Proposals, all of which are incorporated herein by reference, are agreed by the DISTRICTS and the CONTRACTOR to constitute an integral part of the Contract documents.

<u>THIRD</u>: The DISTRICTS agree, in consideration of satisfactory performance of the foregoing services in strict accordance with the Contract specifications to the satisfaction of the Director of Public Works, to pay the CONTRACTOR pursuant to the Schedule of Prices set forth in the Proposal and attached hereto as Form PW-2. In no event will the DISTRICTS pay any and all contractors providing service under this Program an aggregate annual amount to exceed \$900,000 (Maximum Contract Sum), or such greater amount as the Board may approve.

FOURTH: As part of the evaluation process relative to this Contract solicitation, the DISTRICTS determined that Zim Industries, d.b.a. Bakersfield Well & Pump Co. was the highest-rated proposer for Items A through E; Rottman Drilling Co. was the second highest-rated proposer for Items A through E; Vaughan's Industrial Repair Company, Inc., was the highest-rated proposer for Item F; and Rottman Drilling Co. was the second-highest rated proposer for Item F. Accordingly, the DISTRICTS intend, at its sole option, to award work to each contractor beginning with the highest-evaluated contractor for that service Item as detailed in Exhibit E, Contractor Ratings by Service Item. If the highest-evaluated contractor is not able or available to perform the required service within the DISTRICTS' time frame, the DISTRICTS will assign work to the next highest-evaluated contractor for that service Item. Notwithstanding the foregoing, the parties understand and agree that this Contract is nonexclusive, the DISTRICTS may enter into other contracts for

the performance of the same or similar services, and the CONTRACTOR is not entitled to or guaranteed the assignment of any work hereunder.

<u>FIFTH</u>: This Contract's initial term shall be for a period of one year commencing on September 2, 2006. At the discretion of the DISTRICTS, this Contract may be extended in increments of one year, not to exceed a total contract period of five years. The DISTRICTS, acting through the Director, may give a written notice of intent to extend this Contract at least 30 days prior to the end of each term. In addition, upon notice of at least 30 days, the Director may extend the final contract term on a month-to-month basis, not to exceed a total of six months, for the convenience of the DISTRICTS.

<u>SIXTH</u>: The CONTRACTOR shall bill monthly, in arrears, for the work performed during the preceding month. Work performed shall be billed at the hourly rates and unit prices quoted in Form PW-2, Schedule of Prices.

<u>SEVENTH</u>: Public Works will make payment to the CONTRACTOR within 30 days of receipt and approval of a properly completed invoice. Each invoice shall be in triplicate (original and two copies) and shall itemize the work completed. The invoices shall be submitted to:

County of Los Angeles Department of Public Works Attention Fiscal Division, Accounts Payable P.O. Box 7508 Alhambra, CA 91802-7508

<u>EIGHTH</u>: In no event shall the aggregate total amount of compensation paid to any and all contractors under this Program exceed the amount of compensation authorized by the Board. Such aggregate total amount is the Maximum Contract Sum.

<u>NINTH</u>: The CONTRACTOR understands and agrees that only the designated Public Works Contract Manager is authorized to request or order work under this Contract. The CONTRACTOR acknowledges that the designated Contract Manager is not authorized to request or order any work that would result in the CONTRACTOR earning an aggregate compensation in excess of this Contract's Maximum Contract Sum.

TENTH: The CONTRACTOR shall not perform or accept work requests from the Contract Manager or any other person that will cause the Maximum Contract Sum of this Contract to be exceeded. The CONTRACTOR shall monitor the balance of this Contract's Maximum Contract Sum. When the total of the CONTRACTOR'S paid invoices, invoices pending payment, invoices yet to be submitted, and ordered services reaches 75 percent of the Maximum Contract Sum, the CONTRACTOR shall immediately notify the Contract Manager in writing. The CONTRACTOR shall send written notification to the Contract Manager when this Contract is within six months from expiration of the term as provided for hereinabove.

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ELEVENTH: The Director shall adjust the rate of compensation set forth in Form PW-2 (Schedule of Prices) annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics', All Urban Consumers Price Index for the Los Angeles-Riverside-Orange County Area (CPI). The contract anniversary date shall be the effective date for any such cost-of-living adjustment. The percentage change in the rate of compensation shall equal 12 times the average monthly change in the CPI over the first nine months of the contract term preceding the effective date. However, any percentage increase shall not exceed the general salary movement granted to COUNTY employees as determined by the COUNTY'S Chief Administrative Office as of July 1 for the prior 12-month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in COUNTY employee salaries, no cost-of-living adjustment will be granted.

<u>TWELFTH</u>: In the event that terms and conditions, which may be listed in the CONTRACTOR'S Proposal, conflict with the DISTRICTS' specifications, requirements, and terms and conditions as reflected in this AGREEMENT, including, but not limited to, Exhibits A through E, inclusive, the DISTRICTS' provisions shall control and be binding.

<u>THIRTEENTH</u>: The CONTRACTOR agrees in strict accordance with the Contract specifications and conditions to meet the DISTRICTS' requirements.

<u>FOURTEENTH</u>: This Contract constitutes the entire AGREEMENT between the DISTRICTS and the CONTRACTOR with respect to the subject matter of this Contract and supersedes all prior and contemporaneous agreements and understandings.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

	WATERWORKS DISTRICTS AND MARINA DEL REY WATER SYSTEM AND SEWER MAINTENANCE DISTRICTS
	By Director of Public Works
APPROVED AS TO FORM:	
RAYMOND G. FORTNER, JR. County Counsel	
By Deputy	[NAME OF CONTRACTOR]
	By Its President
	Type or Print Name
	By Its Secretary
	Type or Print Name

# AS-NEEDED PUMP PULLING AND MACHINE REPAIR SERVICES PROGRAM

CONTRACTOR RATINGS BY SERVICE ITEM								
Item	Contractor	Rating						
Α	Pump Removal/Installation Service	Bakersfield Well & Pump Co.	1					
		Rottman Drilling Co.	2					

CONTRACTOR RATINGS BY SERVICE ITEM										
Item Description Contractor Ra										
В	Well Performance Testing Service	Bakersfield Well & Pump Co.	1							
		Rottman Drilling Co.	2							

CONTRACTOR RATINGS BY SERVICE ITEM									
Item Description Contractor Rating									
С	Pump Repair Service	Bakersfield Well & Pump Co.	1						
		Rottman Drilling Co.	2						

CONTRACTOR RATINGS BY SERVICE ITEM							
Item	Description	Contractor	Rating				
D	Well Video Survey Service	Bakersfield Well & Pump Co.	1				
		Rottman Drilling Co.	2				
-		Vaughan's Industrial Repair	No Bid				
		Co., Inc.	Submitted				

CONTRACTOR RATINGS BY SERVICE ITEM								
Item	Description	Rating						
E	Well Rehabilitation Treatment Service	Bakersfield Well & Pump Co.	1					
		Rottman Drilling Co.	2					

CONTRACTOR RATINGS BY SERVICE ITEM									
Item Description Contractor Ra									
F	Sewer Pump Repair Service	Vaughan's Industrial Repair Co., Inc.	1						
		Rottman Drilling Co.	2						

#### **Bid Detail Information**

Bid Number: PW-ASD 621

Bid Title: AS NEEDED PUMP PULLING AND MACHINE REPAIR SERVICES (2006-AN002)

**Bid Type:** Service **Department:** Public Works

Commodity: MAINT & REPAIR - PUMPS AND PUMP ACCESS.

Open Date: 6/8/2006

Closing Date: 7/5/2006 5:30 PM

Bid Amount: N/A

Bid Download: Not Available

Bid Description: NOTICE OF REQUEST FOR PROPOSALS FOR

AS-NEEDED PUMP PULLING AND MACHINE REPAIR SERVICES (2006-AN002)

PLEASE TAKE NOTICE that Public Works requests proposals for a contract for the As Needed Pump Pulling and Machine Repair Services (2006–AN002). The annual cost of this service is estimated to be \$900,000. If not enclosed with this letter, the Request for Proposals (RFP) with contract specifications, forms, and instructions for preparing and submitting proposals may be requested by accessing this link at ftp://dpwftp.co.la.ca.us/solicitationdocuments/pumppullingwsm.pdf or from Ms. Angelica Maldonado at (626) 458 4080, Monday through Thursday, 7 a.m. to 5 p.m.

Proposers must meet all minimum requirements set forth in the RFP document, including, but not limited to, possession of a valid C-57 Water Well Drilling State Contractor's License to submit a proposal for Item A, Pump Removal/Installation Service, and/or Item B, Well Performance Testing Service; the Proposers must possess a valid Grade 2 Water Treatment Operator Certification issued by the California Department of Health Services to submit a proposal for Item E, Well Rehabilitation Treatment Service.

A Proposers' Conference will be held on Tuesday, June 20, 2006, at 2 p.m. at Public Works Headquarters, 900 South Fremont Avenue, Alhambra, California 91803, in Conference Room C. ATTENDANCE BY THE PROPOSER OR AN AUTHORIZED REPRESENTATIVE AT THE CONFERENCE IS MANDATORY. Public Works will reject proposals from those who have not signed in as attending the Conference. Attendees should be prepared to ask questions at that time about the specifications, proposal requirements, and contract terms. After the Conference, it may be impossible to respond to further requests for information.

The deadline to submit proposals is Wednesday, July 5, 2006, at 5:30 p.m. Please direct your questions to Ms. Maldonado at the number above.

The conference facility complies with the Americans with Disabilities Act (ADA). With four business days' notice, Public Works will make all reasonable efforts to provide information in alternate formats and other accommodations for people with disabilities. For the ADA Coordinator, please call (626) 458 4081 or TDD at (626) 282 7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

Contact Name: ANGELICA MALDONADO

Contact Phone#: (626) 458-4080

Contact Email: amaldonado@ladpw.org
Last Changed On: 6/12/2006 9:29:18 AM

Back to Last Window

# **FORM PW-9**

# County of Los Angeles Request for Local Small Business Enterprise (SBE) Preference Program Consideration and CBE Firm/Organization Information Form

All proposers responding to the Request for Proposals must complete and return this form for proper

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Title: DENNIS Mc KiNDLEY

VICE- PRESIDENT

7-07-06

INFORMATION IS TRUE

Authorized Signature:

July 7, 2006

**FORM PW-9** 

# County of Los Angeles Request for Local Small Business Enterprise (SBE) Preference Program Consideration and GBE Firm/Organization Information Form

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Larry W Rottman

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OCAL SEE-F	M-OR	GANIZATION FORM	DOC OAA	Rev. 09/	/2002 P	W Rev. 11/200	2				