



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

January 8, 2013

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:

**DEPARTMENT OF PUBLIC WORKS:
WILL ROGERS COASTLINE
PARKING LOT AND VIEW PIER IMPROVEMENTS PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM;
APPROVE PROJECT AND BUDGET; AND
ADOPT, ADVERTISE, AND AWARD
SPECS. 5360; CAPITAL PROJECT NO. 69225
(THIRD DISTRICT) (3 VOTES)**

SUBJECT

Approval of the recommended actions will adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, approve the Project and budget, adopt the Youth Employment Plan, adopt plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract for the Will Rogers Coastline Parking Lot and View Pier Improvements Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Consider the Mitigated Negative Declaration for the Will Rogers Coastline Parking Lot and View Pier Improvements Project together with any comments received during the public review period; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during Project

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only*

Board of Supervisors
GLORIA MOLINA
First District

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Second District

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Third District

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Fifth District

implementation, and find on the basis of the whole record before the Board that there is no substantial evidence the Project will have a significant effect on the environment; and adopt the Mitigated Negative Declaration.

2. Approve the Will Rogers Coastline Parking Lot and View Pier Improvements Project, Capital Project No. 69225, with a total Project budget of \$9,512,000.
3. Adopt plans and specifications that are on file with the Department of Public Works for construction of the Will Rogers Coastline Parking Lot and View Pier Improvements Project at an estimated construction cost of \$5,753,815, and instruct the Executive Officer of the Board of Supervisors to advertise the Project for construction bids to be received and opened on February 12, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
4. Adopt the Youth Employment Plan for Will Rogers Coastline Parking Lot and View Pier Improvements Project as required by the Regional Parks and Open Space District's Procedural Guide.
5. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$2,000 not-to-exceed amount funded by the existing Project funds.
6. Authorize the Director of Public Works, or her designee, to determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by the Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), approve the proposed Will Rogers Coastline Parking Lot and View Pier Improvements Project

(Project) and budget; adopt the Youth Employment Plan (YEP), adopt plans and specifications; allow advertising for construction bids, and delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract for the proposed Project.

Project Description and Delivery

The proposed Project is a reconstruction of the existing asphalt-paved parking lot located at 18552 Pacific Coast Highway in Pacific Palisades, construction of a new 15-foot-high and 610-foot-long seawall, a new 26-space parking lot, a public view deck, a pedestrian beach access ramp complying with the Americans with Disabilities Act, and landscaping improvements. Initially, the proposed Project included reconstruction and reinforcement of the existing bluff slope with rock armor to protect against erosion. However, subsequent to submission of an application for a Coastal Development Permit, the California Coastal Commission required the Project to incorporate a seawall in place of the originally designed rock slope revetment in order to preserve the maximum possible beach access during average tide conditions. Plans and specifications for the proposed Project have been completed, and we are recommending that the Board adopt and advertise these documents for construction bids.

In order to expedite construction of the proposed Project, it is recommended that the Board authorize the Director of Public Works, or her designee, to award and execute a construction contract to the Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter), if the low bid can be awarded within the total Project budget approved by the Board. If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded, and we will return to the Board with a revised Project scope and/or funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director of Public Works may return to the Board to recommend that the Bidder be determined nonresponsible and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that Bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction will begin in April 2013 and be completed in October 2014.

Youth Employment Plan

On June 26, 1997, the Board, acting as the governing body of the Regional Park and Open Space District (District), adopted a Youth Employment Policy for projects funded by the Safe Neighborhood Parks Propositions of 1992 and 1996 (Proposition A). The District requires that the governing body of the grantee adopt a YEP for each Proposition A funded project at a duly noticed public meeting. Approval of the attached YEP for the proposed Project (Attachment B) will comply with the District's Youth Employment Policy. Due to the technical nature of the proposed Project and required high level of skilled labor, the Department of Beaches and Harbors (Beaches and Harbors) will not be able to utilize youth during the construction of the proposed Project.

Green Building/Sustainable Design Program

The proposed Project supports the Board's Sustainable Design Program by incorporating drought-tolerant landscaping and a stormwater filtration unit in the parking lot to capture and filter stormwater runoff on-site.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3) by investing in public infrastructure that will enhance recreational opportunities for County residents and visitors by providing improved public beach access at Will Rogers State Beach.

FISCAL IMPACT/FINANCING

The Department of Public Works' (Public Works) fair construction cost estimate for the proposed Project is \$5,753,815. The total proposed Project cost, including programming, plans and specifications, plan check, construction, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$9,512,000. The proposed Project Schedule and Budget Summary are detailed in Attachment A.

Sufficient appropriation is available in the Fiscal Year (FY) 2012-13 Capital Projects/Refurbishment Budget for the Project, Capital Project No. 69225, to fully fund the proposed Project. The proposed Project is funded with \$37,000 of prior year net County cost, \$913,992 of Coastal Impact Assistance Program Grant funds from the United States Fish and Wildlife Service, \$1,648,000 from the Safe Neighborhood Parks

Proposition of 1996, \$6,663,000 from the Vehicle License Fee Gap Loan Special Fund, and \$250,000 from Beaches and Harbors' Annual Allocation Fund. The predesign costs of \$95,723 have been funded with Proposition A funds, which were originally budgeted in Capital Projects Nos. 70869 and 70845.

Operating Budget Impact

Following completion of the proposed Project scheduled for October 2014, Beaches and Harbors will maintain the beach improvements. Beaches and Harbors anticipates one-time, start-up cost of \$12,000 to provide equipment, furnishings, and supplies, which will be absorbed within the Department's FY 2014-15 Beach Operating Budget. The ongoing operating cost is estimated to be minimal and will be absorbed within Beaches and Harbors' Operating Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to the Board's Civic Art Policy adopted on December 7, 2004, as amended on December 15, 2009, the proposed Project is exempt from the Civic Art Policy funding allocation requirement because the proposed Project involves infrastructure improvements, including asphalt paving, drainage, and seawall improvements.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation.

As part of their bids, contractors are required to provide unit prices for the installation of piles and for the extended daily overhead rate. As specified in the bid documents, the lowest bid price shall be determined by adding the lump sum bid, the extended overhead daily rate multiplied by 30 calendar days, the unit price for the 24-inch-diameter cast-in-drilled-hole piles multiplied by 65 linear feet, the unit price for the 30-inch-diameter cast-in-drilled-hole piles multiplied by 165 linear feet, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000), if applicable.

A standard construction contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting the Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers; Board Policy 5.110; Reporting of Improper Solicitations; Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The proposed Project specifications contain provisions requiring the contractor to report solicitations of improper consideration of 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.

The plans and specifications include the contractual provisions and material requirements necessary for the proposed Project and are on file with the Architectural Engineering Division of Public Works.

ENVIRONMENTAL DOCUMENTATION

An Initial Study for the proposed Project was prepared in compliance with the California Environmental Quality Act. The Initial Study identified potentially significant effects on the environmental areas of biological resources, cultural resources, geology, soils, and hydrology and water quality as a result of the proposed Project. Prior to the proposed release of the MND and Initial Study for public review, revisions to the proposed Project were made or agreed to which would avoid these significant effects or mitigate them to a point where clearly no significant effects would occur. Additional mitigation was

included in the MMRP that will ensure that impacts to air quality and traffic and transportation are minimal. Recommended mitigation measures for the proposed Project are as follows:

- **Air Quality:** Provide water and street sweep for dust control, suspend excavation and grading during high winds, and maintain and operate construction equipment to minimize exhaust emissions.
- **Biological Resources:** Install and maintain silt curtains or other barriers on the beach during construction to reduce turbidity and sedimentation that could affect seagrasses and kelp beds.
- **Cultural Resources:** In the event that subsurface cultural resources are encountered during construction, findings shall be examined by a qualified archeologist/paleontologist to assess their significance and offer recommendations for proper handling.
- **Geology and Soils:** Design and construct the proposed Project in accordance with the proposed Project specific geotechnical reports and applicable sections of the California Building Code.
- **Hydrology and Water Quality:** Incorporate construction and post-construction Best Management Practices as part of the proposed Project for erosion and dust control and to reduce pollution and storm water runoff.
- **Noise:** Implement noise abatement measures during construction and limit construction activities to certain hours in accordance with the County of Los Angeles and City of Los Angeles Noise Control Ordinances.
- **Transportation/Traffic:** Limit transportation of large equipment and construction materials outside peak traffic hours.

The Initial Study and proposed Project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the proposed Project as revised may have a significant effect on the environment. Based on the Initial Study and proposed Project revisions, an MND was prepared for this proposed Project. A proposed MMRP (Section 5 of Attachment C) was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND (Attachment C) during the proposed Project implementation.

Since public circulation of the Draft Initial Study/MND, the proposed Project scope has been revised to address requirements from the California Coastal Commission. Originally, the proposed Project, as described in the Draft Initial Study/MND, included reconstruction and reinforcement of the existing bluff slope with rock armor to protect against erosion. However, as required by the California Coastal Commission for issuance of the Coastal Development Permit, the proposed Project was redesigned to incorporate the seawall component in place of the rock slope revetment to preserve the maximum possible beach access during average tide conditions. Proposed Project revisions do not result in any new significant impacts or an increase in the severity of the previously identified proposed Project impacts.

Public Notice was published in *The Palisidian Post* on October 5, 2006, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. During the 30-day comment period, which ended on November 6, 2006, no comment letters were received from public agencies or members of the public. After the comment period, one written response was received from the County of Los Angeles Sheriff's Department. All comments received, as well as responses to the comments, are contained in the final MND (Section 4 of MND) and have been sent to the commenting public agencies pursuant to Section 21092.5 of the Public Resources Code.

The location of these documents and other materials constituting the record of the proceedings upon which the Board's decision is based in this matter is the County of Los Angeles Department of Public Works, Project Management Division I, 900 South Fremont Avenue, 5th Floor, Alhambra, California 91803. The custodian of such documents and materials is Mr. Ed Andrews, Project Manager, Public Works.

The proposed Project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon the Board's adoption of the MND, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk of approximately \$2,177.

CONTRACTING PROCESS

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment D).

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

The Honorable Board of Supervisors
January 8, 2013
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Participation by Community Business Enterprises (CBE) in the proposed Project is encouraged through Public Works' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current County services or projects.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; the Department of Beaches and Harbors; and the Department of Public Works, Project Management Division I.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
DKM:AC:zu

Attachments

- c: Executive Office, Board of Supervisors
- County Counsel
- Arts Commission
- Beaches and Harbors
- Public Works

**DEPARTMENT OF PUBLIC WORKS:
WILL ROGERS COASTLINE
PARKING LOT AND VIEW PIER IMPROVEMENTS PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
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SPECS. 5360; CAPITAL PROJECT NO. 69225**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Construction Documents	07/31/12
Jurisdictional Approvals	12/27/12*
Award Construction Contract	04/11/13
Construction Start	04/29/13
Substantial Completion	10/31/14
Final Acceptance	12/31/14

* Actual completion date.

**WILL ROGERS COASTLINE
PARKING LOT AND VIEW PIER IMPROVEMENTS PROJECT
CAPITAL PROJECT NO. 69225
GRANT NO: P254-04-1343**

YOUTH EMPLOYMENT PLAN

Background (Scope of Work)

The Safe Neighborhood Parks Proposition of 1996 provided \$8 million to the Department of Beaches and Harbors (Department) to acquire, develop or improve facilities, enhance beaches and public access, improve water quality, rehabilitate or restore existing facilities, and improve the safety of beach facilities.

The Will Rogers Coastline Parking Lot and View Pier Improvements Project includes reconstruction of the existing asphalt-paved parking lot located at 18552 Pacific Coast Highway in Pacific Palisades, including construction of a new 15-foot-high and 610-foot-long seawall, a new 14-space parking lot, a public view deck, a pedestrian beach access ramp, and landscaping improvements.

Task that may be Performed by At-Risk Youth

The Department is not able to employ at-risk youth to perform tasks on the Will Rogers Coastline Parking Lot and View Pier Improvements Project due to the technical nature of the work.

Youth Employment Goal

The County of Los Angeles has met its Youth Employment Minimum Obligation of \$15,739,507, which was established under the provisions of the County of Los Angeles Regional Park and Open Space District policy on employment of at-risk youth. However, the Department will continue to encourage contractors to employ at-risk youth on the projects funded by the Propositions A of 1992 and 1996. Additionally, the Department will continue to actively pursue employment opportunities for at-risk youth in beach maintenance operations.

ATTACHMENT C
January 8, 2013

**DEPARTMENT OF PUBLIC WORKS:
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**MITAGATED NEGATIVE DECLARATION
(See Enclosure)**

DEPARTMENT OF PUBLIC WORKS:
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

OFFICIAL NOTICE
INVITING BIDS

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC</u> <u>FEE</u>	<u>DATE OF BID</u> <u>OPENING</u>
3	5360	Will Rogers Coastline Parking Lot and View Pier Improvements Project 18552 Pacific Coast Highway Malibu, CA 90265	\$75	February 12, 2013

Copies of the project manual and drawings may be downloaded free of charge from the County of Los Angeles, Department of Public Works website (<http://dpw.lacounty.gov/go/constructioncontracts>), or may be purchased for the fee stated above at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. For bid information, please contact Ms. Kathleen Gandara of Architectural Engineering Division at (626) 458-2566. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 11 a.m. on this date in the Main Conference Room, 5th Floor, at 900 South Fremont Avenue, Alhambra, California 91803.

This project requires the general contractor firm to possess an A license classification at the time of bid.

In addition, in order to qualify to bid on this project, the general contractor shall, at a minimum, have previously completed, as a prime contractor or as a subcontractor, two similar type projects within the last 10 years that included construction of a cast-in-place and concrete pile supported structure within the coastal marine tidal environment.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of the prevailing rate per diem wages are on file at the Department of Public Works, which shall be made available to any interested party upon request.

PREBID CONFERENCE

The Department of Public Works Project Management Division I will hold a prebid conference at 10 a.m., on January 23, 2013, at the project site, 18552 Pacific Coast Highway, Malibu, California 90265, to provide information on the scope of work and answer basic questions that the potential bidders may have. Detailed questions or additional information must be submitted in writing to Ms. Kathleen Gandara with the Department of Public Works' Architectural Engineering Division at Fax No. (626) 979-5311 or you may contact her at (626) 458-2566.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Individuals requiring reasonable accessibility accommodations may request written materials in alternate formats, physical accessibility accommodations, sign language interpreters or other reasonable accommodations by contacting our departmental Americans with Disabilities Act Coordinator at (626) 458-4081, from 7:30 a.m. to 5:00 p.m., Monday through Thursday (excluding holidays). Persons who are deaf or hard of hearing may make contact by first dialing the California Relay Service at 7-1-1. Requests should be made at least one week in advance to ensure availability. When making a reasonable accommodation request, please reference **[PJ-I]**.



Individuos que requieran acomodamiento rasonable accesible pueden solicitar materiales escritos en formatos alternativos, acomodamiento fisico accesible, intérpretes en lenguaje de señas Americano ú otros acomodamientos rasonables comunicándose con nuestro Coordinador Departamental del Acto de Americanos con Incapacidades al (626) 458-4081, de 7:30 a.m. a 5:00 p.m., Lunes a Jueves (excluyendo días festivos). Personas sordas o con problemas auditivos pueden comunicarse primero marcando al Servicio de Difusión de California al 7-1-1. Solicitudes pueden hacerse por lo menos una semana antes para asegurar disponibilidad. Cuándo se haga una petición reasonable para acomodo, por favor mencione **[PJ-I]**.

By order of the Board of Supervisors of the County of Los Angeles, State of California, dated January 8, 2013.

Specs. 5360 SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES