County of Los Angeles
CHIEF EXECUTIVE OFFICE
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
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WILLIAM T FUJIOKA
Chief Executive Officer

May 14, 2013

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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:
HALL OF JUSTICE REPAIR AND REUSE PROJECT
CITY OF LOS ANGELES
STRUCTURAL STEEL LEAD-BASED PAINT ABATEMENT
CAPITAL PROJECT NO. 86630; SPECS. 66498
(FIRST DISTRICT) 3 VOTES

SUBJECT

This action will approve the structural steel lead-based paint abatement procedures and removal required for health and safety regulations established by the California Occupational Health and Safety Administration, and necessary for the structural retrofit and code compliance at the Hall of Justice Repair and Reuse Project

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the recommended action is within the scope of the Final Environmental Assessment/Environmental Impact Report prepared for the Hall of Justice Repair and Reuse Project, which was certified by the Board on June 13, 2006.

2. Approve and authorize the Director of Public Works, or her designee, to take all actions necessary to execute a change order for safe removal of structural steel lead-based paint for a total sum of $6,454,623 with Clark Construction Group - California, LP, at the Hall of Justice Repair and Reuse Project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action will allow the Director of Public Works (Public Works), or her designee, to execute a change order for safe removal of structural steel

lead-based paint with Clark Construction Group – California, LP (Clark Construction), at the Hall of Justice Repair and Reuse Project (Project).

Background

The structural system of the Hall of Justice building, erected in 1925, is composed of steel plates and angles covered with red oxide paint with a tested lead content up to 39 percent by volume. The plates and angles were hot-riveted together to form the columns and beams of the structure. The steel was then encased in concrete for fire proofing.

The seismic retrofit of the perimeter walls entails drilling into the existing concrete shell to place reinforcing steel bar and positively tying the rebar to the existing steel columns and beams to form seismic drag ties prior to the placement of shotcrete. This work occurs at every level of the 165-foot-tall building. Due to the removal of the 11th and 13th floor slabs to increase usable head room for functional space, the existing columns and beams need to be exposed and reinforced with additional steel plates welded to the existing structure.

While general abatement of exposed areas of the building occurred in the prior non-structural demolition phase of the Project, the condition of the concealed areas was unknown. During demolition and removal of concrete in this phase of work to expose the structural steel, Public Works and Clark Construction were able to test the materials for lead content and found not only higher-than-anticipated lead concentration, but also high concentration of lead in the concrete debris due to leaching.

Abatement Methods

Generally acceptable lead abatement consists of applying a chemical gel to the lead surfaces for removal and disposal as hazardous material or removal by scraping and abrading the surfaces. Neither method is effective on the concealed surfaces. The heat from welding or drilling the existing steel causes the lead paint to burn, creating airborne lead vapor.

Abatement using any of these methods or a combination of methods must be done under full containment of the work areas, performed by trained and certified workers, and tested for compliance with the California Occupational Health and Safety Administration (CAL-OSHA) requirements.

Mock-ups were performed using the following: 1) gel and welding; 2) scraping, abrading, and welding; and 3) welding. All mock-ups were tested for the amount of airborne content.

Welding proved to generate the least amount of airborne content, but also requires a higher level of training, certification, monitoring, and clean-up. The preparation work and mock-up testing, training, and monitoring were authorized under delegated authority to establish the recommended health and safety procedures required by CAL-OSHA and to estimate the cost to complete the abatement work. The work is scheduled to move throughout the building and will be completed by October 2013.

Green Building/Sustainable Design Program

The Project will comply with the Board's Green Building/Sustainable Design Program. The Project will be designed and constructed to achieve the United States Green Building Council's Leadership in Energy and Environmental Design Gold level certification by incorporating sustainable design features to optimize energy and water use, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by maximizing the effectiveness of process, structure, and operations to support timely delivery of customer-oriented and efficient public services. It also directs that we ensure Fiscal Sustainability (Goal 2) by strengthening and enhancing the County's capacity to sustain essential County services through proactive and prudent fiscal policies and stewardship. Lastly, it directs us to provide Integrated Services Delivery (Goal 3) by maximizing opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services. Rehabilitation of the Project for use by the County's District Attorney's Office, Sheriff's Department, and the general public is consistent with the strategic plan goals.

FISCAL IMPACT/FINANCING

In 2011, the Board approved a design-build contract with Clark Construction for a contract sum of $151,218,083. The Board-approved Project budget includes $16,921,917 for change orders. Sufficient funds are available within the current Board-approved Project budget for this recommended action. The Project Schedule and Budget Summary are included in the Attachment. The $6,454,623 estimated cost for

this change is 4.3 percent of the original contract amount, and eight change orders have been executed to date for a total of $482,764, which represents a 0.32 percent increase to the original contract amount. The Board-approved total Project Budget remains at $231,785,000. The Projects costs are financed from the issuance of long-term bonds.

Over the last several months, Clark Construction submitted three packages for review and approval, which separates the lead paint abatement work into three major categories. The first package for $158,000 is the preparatory exploration of lead on existing steel; the second package for $90,160 includes work by ACC Environmental Consultants to develop and prepare work plans for demolition, concrete, structural activities, as well as on-site monitoring and on-site training for lead awareness; and lastly, the third package for $6,206,463 is for the lead compliance work on the structural steel.

To avoid any unnecessary delays and potential financial penalties to the Project, because of delays to the abatement of the lead paint, Public Works held multiple negotiation sessions with Clark Construction. These meetings included Public Works' cost estimators and environmental consultants. Through these meetings, Public Works was able to validate the scope of work and also determine a fair price for the work while requesting the approval of the Board. Clark Construction's contract may potentially increase in the future relating to lead based paint on structural steel only if Public Works and the Chief Executive Office (CEO) are in agreement of further unforeseeable findings. Public Works and the CEO will return to the Board for any increase beyond Public Works' delegation authority.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract contains terms and conditions supporting the Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

As required by the Board, the Project cost includes 1 percent of design and construction costs, with a maximum of $1,000,000, to be allocated to the Civic Art Fund per the Board's Civic Art Policy adopted on December 7, 2004

ENVIRONMENTAL DOCUMENTATION

On June 13, 2006, the Board certified an Environmental Assessment/Environmental Impact Report for the Project. The recommended action is within the scope of the previously certified Environmental Assessment/Environmental Impact Report.

Upon the Board's approval of the Project scope increase, Public Works will file a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended services.

CONCLUSION

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

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT:
DKM:MDS:mda

Attachments

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Auditor-Controller
District Attorney
Internal Services
Sheriff

May 14, 2013

ATTACHMENT

DEPARTMENT OF PUBLIC WORKS:
HALL OF JUSTICE REPAIR AND REUSE PROJECT
CITY OF LOS ANGELES
STRUCTURAL STEEL LEAD-BASED PAINT ABATEMENT
CAPITAL PROJECT NO. 86630; SPECS. 6649
(FIRST DISTRICT) (3 VOTES)

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Phase I Debris Removal	05/21/05*
Phase II Interior Demolition Design	04/04/05*
Phase III Interior Demolition	06/11/07*
Phase IV Rehabilitation Design a) Retrofit b) Rehabilitation Design	 01/01/08* N/A
Completion of Remaining Phases V, VI, and VII by Design-Build Delivery	11/17/14
Phase VIII Move In/Start Up/Close Out	12/29/14

*Indicates completed activity.

II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of this Action	Revised Budget
Phase I Debris Removal (Complete)	$ 569,000	$ 0	$ 569,000
Phase II Non-Structural Demolition Design	$ 1,509,500	$ 0	$ 1,509,500
Phases III Interior Non-Structural Demolition (Complete) and Phase IV Structural Demolition/Retrofit Design	$ 12,550,500	$ 0	$ 12,550,500
Design-Build/Lease-Lease Back RFP	$ 2,716,000	$ 0	$ 2,716,000
Subtotal	**$ 17,345,000**	**$ 0**	**$ 17,345,000**
Design-Build Phase V-VIII			
Construction			
Base Design-Build Contract	$ 153,116,671	$ 6,454,623	$ 159,571,294
Design Completion Allowance	$ 7,101,412	$ 0	$ 7,101,,412
FF&E Allowance	$ 9,000,000	$ 0	$ 9,000,000
Alternate Design Solutions Allowance Not-to-Exceed	$ 0	$ 0	$ 0
Maximum Design-Build Contract	$ 169,218,083	$ 6,454,623	$ 175,672,706
Change Order Contingency	$ 16,921,917	($ 6,454,623)	$ 10,467,294
Utility Connection Fees	$ 2,500,000	$ 0	$ 2,500,000
Civic Arts (maximum of $1,000,000)	$ 1,000,000	$ 0	$ 1,000,000
Subtotal	**$ 189,640,000**	**$ 0**	**$ 189,640,000**
Plans and Specifications A/E Design-Build Support Services	**$ 1,500,000**	**$ 0**	**$ 1,500,000**
Consultant Services			
Historic Resources Monitoring	$ 150,000	$ 0	$ 150,000
Deputy Inspection	$ 1,500,000	$ 0	$ 1,500,000
Materials Testing	$ 1,200,000	$ 0	$ 1,200,000
Environmental Documents	$ 150,000	$ 0	$ 150,000
Geotechnical Survey	$ 300,000	$ 0	$ 300,000
Project Cost Estimating	$ 300,000	$ 0	$ 300,000
Project Scheduling	$ 250,000	$ 0	$ 250,000
Historic Documentation	$ 150,000	$ 0	$ 150,000
LEED Commissioning	$ 500,000	$ 0	$ 500,000
Subtotal	**$ 4,500,000**	**$ 0**	**$ 4,500,000**

II. PROJECT BUDGET SUMMARY (Continued)

Budget Category	Project Budget	Impact of this Action	Revised Budget
Miscellaneous Expenditures			
Countywide Contract Compliance	$ 500,000	$ 0	$ 500,000
Printing	$ 50,000	$ 0	$ 50,000
Subtotal	**$ 550,000**	**$ 0**	**$ 550,000**
Jurisdictional Review & Plan Check			
Building and Safety Division	$ 800,000	$ 0	$ 800,000
Regional Planning	$ 200,000	$ 0	$ 200,000
Grading	$ 200,000	$ 0	$ 200,000
Geotechnical Materials Engineering	$ 150,000	$ 0	$ 150,000
County Fire Inspection/Permits	$ 200,000	$ 0	$ 200,000
Health Department	$ 75,000	$ 0	$ 75,000
City of Los Angeles	$ 1,000,000	$ 0	$ 1,000,000
Subtotal	**$ 2,625,000**	**$ 0**	**$ 2,625,000**
County Services			
Construction Inspection Services	$ 2,170,000	$ 0	$ 2,170,000
Construction Inspection Supervision	$ 600,000	$ 0	$ 600,000
Contract Administration	$ 500,000	$ 0	$ 500,000
ISD FOS Trades	$ 1,500,000	$ 0	$ 1,500,000
Project Manager	$ 1,850,000	$ 0	$ 1,850,000
Assistant Project Manager	$ 1,750,000	$ 0	$ 1,750,000
Capital Projects Manager	$ 500,000	$ 0	$ 500,000
Document Control	$ 800,000	$ 0	$ 800,000
Secretarial	$ 650,000	$ 0	$ 650,000
Project Technical Support	$ 400,000	$ 0	$ 400,000
Consultant Contract Recovery	$ 150,000	$ 0	$ 150,000
Project Contingency	$ 4,755,000	$ 0	$ 4,755,000
Subtotal	**$ 15,625,000**	**$ 0**	**$ 15,625,000**
Total	**$ 231,785,000**	**$ 0**	**$ 231,785,000**