



MARK PESTRELLA, Acting Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

January 31, 2017

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

21 January 31, 2017

LORI GLASGOW
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SANTA ANITA DAM SPILLWAY MODIFICATION PROJECT
IN THE ANGELES NATIONAL FOREST
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the Santa Anita Dam Spillway Modification Project in the Angeles National Forest, adopt the plans and specifications, authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid, award and execute a construction contract for spillway modification with the responsible contractor with the lowest responsive bid, and delegate certain responsibilities to the Chief Engineer or his designee to carry out the project.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Santa Anita Dam Spillway Modification Project, at an estimated construction contract cost between \$27,000,000 and \$38,000,000.
2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, which are to be received before 11 a.m. on March 28, 2017, in accordance with the Notice Inviting Bids.
3. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to

BIDS: March 28, 2017 at 11:00 a.m.

execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, a storm water pollution prevention plan, and environmental plans for a fee not to exceed \$17,500 funded by existing project funds.

4. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to award and execute a construction contract for spillway modification with the responsible contractor with the lowest responsive bid within the estimated cost range.

5. Delegate to the Chief Engineer of the Los Angeles County Flood Control District or his designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code, Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code, Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code, Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board, acting as the governing body of the Los Angeles County Flood Control District, to approve and advertise the project; adopt the plans and specifications; authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, a storm water pollution prevention plan, and environmental plans for a fee not to exceed \$17,500 funded by existing project funds, award and execute a construction contract for spillway modification with the responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Chief Engineer or his designee to carry out this project.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provision of Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, and Objective III.3.2 Manage and Maximize County Assets. The recommended action supports ongoing efforts to manage and improve public infrastructure assets.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$27,000,000 to \$38,000,000. The total project cost is estimated not to exceed \$41,500,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, construction engineering, inspection, contract administration, change order contingency, environmental mitigation, and other County of Los Angeles services.

Funding for this project is included in the Fiscal Year 2016-17 Flood Control District Fund Budget. This project is one element of the Santa Anita Stormwater Flood Management and Seismic Strengthening Project, which received a State Department of Water Resources Proposition 1-E

Grant approved by the Board on April, 5, 2011; and funding by the Cities of Arcadia and Sierra Madre and the Raymond Basin Management Board through a Cooperative Cost Sharing Agreement approved by the Board on March 19, 2013. The project cost will be offset by \$11,000,000 through these funding sources.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Santa Anita Dam provides critical flood control and stormwater capture capabilities for the benefit of downstream communities. In order to comply with the California Division of Safety of Dams regulations and mitigate the flood risk to these downstream communities, a new spillway capable of passing the probable maximum flood will be built. Improvements will be made to the electrical, mechanical, water, and control systems as well. These dam improvements along with modifications to Santa Anita Debris Dam, Santa Anita Headworks, and Santa Anita Spreading Grounds are estimated to result in an average annual increase in groundwater recharge of over 500 acre-feet per year. The project will be advertised in accordance with Section 20991 of the State Public Contract Code.

This project is to be completed in 550 working days. It is anticipated the work will start in September 2017 and be completed in December 2019.

Delegating to the Chief Engineer of the Flood Control District or his designee the authority to award and execute this construction contract allows an expedited contracting process to reduce flood risk and improve critical operations at this flood control facility.

The award of the contract will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 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; the County's Child Support Compliance Program, County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (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 capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with 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 an award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

To ensure compliance with the California Environmental Quality Act, an Initial Study/Mitigated Negative Declaration was certified by the Board on July 14, 2015. The Initial Study/Mitigated Negative Declaration indicates that while the project would have had environmental impacts, modifications and/or mitigation measures have been incorporated into the project to reduce its potentially adverse impacts to levels considered less than significant (California Environmental Quality Act Guidelines §15070). Regulatory permits have been received from California Department of Fish and Wildlife, United States Army Corps of Engineers, and the Los Angeles Regional Water Quality Control Board.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. An award by the Chief Engineer or his designee will be made upon review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

In addition, in order to increase opportunities for small businesses, Public Works will be coordinating with the Office of Small Business to maximize outreach, as well as offering preferences to Local Small Business Enterprises in compliance with Los Angeles County Code, Chapter 2.204.

Because the total project budget is greater than \$2.5 million, this project will be required to implement the Board adopted Local and Targeted Worker Hire Policy utilizing mandatory hiring and monitoring requirements as developed by the Chief Executive Office.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by improving flood control operations, dam safety, and stormwater capture at this critical facility. Approval of this action will benefit the County by ensuring Public Works is able to safely and efficiently continue to serve and protect communities downstream of the dam.

CONCLUSION

Please return an adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,



MARK PESTRELLA

Acting Director



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Acting Director

MP:SRB:vr

c: Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)