



MARK PESTRELLA, 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

April 18, 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

38 April 18, 2017

LORI GLASGOW  
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
TRANSPORTATION CORE SERVICES AREA  
EAST LOS ANGELES COMMUNITY SAFE ROUTES TO SCHOOL  
ROADWAY IMPROVEMENTS AND CLASS III BICYCLE ROUTE INSTALLATION  
IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

This action is to approve and advertise the East Los Angeles Community Safe Routes to School project in the unincorporated community of East Los Angeles, find this project categorically exempt from the provisions of the California Environmental Quality Act; find that the installation of the bicycle boulevard and Class III bicycle route for this project is within the scope of the County 2012 Bicycle Master Plan Final Program Environmental Impact Report; adopt the plans and specifications; authorize the Director of Public Works or his designee to award and execute a construction contract for roadway improvement and Class III bicycle route installation with the responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director of Public Works or his designee to carry out this project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find this project categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the installation of the bicycle boulevard and Class III bicycle route for this project is within the scope of the County 2012 Bicycle Master Plan Final Program Environmental Impact Report.

BIDS: May 16, 2017 at 11:00 a.m.

3. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Project ID No. RDC0016047 – East Los Angeles Community Safe Routes to School, at an estimated construction contract cost between \$475,000 and \$650,000.
4. Instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on May 16, 2017, in accordance with the Notice Inviting Bids.
5. Authorize the Director of Public Works or his designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
6. Authorize the Director of Public Works or his designee to award and execute a construction contract for roadway improvements and Class III bicycle route installation with the responsible contractor with the lowest responsive bid within the estimated cost range.
7. Delegate to the Director of Public Works or his designee the following authority in connection with this contract: (1) extend the date and time for the receipt of bids consistent with the requirements of State Public Contract Code Section 4104.5; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in State Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) 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; (4) accept the project upon its final completion; and (5) release retention money withheld consistent with the requirements of State Public Contract Code Sections 7107 and 9203.

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

The project proposes improvements on East 6th Street between south Arizona Avenue and Woods Avenue and on Hubbard Street between Woods Avenue and Hay Avenue. The improvements include construction of one traffic circle and four bulb-outs, installation of bike routes, and installation of wayfinding signs. The project consists of the construction of curbs, gutters, sidewalk, curb ramps, and asphalt concrete pavement on base material; installation of striping and pavement markings; modification of existing traffic signal; and the performance of other appurtenant work under Project ID No. RDC0016047 – East Los Angeles Community Safe Routes to School. Construction is anticipated to start in October 2017 and be completed in December 2017.

This network of designated bike routes will improve mobility for bicyclists by providing connections to the adjacent schools, bus stops, and the Civic Center and Atlantic Boulevard Gold Line Stations that are accessible via Arizona Avenue and Woods Avenue. The proposed traffic circle and bulb-outs will have a calming effect on traffic, thereby encouraging multi-modes of transportation.

The purpose of the recommended actions is for the Board to approve and advertise the project, adopt the plans and specifications, authorize the Director of Public Works or his designee to award and execute a construction contract, for road improvement and Class III bicycle route installation project with the responsible contractor with the lowest responsive bid and delegate certain responsibilities to the Director 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 actions support 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 \$475,000 to \$650,000. The total project cost is estimated not to exceed \$1,500,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, right-of-way and utility clearances, materials testing, inspection, contract administration, change order contingency, and other County services.

This project will be administered utilizing State transportation grant funding under the State Active Transportation Program under existing County/State Master Agreement No. 77276. Under this program, \$810,000 of the project cost will be financed using the State transportation grant.

Funding for this project is included in the First Supervisorial District's Transportation Improvement Program in the Road Fund Fiscal Year 2016-17 Budget.

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

This project is part of the Department of Public Works' ongoing highway construction program. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 50 working days. It is anticipated the work will start in October 2017 and be completed in December 2017.

Delegating to the Director or his designee the authority to award and execute this construction contract allows an expedited contracting process in order to meet the State funding guidelines, which require the construction contract to be awarded and executed no later than June 30, 2017.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

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, Los

Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program, 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 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 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**

The roadway improvement portion of the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c) and 15303(e) of CEQA Guidelines and Class 1(x) Subsections 4, 14, 18, 19, and 22; and Class 3(b) of the Environmental Document Reporting Procedures and Guidelines previously adopted by the Board. These exemptions provide for the modification of an existing traffic signal system; reconstruction of existing roadway pavement, curbs, gutters, and sidewalk; new drainage facilities that do not discharge onto private property; new highway channelization; maintenance of existing roadway facilities; and construction of new accessory structures.

On February 28, 2012, Agenda Item 7, the Board certified that the Final Program Environmental Impact Report (EIR) for the County 2012 Bicycle Master Plan is in compliance with CEQA and it reviewed and considered the information presented within the Final Program EIR before it approved the Bicycle Master Plan; found that the Final Program EIR reflected the independent judgment and analysis of the County of Los Angeles; determined that the significant adverse effect of the projects included in the County 2012 Bicycle Master Plan have been reduced to an acceptable level as outlined in the findings of fact; and adopted the Mitigation Monitoring and Reporting Program and made a finding pursuant to Public Resources Code Section 21081.6 that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during the County Bicycle Master Plan implementation.

On March 13, 2012, the Board adopted the County 2012 Bicycle Master Plan to replace the 1975 Master Plan of Bikeways. The installation of a bicycle boulevard on Hubbard Street between Woods Avenue and Hay Avenue and a Class III bicycle route on 6th Street Avenue between Arizona Avenue and Woods Avenue, and safety education and encouragement programs were considered in the Final Program EIR for the County 2012 Bicycle Master Plan.

A one-time fee of \$2,919 was paid on March 2, 2012, at the filing of the first Notice of Determination

for the Final Program EIR certification. In accordance, Title 14, Section 753.5(e)(3) of the California Code of Regulations, only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife. Upon the Board's approval of the East Los Angeles Community Safe Routes to School project, Public Works will file a Notice of Determination in accordance with 21152(a) of the Public Resources Code and pay the required processing fee in the amount of \$75.

### **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis.

An award by the Director or his designee will be made upon review of the bids. The contract will be awarded to a responsible contractor who submits the best responsive bid meeting the criteria established by the Board and the State Public Contract Code.

The Board-adopted Local and Targeted Worker Hire Policy utilizing Best Efforts, as developed by the Chief Executive Office, will be implemented on this project because the total project budget is greater than \$500,000 but less than \$2.5 million.

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 the County" and Public Works' "Business Opportunities" websites for open bids:

<http://www.lacounty.gov/business/doing-business-with-the-county>

<http://dpw.lacounty.gov/general/contracts/opportunities>

Also, Public Works will leverage its social media platform by advertising the solicitation through Twitter.

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

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

When the project is completed, it will have a positive impact by providing improved pedestrian and bicycle access thereby benefiting the community.

### **CONCLUSION**

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

The Honorable Board of Supervisors

4/18/2017

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Pestrella".

MARK PESTRELLA

Director

MP:SRB:vr

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