



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

July 11, 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

35 July 11, 2017

LORI GLASGOW
EXECUTIVE OFFICER

**AWARD CONSTRUCTION CONTRACT
WATER RESOURCES CORE SERVICE AREA
PUDDINGSTONE AND MARSHALL CANYON CHANNELS
TRENCH SETTLEMENT REPAIRS
IN THE CITIES OF LA VERNE AND SAN DIMAS
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to award a construction contract to M K Construction for the Puddingstone and Marshall Canyon Channels Trench Settlement Repairs project, and authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute a construction contract for work in the Cities of La Verne and San Dimas.

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

1. Award and authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute a construction contract with M K Construction in the amount of \$326,025 and establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance certificate filed by the contractor for Project ID No. FCC0001267, Puddingstone and Marshall Canyon Channels Trench Settlement Repairs project in the Cities of La Verne and San Dimas.

2. Delegate to the Chief Engineer of the Los Angeles County Flood Control District or his designee the following authority in connection with the 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) accept the project upon its final completion, and (3) release retention money withheld consistent with the requirements of State Public Contract Code Sections 7107 and 9203.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action is to award this construction contract; authorize the Chief Engineer of the District or his designee to execute the construction contract; and establish the effective contract date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance certificate filed by the contractor for this project.

Project ID No. FCC0001267, Puddingstone and Marshall Canyon Channels Trench Settlement Repairs, will reconstruct existing segments of roadway with asphalt concrete and multi-axial geogrid; reconstruct sidewalk, curb, and gutter; perform tree crown reduction, root pruning, and tree removal and planting; and the performance of other appurtenant work in the Cities of La Verne and San Dimas.

On February 7, 2017, the Board approved the project; adopted the plans and specifications; called for bids to be received on March 21, 2017; and instructed the Executive Officer of the Board of Supervisors to advertise the project.

On March 21, 2017, 12 bids were received (see enclosure). The bids were evaluated based on price. M K Construction was the apparent lowest responsive and responsible bidder with a bid price of \$326,025. M K Construction's bid is \$86,175 lower than the construction cost estimate. Accordingly, M K Construction is recommended to receive the contract.

The contract specifications require the work to be completed in 25 working days. It is anticipated that the work will start in October 2017 and be completed in November 2017.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provision of Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, 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.

On February 7, 2017, the Board approved the project with an estimated construction contract cost in the range of \$350,000 and \$410,000 and an estimated total project cost of \$641,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, survey, environmental compliance, right-of-way and utility clearance, materials testing, inspection, contract administration, and other County services.

The construction contract cost of \$326,025 is included in the Flood Control District Fund Fiscal Year 2016-17 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and the Board's requirements.

A standard construction contract will be used that contains terms and conditions supporting the Board's ordinances and policies, including but not limited to, the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs, Contract Language to Assist in Placement of Displaced County Workers, and Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service 1015).

Data regarding the bidders' Community Business Enterprise and Local Small Business Enterprise participation is found in the enclosure.

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

ENVIRONMENTAL DOCUMENTATION

On February 7, 2017, the Board found this project to be categorically exempt from the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

The contract was solicited on an open-competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on Public Works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

This project will be required to implement the Board-adopted Local and Targeted Worker Hire Policy utilizing Best Efforts as developed by the Chief Executive Office, because the total project budget is greater than \$500,000 but less than \$2,500,000.

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

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

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

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

In addition, in order to increase opportunities for small businesses, Public Works coordinated with the Office of Small Business at the Department of Consumer and Business Affairs to maximize outreach.

Bids were due on March 21, 2017. On February 28, 2017, March 2, 2017, March 9, 2017 and March 14, 2017, Public Works issued a Notice to Prospective Bidders to make changes to the project Special Provisions and to answer pre-bid questions.

Public Works received and publicly opened 12 bids on the solicitation for the advertised project (enclosure). Two bidders were Local Small Business Enterprise certified and three bidders were Community Business Enterprise certified. The apparent lowest responsive and responsible bidder meeting the criteria adopted by the Board with respect to the project is M K Construction.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, the lowest bidder is 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 M K Construction was considered before making this recommendation to award.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This construction contract will result in improved infrastructure in the Cities of La Verne and San Dimas.

CONCLUSION

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

The Honorable Board of Supervisors

7/11/2017

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" written in a more stylized, looped manner.

MARK PESTRELLA

Director

MP:SRB:sm

Enclosures

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

July 11, 2017

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WATER RESOURCES CORE SERVICE AREA
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(3 VOTES)**

Bid Opening Date: March 21, 2017

Bid Summary:

	<u>Bidder</u>	<u>Bid Amount</u>	<u>LSBE Certified</u>	<u>CBE Certified</u>
1.	Michael Keenan, Inc. dba M K Construction	\$326,025.00	NO	NO
2.	Sully-Miller Contracting Company	\$327,217.00	NO	NO
3.	R C Becker & Son, Inc.	\$332,193.59	NO	NO
4.	SJD&B, Inc.	\$333,220.00	NO	YES
5.	Excel Paving Company	\$362,788.00	NO	NO
6.	Rio Jordan Construction, Inc.	\$365,000.00	YES	YES
7.	All American Asphalt	\$365,868.00	NO	NO
8.	G M Sager Construction Co., Inc.	\$369,304.00	NO	NO
9.	PK Construction	\$374,264.99	NO	YES
10.	Los Angeles Engineering, Inc.	\$433,770.00	NO	NO
11.	Clarke Contracting Corporation	\$435,627.00	YES	NO
12.	Minco Construction	\$738,550.00	NO	NO