



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

January 30, 2018

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

30 January 30, 2018

LORI GLASGOW
EXECUTIVE OFFICER

**TRANSPORTATION CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD
CONSTRUCTION CONTRACT
OVERHILL DRIVE – LA BREA AVENUE TO SLAUSON AVENUE
IN THE UNINCORPORATED COUNTY COMMUNITIES OF
VIEW PARK AND WINDSOR HILLS
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

These actions are to approve the Overhill Drive – La Brea Avenue to Slauson Avenue project in the unincorporated County communities of View Park and Windsor Hills to carry out accelerated delivery of the project, including the adoption of the plans and specifications and delegation of authority to the Director of Public Works or his designee to advertise for bids; award and execute a construction contract with the responsible contractor with the lowest responsive bid; and implement certain responsibilities to carry out the project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the project is categorically exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Approve the Overhill Drive – La Brea Avenue to Slauson Avenue project and adopt the plans and specifications that are on file in Construction Division of the Department of Public Works for Project ID No. RDC0015810, at an estimated construction contract cost in the range of \$1,200,000 to \$2,000,000.

3. Delegate authority to the Director of Public Works or his designee the authority to advertise for bids and 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.
4. Authorize the Director of Public Works or his designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid within the estimated cost range.
5. Delegate to the Director of Public Works or his designee the following authority in connection with the contract: 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; 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; accept project upon its final completion; release retention money withheld consistent with the requirements of State Public Contract Code Sections 7107 and 9203; and extend the date and time for the receipt of bids consistent with the requirements of State Public Contract Code Section 4104.5.
6. Authorize the Director of Public Works or his designee to award and execute a construction contract if the lowest responsive bid exceeds the estimated cost range by no more than 15 percent and if additional and appropriate funds have been identified.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to approve the project and adopt the plans and specifications and authorize its accelerated delivery by delegating authority to the Director of Public Works or his designee to advertise for bids, award and execute a construction contract with the responsible contractor with the lowest responsive bid, and implement certain responsibilities to carry out the project.

This pedestrian improvement project includes the construction of an asphalt paved pedestrian path with new pedestrian lighting and replacement of existing guardrail along the east side of Overhill Drive, between La Brea Avenue and Slauson Avenue, and planting of trees along both sides of Overhill Drive. The pedestrian path will allow area residents to safely navigate the busy Overhill corridor to access neighborhood businesses and Kenneth Hahn State Recreational Area, Norman O. Houston Park, and Rueben Ingold Park. Delegating authority to the Director of Public Works or his designee to advertise for bids and award a construction contract will ensure Federal and State timeline requirements for funding are met.

The project is to be completed in approximately 70 working days. It is anticipated that work will begin in July 2018 and be completed by December 2018.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provisions of Strategy II.2, Support the Wellness of Our Communities, 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 expand access to recreational and cultural resources, promote active and healthy lifestyles, provide an integrated multi-modal transportation corridor that improves mobility, and 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 \$1,200,000 to \$2,000,000. The total project cost is estimated to be \$4,000,000. In addition to the construction contract cost, the total project cost includes the costs of preparation of plans and specifications, consultant services, survey, environmental clearance, right of way and utility clearances, inspection, contract administration, change order contingency, and other County services.

This project will be administered under the Federal Surface Transportation Block Grant Program, formerly known as Surface Transportation Program covered by Agreement No. 78542 with the State of California. Under this program, Federal-aid funds allocated to local agencies are used to finance a portion of the construction cost of qualifying projects. Approximately \$1,400,000 in Federal-aid funds have been allocated to this project.

Funding for this project is included in the Second Supervisorial District's Transportation Improvement Program in the Proposition C Local Return Fund Fiscal Year 2017-18 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

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

The State Public Contract Code Section 3400 allows a product to be designated by specific brand name for several purposes, one of which is to match other products in use on a completed public improvement, if the awarding authority makes a finding and language is included in the Notice Inviting Bids. The project plans and specifications designate the guardrail to be In-line Terminal System (Type SKT-W-MGS) manufactured by Road Systems, Inc., to match that currently used throughout the County and 3Rivers Pedestrian Lights to be manufactured by Forms+Surfaces to match those currently used nearby along Slauson Avenue in the unincorporated County community of View Park. The Notice Inviting Bids includes language describing this finding.

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

The Board-adopted Local and Targeted Worker Hire Policy allows exceptions on a case-by-case basis for projects with Federal or State funding prohibitions on geographic or other preferences. A portion of the project construction cost is financed with Federal-aid funds. Current Federal-aid policies prohibit preferences, such as those contained within the Local and Targeted Worker Hire Policy. To preserve the Federal funding, a Local and Targeted Worker Hire clause will not be included for this project.

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 of Los Angeles' 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 Notice 1015).

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 Number 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 and will be on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

The project is categorically exempt from the provisions of California Environmental Quality Act pursuant to Sections 15301(c) and (f); and 15303(e) of California Environmental Quality Act Guidelines and Class 1(i), (n), and (x) Subsections 4, 9, 14, 16, 17, 20, and 22; and Class 3(b) and (h) of the Environmental Reporting Procedures and Guidelines previously adopted by the Board. These exemptions provide for addition of safety protection devices for use during construction or in conjunction with existing structures where these devices do not have or result in an adverse environmental impact; curb ramp paving; modification of existing traffic signal system; parkway tree planting; reconstruction of existing curbs, gutters, sidewalk, driveway aprons; sidewalk construction within existing road right of way where no rare plant nor more than five mature trees will be removed within any 500 foot long road segment; installation of guardrails; construction of new curb and gutter on local streets between existing segments of curb where curbs exist on more than 50 percent of the block provided that no rare plant nor more than five mature trees will be removed within any 500 foot long road segment; maintenance of existing roadway facilities; construction of accessory (appurtenant) structures; and construction of retaining walls within existing right of way wherein the height of the wall does not exceed five feet.

CONTRACTING PROCESS

The project will be contracted on an open-competitive bid basis. An award by the Director of Public Works or his designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for Federal funds financing much of the project, Title 49, Code of Federal Regulations requires award to the lowest bidder.

While an exemption to the Local and Targeted Worker Hire Policy is necessary, language, as used in other Federal-aid projects, will be included within the contract documents requiring the contractor to offer to meet with job placement organizations within the local community. This effort should serve to enhance the contractor's efforts to implement the affirmative actions specified in the construction contract to meet the Federal-hiring goals for minority and female employment on the project.

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, 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.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed it will have a positive impact by enhancing the mobility of pedestrians within the communities of View Park and Windsor Hills, thereby improving the quality of life for the community residents.

CONCLUSION

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

Respectfully submitted,



MARK PESTRELLA

Director

MP:JTW:og

c: Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)