



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

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

30 March 13, 2018

CELIA ZAVALA
ACTING EXECUTIVE OFFICER

March 13, 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:

**WATER RESOURCES CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
LIVE OAK DAM AND RESERVOIR
INLET/OUTLET WORKS REHABILITATION PROJECT
IN THE UNINCORPORATED AREA OF CLAREMONT
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

Approval of the recommended actions will approve and advertise the Live Oak Dam and Reservoir Inlet/Outlet Works Rehabilitation project in the unincorporated area of Claremont; find this project has designated items by specific brand name; adopt the plans and specifications; authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to award and execute appropriate construction and related contracts for the project with the responsible contractor with the lowest responsive bid; and delegate authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to carry out this project.

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

1. Find this project categorically exempt from the provisions of the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Approve the project and adopt the plans and specifications that are on file in Construction Division of the Department of Public Works for Project ID No. FCC0001262, Live Oak Dam and Reservoir Inlet/Outlet Works Rehabilitation project, at an estimated construction contract cost between \$1,400,000 and \$1,900,000.

BIDS: April 17, 2018 at 11:00 a.m.

3. 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 April 17, 2018, in accordance with the Notice Inviting Bids.
4. Find that this project's plans and specifications designate electric actuators, push buttons, key switches, and indicator lights by specific brand name, in order to match equipment at the County of Los Angeles' other dams and facilities.
5. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to determine whether the bid of the apparent responsible contractor with the apparent lowest responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
6. 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 diversion of water and dewatering plan, site-specific health and safety plan, and site-specific lead based paint compliance plans for a fee not to exceed \$13,000.
7. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to award and execute a construction contract for the Live Oak Dam and Reservoir Inlet/Outlet Works Rehabilitation project with the responsible contractor with the lowest responsive bid within the estimated construction cost range.
8. 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) 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; (5) release retention money withheld consistent with the requirements of State Public Contract Code, Sections 7107 and 9203.

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 diversion of water and dewatering plan, site-specific health and safety plan and site-specific lead based paint compliance plans for a not-to-exceed fee of \$13,000; award and execute a construction contract for the Live Oak Dam and Reservoir Inlet/Outlet Works Rehabilitation project with the responsible contractor with the lowest responsive bid; and delegate authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to carry out this project.

The Live Oak Dam provides critical flood control and stormwater capture capabilities for the benefit of downstream communities. In order to improve flood control and stormwater capture, the

inlet/outlet works will be upgraded and refurbished. Improvements will be made to the electrical, access, control, and security systems as well. These improvements will modernize the operational support systems at this facility and improve reliability for storm and water conservation operations. Stormwater captured at the Live Oak Dam is later released and diverted into the newly renovated Live Oak Spreading Grounds for groundwater recharge.

The project consists of construction of a concrete inlet riser, trash rack, invert access ramp, security fence and gate, valve rehabilitation, and the performance of other appurtenant work under Project ID No. FCC0001262, Live Oak Dam and Reservoir Inlet/Outlet Rehabilitation project.

This project is to be completed in two phases. It is anticipated that the first phase will start September 2018 and end prior to the beginning of the 2018-2019 rainy season. The second phase will begin in April 2019, immediately after the rainy season with project completion anticipated in December 2019.

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 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 \$1,400,000 to \$1,900,000. The total project maximum cost is estimated to be \$3,500,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services agreement, construction engineering, inspection, contract administration, change order contingency, environmental mitigation, and other County services.

Funding for this project is included in the Flood Control District Fund Fiscal Years 2017 18 and 2018-19 Budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project will be advertised in accordance with Section 20991 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 L120 Series electric actuators to be those manufactured by Limitorque and the Harmony 9001k push buttons, key switches, and indicator lights to be manufactured by Schneider Electric in order to match equipment at the County's other dams and facilities. Matching equipment will minimize the number of items that need to be stocked for future repairs and repair experience gained at one facility will be applicable to other facilities. The Notice Inviting Bids includes language describing this finding.

The award of the contract will be in full compliance with Federal, State, and County regulations. The contract agreement will be in a form previously reviewed and approved as to form by County Counsel.

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's 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 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

This project is categorically exempt pursuant to Sections 15301(d) and 15301(m) of the California Environmental Quality Act Guidelines and Class 1, Subsections (m), (n), (o), and (w) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for security fencing and gates, access road paving, invert access ramps, minor repairs and alterations to existing dams, and appurtenant structures under the supervision of the State Department of Water Resources.

CONTRACTING PROCESS

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

An award by the Chief Engineer of the Los Angeles County Flood Control District 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.

In accordance with the Board's consolidated Local and Targeted Worker Hire Policy adopted on September 6, 2016, the project will require that at least 30 percent of the total California craft worker hours for construction of the project be performed by Local Residents and at least 10 percent be performed by Targeted Workers facing employment barriers.

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:

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<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.

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 improving flood control and stormwater capture at a critical flood control facility. Approval of these actions will benefit the County by allowing the Los Angeles County Flood Control District to continue ensuring the safety of communities downstream of the dam and maintaining reliable water conservation operations, which contribute to local sustainable water supply.

CONCLUSION

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

Respectfully submitted,



MARK PESTRELLA

Director

MP:SRB:sm

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