



MARK PESTRELLA, Director

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

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

IN REPLY PLEASE
REFER TO FILE

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

32 May 1, 2018

CELIA ZAVALA
ACTING EXECUTIVE OFFICER

May 01, 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:

**TRANSPORTATION CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
ALLEN AVENUE, ET AL.
IN THE UNINCORPORATED COMMUNITY OF ALTADENA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

Approval of the recommended actions will approve and advertise the Allen Avenue, et al., project in the unincorporated community of Altadena; find this project categorically exempt from the provisions of the California Environmental Quality Act; find that this project's plans and specifications designate an item by specific brand name; adopt the plans and specifications; authorize the Director of Public Works or his designee to award and execute a construction contract for the project with the responsible contractor with the lowest responsive bid; and delegate authority 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 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. RDC0016069, Allen Avenue, et al., at an estimated construction contract cost between \$1,300,000 and \$1,700,000.

BIDS: May 31, 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 May 31, 2018, in accordance with the Notice Inviting Bids.
4. Find that the plans and specifications designate a guardrail end treatment by specific brand name in order to obtain a necessary item of work that is only available from one source.
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 the Allen Avenue, et al., project 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 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 the Allen Avenue, et al., project with the responsible contractor with the lowest responsive bid; and delegate authority to the Director of Public Works or his designee to carry out this project.

The project was initiated in response to constituent requests for roadway and parkway improvements along Allen Avenue from East Altadena Drive to New York Drive and along East Mariposa Street from Lake Avenue to Maiden Lane.

The project consists of resurfacing asphalt concrete pavement; construction of curb and gutter, sidewalk, curb ramps, and drainage structures; landscaping; installation of striping and pavement markings; modification of traffic signals; and performance of appurtenant work under Project ID No. RDC0016069, Allen Avenue, et al.

The project is to be completed in 60 working days. It is anticipated the work will start in October 2018 and be completed by January 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 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 \$1,300,000 to \$1,700,000. The total project cost is estimated to be \$3,200,000. In addition to the construction contract cost, the total project cost includes the costs of preparation of plans and specifications, consultant services, survey, 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 \$1,240,000 in Federal-aid funds have been allocated to this project.

Funding for this project is included in the Fifth Supervisorial District's Transportation Improvement Program: \$1,200,000 in the Road Fund and \$2,000,000 in the Measure R Local Return Fund Fiscal Year 2017-18 Budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This 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 obtain a necessary item that is only available from one source, if the awarding authority makes a finding to that effect and that language is included in the Notice Inviting Bids. The project plans and specifications designate the guardrail end treatment system to be a type Sequential Kinking Terminal manufactured by Road Systems, Inc. This end treatment is the only known in-line guardrail end treatment system that fits site constraints and conforms to National Cooperative Highway Research Program safety guidelines. 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 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. This project contains \$1,240,000 of Federal-aid funding. Federal-aid policies prohibit preferences such as those contained within the Local and Targeted Worker Hire Policy. In order to preserve the Federal funding, a Local and Targeted Worker Hire clause is not 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'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

The project is categorically exempt pursuant to Sections 15301(b) and (c) and 15304(b) of California Environmental Quality Act Guidelines and Classes 1(e) and 1(x) Subsections 2, 9, 13, 14, 16, 17, 18, 20, and 22 and 4(c) of the Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for existing facilities of both investor and publicly owned utilities used to provide public services; resurfacing roadway pavement; parkway tree planting; installation of sprinkler systems; reconstruction of existing roadway pavement, curbs and gutters, sidewalks, drive aprons, curb ramps, cross gutters, and drainage structures in place, including the removal of those trees that are the cause of the damage requiring reconstruction; 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; new street drainage facilities that do not discharge onto private property; construction of new curbs and gutters on local streets between existing segments of curb; maintenance of existing roadway facilities; and new landscaping.

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 lowest responsive bid 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 the majority of this project, Title 49, Code of Federal Regulations requires award to the lowest bidder.

While the Local and Targeted Worker Hire clause is not included, 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 advertise the solicitation through its web-based and social media platforms, including 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.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by increasing the service life of roadway pavement, improving rideability, improving traffic flow, and enhancing safety to the public.

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)