



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

April 02, 2019

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

31 April 2, 2019

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**CONSTRUCTION CONTRACT
TRANSPORTATION CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD
OLD TOPANGA CANYON ROAD IMPROVEMENT PROJECT
PROJECT ID NO. RDC0016306
IN THE CITY OF CALABASAS AND
IN THE UNINCORPORATED COMMUNITY OF TOPANGA CANYON
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to advertise and award a construction contract for the Old Topanga Canyon Road Improvement project in the City of Calabasas and in the unincorporated community of Topanga Canyon.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act for the reasons stated in this Board 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 Public Works for the Old Topanga Canyon Road Improvement project at an estimated construction contract cost between \$1,200,000 and \$1,600,000.

BIDS: April 30, 2019 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 30, 2019, in accordance with the Notice Inviting Bids.

4. Find pursuant to State Public Contract Code Section 3400(b) that it is necessary to specify the following designated items by specific brand name in order to obtain a necessary item that is only available from one source:

- Guardrail treatment to be Natina Steel® manufactured by Natina Products, LLC.
- MSKT-SP-MGS terminal system manufactured by Road Systems, Inc.

5. Delegate authority to 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. Delegate authority to the Director of Public Works or his designee to award and execute a construction contract for the Old Topanga Canyon Road Improvement project with the responsible contractor with the lowest responsive bid within the estimated cost range of \$1,200,000 and \$1,600,000.

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

Approval of the recommended actions will find that the project is exempt from the California Environmental Quality Act (CEQA) and allow Public Works to resurface existing roadway pavement and install guardrails. The proposed work will occur on Old Topanga Canyon Road from 2,723 feet south of Valdez Road to Topanga Canyon Boulevard.

It is anticipated the work will start in August 2019 and be completed in October 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 cost to complete this project is between \$1,200,000 to \$1,600,000. The total project cost is estimated to be \$2,200,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, survey, environmental clearance, right-of-way and utility clearances, inspection, contract administration, change order contingency, and other County services.

A portion of the project is within the City of Calabasas. The City will finance its jurisdictional share of the project cost, estimated to be \$7,700 under a Service Request. The remaining project cost is funded with the Third Supervisorial District's Transportation Improvement Program Measure R Local Return Fund.

Funding for this project is included in the Third Supervisorial District's Transportation Improvement Program in the Measure R Local Return Fund and Road Fund Fiscal Year 2018-19 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 in order to obtain a necessary item that is only available from one source, if the awarding authority makes a finding and language is included in the Notice Inviting Bids. The Notice Inviting Bids includes language describing this finding. The Natina Steel® coating was selected because it is the only available non-toxic solution that reacts with galvanized metal to create a rustic appearance while maintaining the full structural integrity of the metal elements. Additionally, the Type MSKT-SP-MGS terminal system was selected because it is the only available guardrail terminal system that meets both existing field conditions and the National Cooperative Highway Research Program guidelines.

The contract award will comply with applicable Federal and State requirements and Board policies and mandates. The contract documents will require the contractor to comply with these same requirements, policies, and mandates. The construction contract will be in the form previously reviewed and approved as to form by County Counsel.

As required by Board Policy No. 5.140, information such as defaulted contracts with the County, complaints filed with the Contractors State License Board, labor violations, and debarment actions will be considered before a contract is awarded.

ENVIRONMENTAL DOCUMENTATION

The proposed project is exempt from the CEQA. The project to resurface existing roadway pavement, install guardrail, and maintain the existing roadway with no expansion in use, is within a class of projects that has been determined not to have a significant effect on the environment and which meets the criteria set forth in Section 15301(c) of the State CEQA Guidelines and Class 1(x) Subsections 2, 17, and 22 of the County's Environmental Document Reporting Procedures and

Guidelines, Appendix G. In addition, based on the proposed project records, it will comply with all applicable regulations, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code, Section 65962.5 or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

CONTRACTING PROCESS

In accordance with the Board's consolidated Local and Targeted Worker Hire Policy, the contract documents 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:

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

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

Also, the contract solicitation will be advertised through 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, 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 increasing the service life of roadway pavements and by improving rideability and the level of comfort for motorists and nearby residents by providing smooth-riding pavement.

CONCLUSION

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" and last name "Pestrella" clearly distinguishable.

MARK PESTRELLA

Director

MP:SRB:tma

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