



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 16, 2019

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

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

27 July 16, 2019

Dear Supervisors:


CELIA ZAVALA
EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT
WATER RESOURCES CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD
103RD STREET GREEN IMPROVEMENT PROJECT
PROJECT ID NO. WMD0000110
IN THE CITY OF LOS ANGELES AND
UNINCORPORATED COMMUNITY OF FLORENCE-FIRESTONE
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to advertise and award a construction contract for the 103rd Street Green Improvement project in the City of Los Angeles and unincorporated community of Florence-Firestone.

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 103rd Street Green Improvement project at an estimated construction contract cost between \$1,900,000 and \$2,500,000.
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 August 13, 2019, in accordance with the Notice Inviting Bids.

BIDS: August 13, 2019 @ 11:00 a.m.

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 match other products in use on a particular public improvement either completed or in the course of completion:
 - Bigbelly HC5 solar powered waste compactor manufactured by Bigbelly, 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 103rd Street Green Improvement project with the responsible contractor with the lowest responsive bid within or less than the estimated cost range of \$1,900,000 and \$2,500,000.
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 implement the 103rd Street Green Improvement project located at 103rd Street between Central Avenue and Success Avenue, partially in the City of Los Angeles and in the unincorporated community of Florence-Firestone. The project includes the reconstruction of the asphalt concrete pavement, curb and gutter, sidewalk, curb ramps, driveways, and cross gutters; construct pervious concrete gutters, permeable pavers, and bioswales; installation of drought tolerant landscaping and plant trees; and installation of enhanced crosswalks, trash cans, bike racks, educational signage, and other appurtenant work. The project will create a sustainable, "green street" project to enhance 103rd Street and is consistent with the terms of the Board-approved settlement agreement.

On September 27, 2016, the Board approved a settlement agreement to resolve the case Natural Resources Defense Council, Inc., et al. vs County of Los Angeles, et al., in the United States District Court for the Central District of California. The settlement required the County and the Los Angeles County Flood Control District to fund two environmental projects, as follows: (1) a stormwater capture home retrofit program in Los Angeles County unincorporated areas to be implemented through an agreement with TreePeople, Inc., and (2) a "green street" project to be constructed adjacent to Ted Watkins Park along 103rd Street in the County unincorporated area of Florence-Firestone. The purpose of the recommended actions is to authorize construction of the "green street" project as a result of the settlement agreement.

The westerly limit of the project is within the City of Los Angeles. Public Works coordinated with the City of Los Angeles Bureau of Street Services to include in the project the rehabilitation of their portion of the roadway to ensure a uniform appearance of the road corridor. The City will finance its jurisdictional share of the project construction cost, estimated to be \$99,000, under the Street Services Memorandum of Understanding between the County of Los Angeles and the City, which was approved by the Board on January 30, 2001.

It is anticipated the work will start in January 2020 and be completed in June 2020 ahead of the settlement agreement deadline of November 23, 2020.

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

The estimated construction contract cost to complete this project is in the range of \$1,900,000 to \$2,500,000. The total project cost is estimated to be \$3,900,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, construction engineering, inspection, contract administration, change order contingency, environmental compliance, and other County services.

The City will finance its jurisdictional share of the project construction cost, estimated to be \$99,000, under the Street Services Memorandum of Understanding between the County of Los Angeles and the City, which was approved by the Board on January 30, 2001. The funding for this portion of the project is included in the Road Fund Fiscal Year 2019-20 budget.

Funding for the remaining cost of \$3,801,000 will be shared between the County and the Los Angeles County Flood Control District. The County will pay 25 percent of the remaining cost while the Los Angeles County Flood Control District will pay 75 percent of the remaining cost. Funding for the County share of \$950,250 is included in the Public Works General Fund Fiscal Year 2019-20 Budget. Funding for the Los Angeles County Flood Control District's share of \$2,850,750 is included in the Flood Control District Fund Fiscal Year 2019-20 Budget.

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 match other products in use on a particular public improvement either completed or in the course of completion, 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 Bigbelly HC5 solar powered waste compactor manufactured by Bigbelly, Inc., was selected in order to match the product and maintenance protocol in use at Santa Fe Dam Park, Kenneth Hahn

Park, Schabarum Park, Eaton Canyon Park, Los Angeles Arboretum, and Whittier Narrows Park within the jurisdiction of the Department of Parks and Recreation.

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 CEQA. The 103rd Street Green Improvement project to reduce stormwater runoff, minimize stormwater pollution, increase green space, and improve pedestrian access is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301(c) and 15303(e) of the State CEQA Guidelines and Class 1(s) and (x), Subsections 2, 4, 9, 14, 18, 22, and 27, and Class 3(b) and (h) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, relating to minor alterations to existing facilities and construction of new small structures. 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://pw.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, Social Enterprises

and Disabled Veteran Business Enterprises in compliance with Los Angeles County Code, Chapters 2.204, 2.205, and 2.211.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, the road reconstruction elements will have a positive impact by increasing the service life of the roadway pavement, improving motorists rideability, and reducing wear and tear on vehicles. The "green street" elements including the drought-tolerant landscaping, permeable pavers, and bio-swales will have a positive impact by capturing the pollutants in the stormwater and improving water quality in the downstream Los Angeles River. The "green street" elements will also have a positive impact by improving the aesthetic and recreational value in the neighborhood and educating the public about the importance of stormwater capture and watershed health.

CONCLUSION

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

Respectfully submitted,



MARK PESTRELLA

Director

MP:SRB:ejt

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