



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: **C-1**

February 8, 2005

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

Dear Supervisors:

**ACCEPTANCE OF PUBLIC WORKS CONTRACT
SUPERVISORIAL DISTRICT 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contract:

Project ID No. FCC0000171 - Hollyhills Drain, Unit 8A, Cities of Los Angeles and West Hollywood (3), Mike Bubalo Construction Company, with changes amounting to a credit of \$1,163,259.00, and a final contract amount of \$4,867,930.00 (Partial Acceptance).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Acting Director-approved changes in a public works contract and Board acceptance of the work of the contract in compliance with the provisions of the Public Contract Code. Included in the enclosure are project and contract data, the scope of work of changes to be ratified, and the work of the contract to be accepted.

The Honorable Board of Supervisors
February 8, 2005
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The Acting Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID No. FCC0000171.

This project has been completed, and it is recommended that your Board accept it on the date indicated in the enclosure.

Implementation of Strategic Plan Goals

The acceptance of this construction contract is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of this completed contract will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The modification to the contract amount is a credit of \$1,163,259.00, while the total value of the contract is \$4,867,930.00.

Ratification of these changes in work and acceptance of the work of the contract by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for this project to cover the costs of these changes and the total value of this contract. A detailed cost breakdown for the changes together with the contract cost summary are included in the enclosure.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This contract for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosure are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

This contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of these changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosure.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of the contract by your Board will ensure the timely closeout of the contract, releasing Departmental and County assets for other construction-related activities.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

PB:en

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT (PARTIAL)
February 8, 2005

PROJECT ID NO. FCC0000171, HOLLYHILLS DRAIN, UNIT 8A (Cities of Los Angeles and West Hollywood), Supervisorial District 3

Contractor: Mike Bubalo Construction Company, 5102 Gayhurst Avenue, Baldwin Park, California 91706

Project Description:

Construction of a reinforced concrete pipe storm drain and reinforced concrete box storm drain.

Changes in Work:

(1) Variations in Bid Quantities	(\$ 31,400.00)
(2) Credit for Modifying Manholes Types	(4,000.00)
(3) Delete Jet Grouting, Bid Items 13 and 14	(1,209,000.00)
(4) Remove, Box, and Transport Afghan Tree	7,693.00
(5) Remove and Reconnect Sanitary Sewer House Connection	1,500.00
(6) Install Residential Bridge	5,000.00
(7) Install Thermoplastic Striping and Traffic Signs	14,315.00
(8) Remove Existing Wheelchair Ramps	15,000.00
(9) Slurry Seal Rosewood Traffic Circle	5,555.00
(10) Improve Huntley and Westbourne Intersections	33,968.00
(11) Credit for Overtime Inspection	<u>(1,890.00)</u>
Total	<u>(\$1,163,259.00)</u>

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) To meet the intent of the design, it was necessary to install two manholes with pressure type frames and covers in lieu of manholes with safety ledges. This substitution resulted in a credit to the Agency in the amount shown.

- (3) The original plans required a variety of measures to prevent excessive intrusion of ground water into the trench which had to be excavated to construct the storm drain. One of these measures involved grouting the bottom of the trench. When construction began, it was determined that this portion of the work would not be necessary in order to control the inflow of water. Therefore, the grouting was deleted. The amount shown reflects the net savings due to the Agency.
- (4) Due to a change in the alignment of the storm drain, it was necessary to remove, box, and transport a tree which was interfering with the new storm drain.
- (5) It was necessary to compensate the contractor for removing and reconnecting a 6" sanitary sewer house connection which was interfering with the installation of a connector pipe for a catch basin structure. This work is not shown on the plans.
- (6) It was necessary to construct a temporary bridge across the trench at Westmount Drive to provide vehicular access to local residents. This work is not shown on the plans.
- (7) Changes in the configuration of the traffic circle required removal and reinstallation of new thermoplastic striping, markings, and traffic signs. This work is not shown on the plans.
- (8) The City of West Hollywood requested replacement of six unnecessary curb ramps to have them replaced with new curb and sidewalk to match the existing improvements. This work is not shown on the plans.
- (9) It was necessary to slurry seal the Rosewood Avenue traffic circle after grinding the pavement to remove the thermoplastic striping. This work is not shown on the plans.
- (10) It was necessary to remove and reconstruct an existing cross gutter at two locations to direct the low flow to nearby catch basins. Eliminating the cross gutter improved traffic flow on Rosewood Avenue. This work is not shown on the plans.
- (11) The contractor requested 36 hours of overtime inspection which resulted in a credit to the contract in the amount shown.

The costs for Item 1 and a portion of the costs for Items 2 and 3 were based on contract unit prices. The balance of the costs for Items 2 and 3 and the costs for Items 5 and 8 were negotiated as provided in Subsection 3-2 of the contract specifications. The costs for Items 4, 7, 9, and 10 were based on time and materials methods as provided in Subsection 3-3 of the contract specifications. The costs for Items 6 and 11 are stipulated in the contract specifications.

Ninety-two additional working days were required because of these changes. An additional working day was required because of changes in work previously approved by your Board.

Project Completion Date:

The contractor completed the project on December 7, 2004, in accordance with the plans and specifications; however, the contractor failed to comply with the Affirmative Action Reporting Requirements of the contract. We are working with the contractor to resolve this issue. In the interim, \$20,000.00 is being withheld from the value of the contract.

Rather than delay payment of the retention to the contractor for the completed work, pursuant to Section 7107 of the California Public Contract Code, we recommend that all retention be released with the exception of the withholding discussed above. Once these items are completed satisfactorily, we will provide your Board with our recommendation for final acceptance of the work for this contract.

Amount Due Contractor at this Time:

Original contract amount	\$5,990,130.00
Actual costs of changes in work previously approved by the Board	61,059.00
Changes in work authorized by the Acting Director of Public Works	(1,163,259.00)
Withholding for Affirmative Action Noncompliance	<u>(20,000.00)</u>
AMOUNT DUE CONTRACTOR AT THIS TIME	<u>\$4,867,930.00</u>

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