



MARK PESTRELLA, Director

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

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

IN REPLY PLEASE
REFER TO FILE

November 01, 2022

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

68 November 1, 2022

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**CONSTRUCTION CONTRACT
TRANSPORTATION CORE SERVICE AREA
DELEGATED AUTHORITY TO ADOPT, ADVERTISE, AND AWARD
LOS NIETOS SAFE ROUTES TO SCHOOL - PHASE 2
PROJECT ID NO. RDC0016316
IN THE UNINCORPORATED COMMUNITIES OF
LOS NIETOS AND WEST WHITTIER
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval of the recommended actions that will approve the Los Nietos Safe Routes to School - Phase 2 Project, delegate authority to adopt the plans and specifications, and procure and execute a construction contract for the proposed project located in the unincorporated communities of Los Nietos and West Whittier.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the recommended actions are within the scope of a previously approved exemption 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 delegate authority to the Director of Public Works or his designee to adopt the plans and specifications and advertise for bids at an estimated construction contract cost between \$1,700,000 and \$2,500,000 for the Los Nietos Safe Routes to School - Phase 2 Project.

3. Delegate authority to the Director of Public Works or his designee to instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement with the Notice Inviting Bids when ready to advertise this project.
4. 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.
5. Delegate authority to the Director of Public Works or his designee to award and execute a construction contract for the Los Nietos Safe Routes to School – Phase 2 Project with the responsible contractor with the lowest responsive bid within or less than the estimated cost range of \$1,700,000 and \$2,500,000 or that exceeds the estimated cost range by no more than 15 percent if additional and appropriate funds have been identified.
6. Delegate authority 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 or his designee under Section 2.18.050 of the Los Angeles County Code; (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 the project is exempt from the California Environmental Quality Act (CEQA) and allow Public Works to accelerate construction for the Los Nietos Safe Routes to School - Phase 2 Project in the unincorporated communities of Los Nietos and West Whittier (see Enclosure).

The project will improve ten mid-block signalized or nonsignalized intersections, including the reconstruction of curb ramps, sidewalks, and curb and gutters, along with various traffic signal improvements to enhance pedestrian mobility and safety.

Delegating to the Director of Public Works or his designee the authority to adopt the plans and specifications will allow Public Works to deliver the project in an expedited manner as advertising documents are finalized. By doing so, we will be better able to meet our commitment to the Los Nietos and West Whittier communities to complete the project timely without jeopardizing grant funding.

It is anticipated the work will start in April 2023 and be completed in October 2023.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, Objective III.3.2, Manage and Maximize County Assets, by supporting 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 \$1,700,000 to \$2,500,000. The total project cost is estimated to be \$3,800,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, environmental clearance, right of way and utility clearances, inspection, contract administration, change order contingency, and other County services.

The project will be administered utilizing Federal-aid funding in the amount of \$1,452,000 under the State Active Transportation Program covered by existing County-State Agreement 78542. Under the Active Transportation Program, Federal grant funds allocated to local agencies are used to finance a portion of the qualifying project cost. The remaining project cost, estimated at \$2,348,000, is funded with the Fourth Supervisorial District's Transportation Improvement Program Measure R Local Return Fund and Proposition C Local Return Fund in the amount of \$660,000 and \$1,688,000, respectively.

Funding for this project is included in the Fourth Supervisorial District's Transportation Improvement Program in the Measure R Local Return Fund (CN5 - Capital Assets Infrastructure and Services and Supplies) and Proposition C Local Return Fund (CN9 - Capital Assets-Infrastructure and Services and Supplies) Fiscal Year 2022 23 Budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project will be advertised in accordance with Section 20392 of the State Public Contract Code.

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.

This project contains Federal funding prohibiting the application of preferences included within the Local and Targeted Worker Hire Policy. Accordingly, a Local and Targeted Worker Hire clause is not included for this project. Additionally, Title 49, Code of Federal Regulations requires an award to the lowest bidder to be eligible for Federal funding; therefore, the County Local Small Business Enterprise preference will not be applied to this project.

Documents related to award of this contract will be available at Los Angeles County Public Works, Project Management Division III, 900 South Fremont Avenue, 8th Floor, Alhambra, CA 91803.

ENVIRONMENTAL DOCUMENTATION

Your Board previously approved an exemption on August 10, 2021, pursuant to Section 15301 (c) of the State CEQA Guidelines and Class 1 (x) Subsections 14, 19, and 22 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G for this project to implement safe routes to school infrastructure. These recommendations are within the scope of the previously approved exemption from CEQA. 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

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 "Do Business with Public Works" 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.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact to the Los Nietos and West Whittier communities by enhancing the overall safety of pedestrians and increasing their visibility and shortening the time in which the pedestrians will be in the roadway. It will also promote a walkable environment and improve accessibility for area residents, especially students.

CONCLUSION

Please return an adopted copy of this letter to Public Works, Project Management Division III.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella".

MARK PESTRELLA, PE
Director

MP:RLG:ja

Enclosures

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

LOS NIETOS SAFE ROUTES TO SCHOOL – PHASE 2

Location Map

