



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **AS-0**

May 1, 2007

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:

**PUBLIC RELATIONS ACTIVITIES FOR WATER CONSERVATION AND
WATER-USE EFFICIENCY PROGRAM
SUPERVISORIAL DISTRICTS 3, 4, AND 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the contract work is exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Award the contract for Public Relations Activities for Water Conservation and Water-Use Efficiency Program in the annual sum of \$205,825 to O'Rorke, Inc., located in Beverly Hills, California. This contract will be for a term of one year commencing upon Board approval, with four 1-year renewal options, not to exceed a total of five years. Funds are available from the Internal Services Fund.
3. Delegate authority to the Director of Public Works or his designee to annually expend up to an additional 25 percent of the annual contract sum for unforeseen, additional work within the scope of work of the contract, if required.

4. Authorize the Director of Public Works to renew the contract for each additional renewal option if, in the opinion of the Director, the contractor has successfully performed the previous contract period and the services are still required; and to suspend it if, in the opinion of the Director, it is in the best interest of the County to do so.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to provide an as-needed and intermittent service to assist the Los Angeles County Waterworks Districts (Districts) with public relations, marketing, and advertising efforts for implementation of Water Conservation Best Management Practices (BMPs) required by the California Urban Water Conservation Council in the Memorandum of Understanding (MOU), regarding Urban Water Conservation in California. The MOU was adopted by your Board on March 5, 1996, and requires implementation of 14 BMPs by December 31, 2008. The implementation of the BMPs requires a professional public relations campaign to reach the largest number of the Districts' customers and increase public awareness of the importance of water conservation.

Implementation of Strategic Plan Goals

The award of this contract is consistent with the County Strategic Plan Goals of Service Excellence, Organizational Effectiveness, and Children and Families' Well-Being as the contractor has the specialized expertise to provide this service accurately, efficiently, timely, and in a responsive manner.

FISCAL IMPACT/FINANCING

There will be no impact on net County cost. The contract is for an annual amount not to exceed \$205,825 with an additional 25 percent contingency for unforeseen, additional work within the scope of work of the contract, if required. This amount is based on the annual price quoted by the contractor. This contract will commence upon Board approval for a period of one year. With the Board's delegated authority, the Director may renew this contract, with four 1-year renewal options, for a total contract period not to exceed five years.

Financing for this service is available from the Internal Services Fund, which will be reimbursed from various Public Works' 2006-07 Waterworks District Funds.

Financing for the contract's renewal years will be made through Public Works' annual budget process.

This contract does not allow for a cost-of-living adjustment for the optional years.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Prior to the Director executing this contract, which will be substantially similar to Enclosure A, the contractor will sign and County Counsel will review it as to form.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this recommended contract, which is for services required on an as-needed and intermittent basis; hence, this contract is not a Proposition A contract (Los Angeles County Code Chapter 2.121).

ENVIRONMENTAL DOCUMENTATION

These services are exempt from CEQA pursuant to Section 15322 of the State CEQA Guidelines.

CONTRACTING PROCESS

On November 21, 2006, Public Works solicited proposals from 429 independent contractors and community business enterprises to accomplish this work. Also, a notice of the Request for Proposals (RFP) was placed on the County's bid website (Enclosure B), and an advertisement was placed in the *Los Angeles Times*.

Pursuant to the Memorandum of Understanding, the RFP for this contracted service was submitted on November 16, 2006, to the Local 660 Union for review. The Union declined to meet with Public Works.

On December 19, 2006, five proposals were received. One proposal was disqualified as nonresponsive due to a late proposal submission. The remaining four proposals were first reviewed to ensure they met the mandatory requirements outlined in the RFP. The proposals, having met these requirements, were then evaluated by an evaluation committee consisting of Public Works staff. The committee's evaluation was based on criteria described in the RFP, which included the price, experience, work plan, financial resources, and references. Based on this evaluation, it is recommended that this contract be awarded to the highest-rated, responsive, and responsible proposer, O'Rourke, Inc., located in Beverly Hills, California.

The Honorable Board of Supervisors
May 1, 2007
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Enclosure C reflects the proposer's minority participation. The contractor was selected upon final analysis and consideration without regard to race, creed, gender, or color.

This contract contains terms and conditions supporting Board-sponsored policies, such as contractor responsibility and debarment (revised), jury service requirements, the Safely Surrendered Baby Law, and charitable activities compliance.

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractor before any work is assigned.

As requested by your Board, the contractor has submitted a safety record that reflects its past activities have been conducted according to reasonable standards of safety.

In accordance with the Chief Administrative Officer's June 15, 2001, instructions, this is Public Works' assurance that this contractor will not be requested to perform services that will exceed the contract's approved amount, scope of work, and/or terms.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The award of this contract will not result in the displacement of any County employees.

CONCLUSION

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

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Enc. 3

cc: Chief Administrative Office
County Counsel

SAMPLE AGREEMENT FOR
PUBLIC RELATIONS ACTIVITIES FOR THE WATER CONSERVATION AND
WATER-USE EFFICIENCY PROGRAM

THIS AGREEMENT, made and entered into this ____ day of _____, 2007, by and between the COUNTY OF LOS ANGELES, a body corporate and politic (hereinafter referred to as COUNTY) and O'RORKE, INC., a Corporation, (hereinafter referred to as CONTRACTOR).

WITNESSETH

FIRST: The CONTRACTOR, for the consideration hereinafter set forth and the acceptance by the Board of Supervisors of said COUNTY of the CONTRACTOR'S Proposal filed with the COUNTY on January 4, 2007, hereby agrees to provide services as described in the attached specifications for Public Relations Activities for the Water Conservation and Water-Use Efficiency Program, including, but not limited to, Exhibit A, Scope of Work.

SECOND: This AGREEMENT, together with Exhibit A, Scope of Work; Exhibit B, Service Contract General Requirements; Exhibit C, Internal Revenue Service Notice 1015; Exhibit D, Safely Surrendered Baby Law Posters; Exhibit E, Memorandum of Understanding; the CONTRACTOR'S Proposal, all attached hereto; the Request for Proposals; and Addenda to the Request for Proposals, all of which are incorporated herein by reference, and are agreed by the COUNTY and the CONTRACTOR to constitute an integral part of the Contract documents.

THIRD: The COUNTY agrees, in consideration of satisfactory performance of the foregoing services in strict accordance with the Contract specifications to the satisfaction of the Director of Public Works, to pay the CONTRACTOR pursuant to the Schedule of Prices set forth in the Proposal and attached hereto as Form PW-2.1, Schedule of Prices, an amount not to exceed \$208,825 per year (Maximum Contract Sum), or such greater amount as the Board may approve.

FOURTH: This Contract's initial term shall be for a period of one year commencing upon Board approval. At the discretion of the COUNTY, this Contract may be extended in increments of one year, not to exceed a total contract period of five years. The COUNTY, acting through the Director, may give a written notice of intent to extend this Contract at least 30 days prior to the end of each term.

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FIFTH: The CONTRACTOR shall bill upon the completion and approval of the COUNTY of each deliverables at the amount quoted in Form PW-2.1, Schedule of Prices. Each deliverables must be approved by the COUNTY for completion before the CONTRACTOR submits the invoice to Public Works. The invoices shall be submitted to:

County of Los Angeles Department of Public Works
Attention Fiscal Division, Accounts Payable
P.O. Box 7508
Alhambra, CA 91802-7508

SIXTH: In no event shall the aggregate total amount of compensation paid to the CONTRACTOR exceed the amount of compensation authorized by the Board. Such aggregate total amount is the Maximum Contract Sum.

SEVENTH: The CONTRACTOR understands and agrees that only the designated Public Works Contract Manager is authorized to request or order work under this Contract. The CONTRACTOR acknowledges that the designated Contract Manager is not authorized to request or order any work that would result in the CONTRACTOR earning an aggregate compensation in excess of this Contract's Maximum Contract Sum.

EIGHTH: The CONTRACTOR shall not perform or accept work requests from the Contract Manager or any other person that will cause the Maximum Contract Sum of this Contract to be exceeded. The CONTRACTOR shall monitor the balance of this Contract's Maximum Contract Sum. When the total of the CONTRACTOR'S paid invoices, invoices pending payment, invoices yet to be submitted, and ordered services reaches 75 percent of the Maximum Contract Sum, the CONTRACTOR shall immediately notify the Contract Manager in writing. The CONTRACTOR shall send written notification to the Contract Manager when this Contract is within six months from expiration of the term as provided for hereinabove.

NINTH: No cost-of-living adjustments shall be granted for the optional renewal periods.

TENTH: In the event that terms and conditions, which may be listed in the CONTRACTOR'S Proposal, conflict with the COUNTY'S specifications, requirements, and terms and conditions as reflected in this AGREEMENT, including, but not limited to, Exhibits A through E, inclusive, the COUNTY'S provisions shall control and be binding.

ELEVENTH: The CONTRACTOR agrees in strict accordance with the Contract specifications and conditions to meet the COUNTY'S requirements.

TWELFTH: This Contract constitutes the entire agreement between the COUNTY and the CONTRACTOR with respect to the subject matter of this Contract and supersedes all prior and contemporaneous agreements and understandings.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By _____
Deputy

O'RORKE, INC.

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name

ENCLOSURE B

Award information has not been added at this time.

Bid Information

Bid Number : PW-ASD 640
Bid Title : Public Relations Activities for the Water Conservation and Water-Use Efficiency Program
Bid Type : Service
Department : Public Works
Commodity : ADVERTISING/PUBLIC RELATIONS
Open Date : 11/21/2006
Closing Date : 12/5/2006 10:00 AM
Notice of Intent to Award : [View Detail](#)
Bid Amount : \$ 200,000
Bid Download : Not Available
Bid Description : PLEASE TAKE NOTICE that Public Works requests proposals for a contract for Public Relations Activities for the Water Conservation and Water-Use Efficiency Program (2006-AN034). The total annual contract amount of this service is estimated to be \$200,000. If not enclosed with this letter, the Request for Proposals (RFP) with contract specifications, forms, and instructions for preparing and submitting proposals may be requested by accessing this link at <ftp://dpwftp.co.la.ca.us/solicitationdocuments/practivities.pdf> or from Ms. Leslie Schenk at (626) 458 7334. Monday through Thursday, 7 a.m. to 5 p.m.

Minimum Requirement(s): Proposers must meet all minimum requirements set forth in the RFP document, including, but not limited to, Proposer or its managing employee must have a minimum of ten years' senior management experience. Ten years' experience can be a combination of seven years of similar public relations campaigns and at least three years in water conservation, water use efficiency, or environmental awareness campaigns. The campaign will promote the technical aspect of water conservation, supporting engineering staff, and representing the Los Angeles County Waterworks Districts (Districts) to its customers, which requires the senior level management experience described. In addition, the Proposer's on site supervising employee must have at least three years' experience in public relations services for water use efficiency, water conservation awareness, other environmental outreach campaigns, and other services solicited.

A Proposers' Conference will be held on Tuesday, December 5, 2006, at 10 a.m. at Public Works Headquarters, 900 South Fremont Avenue, Alhambra, California 91803, in Conference Room D. ATTENDANCE BY THE PROPOSER OR AN AUTHORIZED REPRESENTATIVE AT THE CONFERENCE IS MANDATORY. Public Works will reject proposals from those whose attendance at the Conference cannot be verified. Attendees should be prepared to ask questions at that time about the specifications, proposal requirements, and contract terms. After the Conference, it may be impossible to respond to further requests for information.

The deadline to submit proposals is Tuesday, December 19, 2006, at 5:30 p.m. Please direct your questions to Ms. Schenk at the number above.

Contact Name : Leslie Schenk
Contact Phone# : (626) 458-7334
Contact Email : lschenk@ladpw.org
Last Changed On : 11/22/2006 9:53:12 AM

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FORM PW-9

County of Los Angeles
Request for Local Small Business Enterprise (SBE) Preference Program Consideration and
CBE Firm/Organization Information Form

All bidders responding to the Invitation for Bid must complete and return this form for proper consideration of their Bid.

FIRM NAME: O'RORKE, INC.

My County (WebVen) Vendor Number: 13686801

I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:

I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid's submission.

I AM As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

II. FIRM/ORGANIZATION INFORMATION: The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

Business Structure: Sole Partnership Corporation Nonprofit Franchise

Other (Please Specify):

Total Number of Employees (including owners): 11

Race/Ethnic Composition of Firm. Please distribute the above total number of individuals into the following categories:

Race/Ethnic Composition	Owners/Partners/ Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino						
Asian or Pacific Islander						2
American Indian						
Filipino						
White		1	1	1		6

III. PERCENTAGE OF OWNERSHIP IN FIRM: Please indicate by percentage (%) how ownership of the firm is distributed

	Black/African American	Hispanic/Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	%	%	%	%	%
Women	%	%	%	%	%	100 %

IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES: If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency Name	Minority	Women	Disadvantaged	Disabled Veteran	Expiration Date

V. DECLARATION: I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Authorized Signature:  Title: MANAGING DIRECTOR AND VICE PRESIDENT Date: 01/03/07