COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 2, 2009

IN REPLY PLEASE
REFER TO FILE: C-1

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

48 JUNE 2, 2009

SACHI A. HAMAI
EXECUTIVE OFFICER

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:

ADOPT, ADVERTISE, AND AWARD
RETAINING WALL CONSTRUCTION AND ROADWAY RECONSTRUCTION
GRANDVIEW DRIVE 60 FEET NORTH OF FALLS DRIVE
UNINCORPORATED COMMUNITY OF FERNWOOD
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)

SUBJECT

This action is to approve a project for construction of a retaining wall and reconstruction of roadway pavement on Grandview Drive 60 feet north of Falls Drive, in the unincorporated community of Fernwood, adopt the plans and specifications, call for bids, and authorize the Director of Public Works or her designee to award and execute a contract with the lowest responsive and responsible bidder.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is statutorily exempt from the provisions of the California Environmental Quality Act.

2. Approve the project and adopt the plans and specifications for Grandview Drive 60 Feet North of Falls Drive, retaining wall construction and roadway reconstruction, in the unincorporated community of Fernwood, at an estimated cost between $335,000 and $395,000.

3. Call for bids to be received on June 30, 2009.

4. Instruct the Executive Officer of your Board to advertise the project and seal and return the plans and specifications to the Department of Public Works for filing.

5. Authorize the Director of Public Works or her designee to award and execute a contract with the lowest responsive and responsible bidder within the estimated cost range, approve the Faithful Performance, and Labor and Material Bonds submitted by the contractor, and deliver the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain Board approval to adopt and advertise for bids and authorize the Director of Public Works or her designee to award and execute a contract with the lowest responsive and responsible bidder to construct a retaining wall, reconstruct existing roadway pavement damaged during the 2005 storms, and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help achieve these goals by providing a safe and improved roadway for residents of the community and visitors.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction cost to complete this project is in the range of $335,000 to $395,000. This project is necessary as a result of damage caused by the rainstorms of January and February 2005. We are seeking reimbursement for a portion of the project cost under Federal and State disaster assistance programs. A portion of the project will be financed with Proposition 1B funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. Funding for this project is included in the Third Supervisorial District's Road Construction Program in the Fiscal Year 2009-10 Proposed Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the construction of a retaining wall and reconstruction of existing roadway pavement, is part of the Department of Public Works' (Public Works) ongoing program for the construction of roads and highways. It will be advertised in accordance with Section 20392 of the Public Contract Code.

This project is to be completed in 50 working days. It is estimated the work will start in September and be completed in November 2009.

Delegating to the Director of Public Works or her designee the authority to award and execute a contract with the lowest responsive and responsible bidder will allow an expedited contracting process to procure a contractor and facilitate construction delivery for the retaining wall construction and roadway reconstruction on Grandview Drive 60 Feet North of Falls Drive, in the unincorporated community of Fernwood.

The contract agreement will be in the form previously reviewed and approved by County Counsel.

The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the lowest responsive and responsible bidder, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to the lowest responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is in a disaster-stricken area in which the Governor declared a state of emergency and is statutorily exempt from the provisions of the California Environmental Quality Act pursuant to Section 21080(b) (3) of the Public Resources Code and Section 307.B (5) of the Environmental Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for the repair of public works facilities damaged or destroyed as a result of a disaster in such an area.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The contract will be awarded by the Department to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of Public Works' program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing a safe and improved roadway for residents of the community and visitors.

CONCLUSION

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

Respectfully submitted,

GAIL FARBER
Director of Public Works

GF:JTS:ma

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Office of Affirmative Action Compliance

GRANDVIEW DRIVE 60 FEET NORTH OF FALLS DRIVE
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works
Construction Division

PUBLISHING

In accordance with Section 20392 of the Public Contract Code:

Publish: At least ten consecutive times, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two consecutive times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in four weeks.

NOTICE INVITING BIDS

Sealed bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the construction of a steel soldier-pile retaining wall, reinforced concrete fascia wall, asphalt concrete pavement on base material, metal beam guardrail and terminal end system treatments, and the performance of other appurtenant work under Project ID No. RDC0014683, Grandview Drive 60 Feet North of Falls Drive, in the unincorporated community of Fernwood.

The bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, June 30, 2009. The bids will then be publicly opened and read in Conference Room A or at the location posted in the main lobby.

The work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The work is estimated to cost between $335,000 and $395,000 and shall be completed in 50 working days. The work requires a California Class A contractor's license. Prebid questions regarding the Plans and Specifications should be directed to Mr. Roger Kohlenberger at (626) 458-4964.

The bids must be submitted on the proposal forms included in the bidder's package of the contract documents, which may be purchased for $15, if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for $19, if mailed, which includes postage and handling.

Each bid must be accompanied by a certified check, cashier's check, or surety bond payable to County of Los Angeles in an amount equal to at least 10 percent of the bid to guarantee that the bidder will enter into the contract if it is so awarded.

All persons performing the work shall be paid not less than the General Prevailing Wage Determination prepared by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works.

The bid must provide full disclosure of False Claims Act violations, labor law/payroll violations, debarments, and civil/criminal legal actions as provided for on the forms included as part of the proposal. Failure to complete these forms may result in a determination that the bidder is nonresponsive and/or not responsible.

The contract, if awarded, will be awarded to the lowest responsive and responsible bidder; however, the Board of Supervisors reserves the right to reject any and all bids.

A responsible bidder is a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible contractors.

The successful bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the contract. Failure to comply may be cause for termination of the contract or initiation of debarment proceedings.

The successful bidder will be required to submit a faithful performance bond, payment bond, liability insurance, and workers' compensation insurance with the contract.

As provided for in Section 22300 of the California Public Contract Code, the contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the contract, or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5:30 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated June 2, 2009.

Sachi A. Hamai
Executive Officer
of the Board of Supervisors

RK:ma
O:\Projects\Programs - Road\GrandViewDr60ftNOFallsDr. (RDC0014683)\Board\Nib.doc

FILED
BOARD OF SUPERVISORS

NOTICE INVITING BIDS, No. 48 June 2, 2009
DATE

SPECIAL PROVISIONS

SACHI A. HAMAI
EXECUTIVE OFFICER AND
CLERK OF THE BOARD OF SUPERVISORS

AND

By LaChelle Smitherman, Deputy

SAMPLE AGREEMENT

FOR

PROJECT ID NO. RDC0014683

GRANDVIEW DRIVE
60 FEET NORTH OF FALLS DRIVE

2005 STORM DAMAGE (FEMA)

Approved, GAIL FARBER, Director of Public Works

By _____ 5/21/09
Asst. Deputy Director Date