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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: **PM-3**

May 1, 2003

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:

**PALMDALE SHERIFF'S STATION
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
ADOPT AND ADVERTISE
AWARD AGREEMENT
SPECS. 5415; C.P. 77401
SUPERVISORIAL DISTRICT 5
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER AND
THE SHERIFF THAT YOUR BOARD:**

1. Consider the enclosed Mitigated Negative Declaration (Enclosure D) for the Palmdale Sheriff's Station together with comments received during the public review process, find that the project with the proposed mitigation measures will not have a significant effect on the environment, find that the Mitigated Negative Declaration reflects the independent judgment of the County, and approve the Mitigated Negative Declaration.
2. Adopt the Mitigation Monitoring and Reporting Program contained in the Mitigated Negative Declaration to ensure compliance with the project changes and conditions to mitigate or avoid significant effects on the environment.
3. Find that the project will have no adverse effect on wildlife resources by implementing the proposed mitigation measures, and authorize Public Works to complete and file a Certificate of Fee Exemption for the project.

4. Adopt plans and specifications for constructing the Palmdale Sheriff's Station at an estimated construction cost of \$12,665,073, and instruct the Executive Officer to advertise for bids to be received and opened on June 10, 2003, in accordance with the Instruction Sheet for Publishing Legal Advertisements (Enclosure B).
5. Approve the project and authorize the Director of Public Works to carry out the project.
6. Authorize the Director of Public Works to execute a consultant services agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule for a not to exceed fee of \$10,000 funded by the existing project budget and establish the effective date following Board approval.
7. Authorize the Chief Administrative Office to finalize an agreement with the City of Palmdale to accept an 11.5-acre parcel to develop and construct the Palmdale Sheriff's Station, and direct the Chief Administrative Office and the Sheriff to return to the Board with these recommendations concurrent with recommendations regarding awarding a construction contract for the new Palmdale Sheriff's Station.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approving the recommended actions will authorize the Director of Public Works to initiate the bidding process for construction of the Palmdale Sheriff's Station project.

The existing interim Palmdale Station is located in Antelope Valley, which is the fastest growing area within Los Angeles County. The station is currently located in leased space and serves the City of Palmdale and several nearby communities covering approximately 800 square miles. The current facility capacity does not meet the increasing demands of the growing community.

To alleviate staff crowding at the existing leased space and accommodate future staff growth, construction of a new station on an 11.5-acre parcel of land, which will be provided by the City of Palmdale, is recommended. The new station will consist of a 50,000-square-foot main building, including a 7,800-square-foot holding facility, an 8,300-square-foot regional vehicle maintenance center, helistop, and sufficient staff and visitor parking.

Public Works' estimate of the construction contract cost is \$12,665,073, without contingency. This includes an allowance of \$467,000 for separate bid components. In the event bids exceed the current cost estimate, Public Works and the Sheriff's Department have identified building and site work finish materials, skylights, and the helistop as bid components that can be deleted to maintain construction costs within the project budget. To allow the flexibility of implementing an alternative construction delivery method through Internal Services Department, the communications tower is listed as a separate bid component.

In response to the City of Palmdale's concerns, Public Works has included an alignment of the secured access driveway at Avenue Q with 8th Street as an additive alternate. Additionally, other additive alternates that improve the functionality of the station's operation have been identified in case the bids received are less than the project budget, including increased emergency power reserves, installation of a car canopy, and additional asphalt paving to increase surface parking. These modifications will not affect the operational and functional needs of the Sheriff's station.

The apparent low bidder will be selected based on the sum of the base bid and all alternates. Alternates will be selected based on available budget and best value to the County.

The current lease on the existing Palmdale station is scheduled to expire in November 2008 with the option to terminate after November 2003. The project is now scheduled to be complete in March 2005 because of added time required to resolve scope issues, obtain the City of Palmdale's concurrence on the building's architectural characteristics and site design, obtain design approvals, and negotiate a land acquisition agreement with the City of Palmdale. The CAO will coordinate with the Sheriff's Department to terminate the lease after construction of the station is complete.

The Mitigated Negative Declaration indicates that the project with the proposed mitigation measures would not have a significant effect on the environment. In accordance with the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, a draft Mitigated Negative Declaration was prepared and circulated for public review and must be approved by your Board prior to starting construction.

The Mitigation Monitoring and Reporting program contained in the Mitigated Negative Declaration will be used to ensure compliance with environmental mitigation measures associated with developing the proposed project.

The proposed agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specification is critical to successfully managing construction activities by both the contractor and the County. A responsible contractor must be able to produce such a construction schedule. Bid specifications provide that if the apparent lowest bidder fails to complete an acceptable schedule, the Director may return to your Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next lowest bidder, contingent on that bidder completing a baseline schedule which conforms to the County's specifications.

Land Transfer

In order to proceed with construction of the Sheriff's station, ownership of the proposed 11.5-acre site must be transferred from the City of Palmdale to the County. The agreement with the City of Palmdale is currently being finalized. The CAO will return to your Board to execute the land agreement with the City of Palmdale when your Board considers awarding a construction contract for the new Palmdale Sheriff's Station.

Implementation of Strategic Plan Goals

These actions meet the County's Strategic Plan Goals of Service Excellence and Fiscal Responsibility since this construction project provides improved facilities to relieve current overcrowded conditions and increases the County's investment in public infrastructure.

FISCAL IMPACT/FINANCING

Public Works' current cost estimate for the construction contract is \$12,665,073, without contingency. This includes an allowance of \$467,000 for separate bid components.

The total project cost estimate is \$20,135,400, including design, plan check fees, construction, equipment, consultant services, furnishings, miscellaneous expenditures, County services, and a change order contingency equal to 10 percent of the expected bid amount. A reallocation of \$75,000 from Consultant Services to Miscellaneous Expenditures is included to reflect utility connection fees. The sum of \$401,580 is being reallocated from the County Services and County-provided equipment categories to the construction cost category to fund increases in construction costs, including escalation, and \$15,500 is being reallocated from the County Services category to the Plans and Specifications category.

Sufficient appropriation to award the construction contract for the Palmdale Sheriff's Station project is available in the 2002-03 Capital Project Budget under Capital Project 77401.

The Project Schedule and Budget Summary are included in Enclosure A.

Operational Financing

The CAO and Sheriff have identified one-time costs in the amount of \$63,376 to open the new station (Enclosure C). Ongoing operating costs for the new Palmdale Sheriff's Station are under review. The new station will be staffed with existing personnel and staff to be relocated from various stations within Region I; therefore, an increase in staff costs is not anticipated at this time. The addition of 44,000 square feet of space will result in additional maintenance and utility costs. Such cost increases cannot be accurately determined at this time due to potential fluctuations in future energy costs. However, any net increases in ongoing costs of the new station will be absorbed by the Sheriff's operating budget following occupancy in the first quarter of 2005.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board and as a threshold requirement for consideration for contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Bidders will also be required to show full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violation of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported was considered before making this recommendation to award.

ENVIRONMENTAL DOCUMENTATION

On April 26, 2000, Public Works executed a contract for environmental evaluation and preparation of a Mitigated Negative Declaration for the Palmdale Sheriff's Station project.

The Mitigated Negative Declaration was circulated on June 17, 2002, for agency and public review in accordance with California Environmental Quality Act requirements. The review period ended on July 17, 2002. Comments received during the review period did not raise any significant environmental issues associated with the project.

The mitigation measures included in the CEQA environmental documents for this project specifically address lighting, air quality, noise, and critical cultural resources. Recommended measures to mitigate impacts on these resources include construction procedures, which are incorporated into the construction bid documents, and the use of specialized consultants by the County to conduct field observations at critical construction phases. The Mitigated Negative Declaration concluded that the project with the proposed mitigation measures will not have a significant effect on the environment.

Therefore, we recommend that your Board approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and find that, by incorporating the mitigation measures described in the Mitigation Monitoring and Reporting Program, the project will not have a significant effect on the environment.

A fee must be paid to the State Department of Fish and Game when certain notices required by CEQA are filed with the County Clerk. The County is exempt from paying this fee when the Board finds that a project will have no impact on wildlife resources. The initial study of environmental factors concluded that there will be no adverse effects on wildlife resources. Following approval of the Mitigated Negative Declaration by your Board, Public Works will file a Certificate of Fee Exemption with the County Clerk. A

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\$25 handling fee will be paid to the County Clerk for processing. We will also file a Notice of Determination in accordance with the requirements of Section 21152(a) of the California Public Resources Code.

CONTRACTING PROCESS

Advertising for bids will be in accordance with the County's standard "Instruction Sheet for Publishing Legal Advertisements" (Enclosure B). Following receipt of bids, we will return to your Board for construction contract award.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on Public Works contracts.

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with the County" website.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this construction contract as this contract is for non-Proposition A services.

Participation by Community Business Enterprises in the project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to use CBEs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during construction. Sheriff services to the community will continue to be provided from the interim Palmdale Sheriff's Station until construction of the station is complete.

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CONCLUSION

Please return one adopted copy of this letter to the CAO (Capital Projects Division), Sheriff, and Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

LEROY D. BACA
Sheriff

KS:amr
U:Sheriff_BL_AA_PALMDALE_KS 0505033

Enc. 3

cc: County Counsel
Department of Public Social Services (GAIN/GROW Program)
Office of Affirmative Action Compliance