County of Los Angeles
CHIEF EXECUTIVE OFFICE
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500 West Temple Street, Room 713, Los Angeles, California 90012
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Chief Executive Officer

Board of Supervisors
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April 10, 2012

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

24 April 10, 2012

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:

**DEPARTMENT OF PUBLIC WORKS:
JOB ORDER CONTRACTS FOR MAINTENANCE, REPAIR, REMODEL, AND REFURBISHMENT OF COUNTY INFRASTRUCTURE AND FACILITIES
ADOPT FEBRUARY 2012 JOB ORDER CONTRACT UNIT PRICE BOOK AND SPECIFICATIONS
ADVERTISE AND AWARD JOB ORDER CONTRACTS 1123 THROUGH 1129
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

This action is to adopt the February 2012 Job Order Contract Unit Price Book and Specifications, advertise for bids to be received, authorize the Director of Public Works, or her designee, to determine that a bid is nonresponsive, authorize award to the Lowest Responsive and Responsible Bidders for seven separate Job Order Contracts (1123 through 1129), and authorize the Director of Public Works, or her designee, to issue work orders. This action will also delegate authority to the Director of Public Works, or her designee, to act on behalf of the Los Angeles County Flood Control District to issue work orders.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the award of Job Order Contracts Nos. 1123 through 1129 exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the Project;

2. Increase the maximum contract amount for anticipated Job Order Contracts from the current limit of $4.2 million to a new limit of $4.3 million to coincide with the annual increases in the California Consumer Price Index from 2010 to 2011;

3. Adopt the February 2012 Job Order Contract Unit Price Book and Specifications prepared by The Gordian Group, Inc., that are on file with the Department of Public Works, Architectural Engineering Division;

4. Instruct the Board Executive Officer to advertise for bids to be received for seven separate Job Order Contracts (1123 through 1129) on May 10, 2012;

5. Delegate authority to the Director of Public Works, or her designee, to make the determination that a bid is nonresponsive and to reject a bid on that basis, and authorize the Director of Public Works, or her designee, to award and execute seven separate Job Order Contracts in not-to-exceed amounts of $4.3 million each to the Lowest Responsive and Responsible Bidders;

6. Authorize the Director of Public Works, or her designee, to execute the Job Order Contracts in the form previously approved as to form by County Counsel and establish the effective date following receipt of approved Faithful Performance and Payment for Labor and Materials Bonds filed by the contractors; and

7. Authorize the Director of Public Works, or her designee, to issue work orders for the maintenance, repair, remodeling, and refurbishment of County facilities and infrastructure to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding source.

ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

8. Authorize the Director of Public Works, or her designee, to issue work orders for the maintenance, repair, remodeling, and refurbishment of Los Angeles County Flood Control District projects to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding source.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find award of the Job Order Contracts (JOCs) exempt from the California Environmental Quality Act (CEQA) and augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, remodel, and refurbish County and Flood Control District infrastructure and facilities.

Approval of the recommended actions will delegate the authority to the Director of Public Works, or her designee, to determine that a bid is nonresponsive to the mandatory requirements of the bid solicitation and to reject a bid on that basis, including the authority to waive inconsequential and nonmaterial deficiencies, is within the discretion of the Director of Public Works, or her designee.

Approval of the recommended actions will also adopt the February 2012 JOC Unit Price Book and Specifications and authorize the Director of Public Works, or her designee, to award seven separate JOCs to the Lowest Responsive and Responsible Bidders (see Contracting Process for details).

It is also recommended that your Board approve an increase to the maximum value of anticipated JOCs from the current level of $4.2 million to $4.3 million to reflect the annualized increases coinciding with the applicable California Consumer Price Index (CCPI) as authorized by State Public Contract Code Section 20128.5. The 1997 amendments to State Public Contract Code Section 20128.5 provide that the maximum value may be adjusted on an annualized basis based on the CCPI. On June 29, 2010, your Board approved an increase in the maximum value of JOCs to $4.2 million each. The applicable CCPI has increased by a net of 3.7 percent from 2010 to 2011. Increasing the annual limit will enable Public Works to keep up with the rising cost of construction and maintain the viability of JOC as an alternative contracting method.

JOC is a flexible, cost-effective unit price contracting method used by Public Works for the maintenance, repair, remodeling, and refurbishment of County facilities and infrastructure without extensive plans and specifications. The State Public Contract Code provides that JOCs are contracts of a single-year duration. Public Works will implement the Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. As required by the State Public Contract Code 20128.5, the proposed JOCs will be used for maintenance, repair, remodeling, and refurbishment or other repetitive work, but will not be used for new construction.

This relatively simple and straightforward JOC process reduces administrative requirements and lowers direct construction costs for maintenance, repair, remodeling, and refurbishments while meeting Federal, State, and County procurement requirements. The JOCs will be publicly advertised for bids and will be awarded to the Lowest Responsive and Responsible Bidders in accordance with the State Public Contract Code (see the Facts and Provisions/Legal Requirements and Contracting Process sections for details and definitions).

On November 8, 2011, your Board authorized execution of a Consultant Services Agreement (Agreement) with The Gordian Group, Inc., for JOC consultant services to assist Public Works in administering its JOC program. Public Works executed the Agreement with The Gordian Group, Inc., on November 10, 2011, to provide specialized consultant services that include preparing and updating detailed construction cost catalogs that include unit prices and technical specifications, maintaining project control and estimating software, and providing technical support as needed. In accordance with this Agreement, The Gordian Group, Inc., has produced the February 2012 JOC Unit Price Book and Specifications, which are on file with Public Works' Architectural Engineering Division, which we are recommending to your Board for adoption.

In addition, on November 8, 2011, your Board also authorized execution of 22 separate JOCs. Our remaining capacity on these JOCs is $52 million with the last contracts expiring in March 2013. However, instead of awarding a large number of JOCs in one action, it would be more advantageous and inclusive to have adequate JOC capacity available on a continuous basis. Therefore, beginning with this Board letter, we will stagger the procurement of future JOCs on a quarterly schedule. This continuous supply of JOC contracts will be adjusted to meet the dynamic demands of capital projects workload and will allow us to take advantage of fluctuating market conditions.

Therefore, delegated authority is being requested to award and execute the seven JOCs to ensure that our existing JOC capacity is supplemented in a timely manner to avoid any delays in the delivery of our projects. The aggregate requested amount of JOC authority is $30.1 million and is based on the anticipated need for maintenance, repair, remodeling, and refurbishment projects, including those of Public Works' Road Maintenance and Flood Maintenance Divisions, as well as maintenance, repair, remodeling, and refurbishment projects for other County General and Special Fund departments. The scope of this delegation to award and execute the JOCs is circumscribed in that the JOCs will be awarded to the Lowest Responsive and Responsible Bidders.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by increasing the County's ability to manage workload fluctuations in a responsive manner and by providing responsive, efficient, and high-quality public service.

FISCAL IMPACT/FINANCING

Maintenance, repair, remodeling, and refurbishment work will be financed through the appropriate capital, refurbishment, infrastructure, or Public Works fund(s). For capital projects and refurbishments, no work will be assigned to these JOCs without the prior review and funding verification from the Chief Executive Office (CEO) and the approval of the project scope and budget by your Board. For Public Works' infrastructure and maintenance projects, no work will be assigned to these JOCs without the appropriate funding authorization.

Public Works will work with the CEO to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary recommendations for budget adjustments to your Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Award of the contracts will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The contracts will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to: County's Greater Avenues for Independence (GAIN) and General Relief Opportunity for Work (GROW) Programs, 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; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation will be on file with Public Works. The contractors will be selected upon final analysis and consideration without regard to race, creed, color, or gender.

The General Conditions, Specifications, and Unit Price Book include the contractual provisions, methods, and material requirements necessary for JOC work and are on file with Public Works.

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 demonstrating the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the work required under the bid solicitation.

To ensure that the contracts are awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders will be required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractors will be considered before making a determination to award.

By approving this action, your Board is delegating the authority to the Director of Public Works, or her designee, to determine that a bid is nonresponsive to the mandatory requirements of the bid solicitation and to reject a bid on that basis, including the authority to waive inconsequential and nonmaterial deficiencies in a bid, is within the discretion of the Director of Public Works, or her designee.

Local Worker JOC Program

Monitoring of the Local Worker JOC Program will be provided by Public Works' contract administration staff based on review of the JOC work site and individual labor hours in the local area to determine a percentage of Local Worker JOC Program hours worked on each of the specific work orders. The contractors will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of Local Worker JOC Program hours to be reported to your Board on a quarterly basis.

ENVIRONMENTAL DOCUMENTATION

Award of the JOCs is exempt from CEQA because it can be seen with certainty that there is no possibility that approval of the actions may have a significant impact on the environment pursuant to Section 15061(b)(3) of the State CEQA Guidelines. This proposed action is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Your Board's approval of the award of the JOCs does not include approval of the work done pursuant to the specific contracts. The implementation of each work order under these JOCs will be subject to prior determination and documentation by Public Works that the work is exempt from CEQA. In the event the work is not exempt, your Board will be requested to approve the appropriate environmental finding and any applicable documentation pursuant to CEQA prior to implementation of work orders under the contracts.

Upon your Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk in accordance with Section 15062 of the State CEQA guidelines.

CONTRACTING PROCESS

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements. A copy of the Unit Price Book and the specifications are on file in Architectural Engineering Division of Public Works.

The JOCs will be in the form previously reviewed and approved as to form by County Counsel. The proposed JOCs, 1123 through 1129, will be solicited on an open-competitive basis and in accordance with applicable Federal, State, and County requirements. The contractors will be in compliance with the CEO and your Board's requirements.

As requested by your Board on February 3, 1998, the invitation for bids will be listed on the Doing Business with Us website and will be posted on the Public Works Contract Opportunities website. A copy of the official Notice Inviting Bids is included as an attachment for your reference.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended JOCs as these JOCs are for non-Proposition A services.

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

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these JOCs will expedite the completion of maintenance, repair, remodeling, and refurbishment of County and Flood Control District facilities and infrastructure work managed by Public Works. Minor impacts to tenant departments may occur while maintenance, repair, remodeling, and refurbishment work on such facilities and infrastructure is underway.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division, and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SW:RB:cvb

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Public Works

ATTACHMENT

**DEPARTMENT OF PUBLIC WORKS:
JOB ORDER CONTRACTS FOR MAINTENANCE,
REPAIR, REMODEL, AND REFURBISHMENT OF
COUNTY INFRASTRUCTURE AND FACILITIES
ADOPT FEBRUARY 2012 JOB ORDER CONTRACT
UNIT PRICE BOOK AND SPECIFICATIONS
ADVERTISE AND AWARD JOB ORDER
CONTRACTS 1123 THROUGH 1129
(ALL DISTRICTS) (3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper, or ten times in a daily newspaper. However, the first publication must appear at least 15 days prior to the bid opening date. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

				BID DEADLINES	
SD	SPECS	PROJECT	BID DOC. FEE	DATE	TIME
All	JOC Specs.	JOC 1123	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1124	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1125	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1126	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1127	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1128	$15 or all for $85	05/10/12	10:45 a.m.
All	JOC Specs.	JOC 1129	$15 or all for $85	05/10/12	10:45 a.m.

Bids shall conform to Bidding Requirements, General Conditions, Specifications, and Unit Price Book open for inspection at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. Copies of the above documents to be bid upon may be obtained at such office for a fee as indicated or **may be downloaded for free from the Los Angeles County Public Works website (http://dpw.lacounty.gov/go/constructioncontracts).** For information regarding receipt of bid documents or project-related information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office located at the above address no later than the designated time and date. Bids will be publicly opened, examined, and declared by Public Works at or about 11:00 a.m. on the designated date, for Job Order Contracts (JOCs) 1123 through 1129, in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

Bidders must comply with the provisions of the Bidding Requirements and General Conditions concerning bid guarantee, contract bonds, and insurance requirements. These projects require the prime contractor to possess an active B license classification at the time of bid. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

MANDATORY PREBID CONFERENCE

Public Works will hold a single mandatory pre-bid conference for all of the listed JOCs on April 26, 2012, at 10:00 a.m. in Conference Room A, 900 South Fremont Avenue, Alhambra, California 91803, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. A bid submitted by a company that did not have a representative of the company sign in as being present at the mandatory prebid conference may be rejected as nonresponsive, and it is strongly recommended that the representative who attends the mandatory prebid conference for the company be a principal of the company or a person authorized to make decisions for the company.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, relating to contracting with Community Business Enterprises.

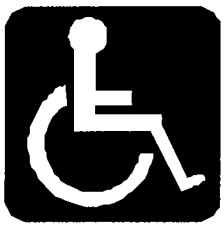
All contractors and subcontractors shall be required to pay prevailing wages to all workers employed in the execution of these contracts in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the

Department of Public Works, Architectural Engineering Division, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803, which shall be made available to any interested party upon request.

The County of Los Angeles reserves the right to reject any or all bids or to waive inconsequential and nonmaterial deficiencies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.

Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accesible to individuals with disabilities. To request accommodations only, or for more ADA information, please contact our departmental ADA coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponsible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones solamente, o para mas información del ADA, pongase en contacto con nuestro coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de Lunes a Jueves de las 7:00 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, dated April 10, 2012.

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF LOS ANGELES