



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

*"To Enrich Lives Through Effective and Caring Service"*

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

**GAIL FARBER, Director**

August 14, 2012

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

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

**34 August 14, 2012**

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT**  
**ALAMITOS BARRIER PROJECT**  
**UNIT 13 OBSERVATION WELLS**  
**IN THE CITY OF LONG BEACH**  
**(SUPERVISORIAL DISTRICT 4)**  
**(3 VOTES)**

**SUBJECT**

This action is to award a public works construction contract to ZIM Industries dba Bakersfield Well & Pump Co., for Alamitos Barrier Project Unit 13 Observation Wells and authorize the Chief Engineer or her designee to execute a construction contract for work in the City of Long Beach.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

Award and authorize the Chief Engineer or her designee to execute and implement the construction contract and establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for Project ID No. FCC0001198 – Alamitos Barrier Project Unit 13 Observation Wells, for drilling, developing, and equipping of seawater barrier observation wells, to ZIM Industries dba Bakersfield Well & Pump Co., in the amount of \$1,511,828.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain approval from your Board, acting as the governing body of the Los Angeles County Flood Control District (LACFD), to execute the contract

and establish the effective contract date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for this project.

On April 3, 2012, Agenda Item 25, your Board approved the project; adopted the plans and specifications; called for bids to be received on June 12, 2012; and instructed the Executive Officer of the Board of Supervisors to advertise the project.

The enclosure includes the project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also enclosed for this project.

The recommended award of the construction contract is necessary to execute a Board directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). Awarding this contract will provide improved infrastructure to better serve the public and enhance the quality of life in the affected community.

### **FISCAL IMPACT/FINANCING**

This action will have no impact to the County General Fund.

The construction cost of \$1,511,828 is included in the Fiscal Year 2012-13 Flood Control District Fund Budget.

The enclosure includes the amount of the recommended contract as compared with the engineer's estimate, the other bids received, and more detailed fiscal and financial information.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

The award of this contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' (County) 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 County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted

Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; Local Business Enterprise Preference Program, Los Angeles County Code, Chapter 2.204; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the LACFCD to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the LACFCD 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 LACFCD 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 the contract is awarded to a 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 LACFCD, 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 each respective contractor was considered before making this 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**

On April 3, 2012, Agenda Item 25, your Board found this project to be categorically exempt from the provisions of the California Environmental Quality Act.

### **CONTRACTING PROCESS**

The contract was solicited on an open-competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids. Public Works will review and approve the Faithful Performance and payment bonds filed by the contractor.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

**CONCLUSION**

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER  
Director

GF:JTS:lg

Enclosures

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)

AWARD OF CONTRACT  
August 14, 2012

PROJECT ID NO. FCC0001198 – Alamitos Barrier Project Unit 13 Observation Wells  
(in the City of Long Beach), Supervisorial District 4.

TYPE OF WORK: Drilling, development, and equipping of seawater barrier observation wells and the performance of other appurtenant work.

CALL FOR BIDS DATE: April 3, 2012 (Agenda Item 25)

BID OPENING DATE: June 12, 2012

BID SUMMARY:

Low	ZIM Industries dba Bakersfield Well & Pump Co. 7212 Fruitvale Avenue Bakersfield, California 93308-9529 (661) 393-9661	\$1,511,828.00
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FINANCIAL INFORMATION:

Amount of estimate	\$ 760,984.00
Amount of recommended contract	\$1,511,828.00
Amount of recommended contract above estimate	\$ 750,844.00

The amount of the recommended contract is 99 percent above the estimate. The estimate for this project was based on a limited bid history from one other similar project awarded back in 2003. No significant price adjustments were made as we have no recent bids for this type of project.

Upon receipt of this bid, Public Works inquired of the Orange County Water District and Water Replenishment District to see if they had built similar projects. Between them, they had four similar projects constructed between the years 2009-2011. The low bid for the Alamitos Barrier Project Unit 13 Observation Wells is comparable with these projects.

We have deemed this bid to be reasonable and do not believe that re-advertising the project will result in a more favorable bid. Therefore, we recommend that this project be awarded to the low bidder.

On March 20, 2012, your Board approved a Cooperative Agreement with the Water Replenishment District of Southern California, under which the Los Angeles County Flood Control District will be reimbursed up to \$300,000 for a portion of the cost to construct Unit 13 Observation Wells.

Sufficient funds for this project are included in the Fiscal Year 2012-13 Flood Control District Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Bakersfield Well & Pump Co., has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On April 3, 2012, Agenda Item 25, your Board found this project categorically exempt from the provisions of the State Public Contract Code.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 90 working days. It is estimated the work will start in September 2012 and be completed in January 2013.

TKB:lg