County of Los Angeles
CHIEF EXECUTIVE OFFICE
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
http://ceo.lacounty.gov

WILLIAM T FUJIOKA
Chief Executive Officer

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
49 September 18, 2012
SACHI A. HAMAI
EXECUTIVE OFFICER

Board of Supervisors
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September 18, 2012

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
AWARD JOB ORDER CONTRACTS
1201 THROUGH 1209
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

This action will award nine separate Job Order Contracts to the Lowest Responsive and Responsible Bidders 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 THE BOARD:

1. Find the award of Job Order Contracts Nos. 1201 through 1209 exempt from the California Environmental Quality Act.

2. Award two Job Order Contracts, Nos. 1201 and 1202, to ACE Engineering, Inc., each for a maximum amount of $4.3 million, and each to be financed through the appropriate maintenance, repair, remodel, and refurbishment projects.

3. Award three Job Order Contracts, Nos. 1203, 1206, and 1207, to New Creation Builders, each for a maximum amount of $4.3 million, and each to be financed through the appropriate maintenance, repair, remodel, and refurbishment projects.

4. Award one Job Order Contract, No. 1205, to Torres Construction Corporation, for a maximum amount of $4.3 million, and to be financed through the appropriate maintenance, repair, remodel, and refurbishment projects.

5. Award three Job Order Contracts, Nos. 1204, 1208, and 1209, to MTM Construction, Inc., each for a maximum amount of $4.3 million, and each to be financed through the appropriate maintenance, repair, remodel, and refurbishment projects.

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 ACE Engineering, Inc.; New Creation Builders; Torres Construction Corporation; and MTM Construction, Inc.

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 ACE Engineering, Inc.; New Creation Builders; Torres Construction Corporation; and MTM Construction, Inc., 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 ACE Engineering, Inc.; New Creation Builders; Torres Construction Corporation; and MTM Construction, Inc., 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.

Public Works received 79 bids on the solicitation for the advertised nine JOCs 1201 through 1209.

Approval of the recommended action will award nine separate JOCs to the next Lowest Responsive and Responsible Bidders (see Contracting Process for details).

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 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.

In accordance with the prior Board letter adopted on April 10, 2012, to have adequate JOC capacity available on a continuous basis, the aggregate requested amount of JOC authority is $38.7 million. This 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.

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 were publicly advertised for bids and will be awarded to the Lowest Responsive and Responsible Bidders in accordance with the State Public Contracting Code (see the Facts and Provisions/Legal Requirements and Contracting Process sections for details and definitions).

Implementation of Strategic Plan Goals

The updated Countywide Strategic Plan for 2012 directs the provision of Operational Effectiveness (Goal 1) by increasing the County's ability to manage workload fluctuations in a responsive manner and provide 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 the 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 the Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will be in the form previously reviewed and approved by County Counsel. The proposed contracts, JOCs 1201 through 1209, have been 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's and the Board's requirements.

Award of the agreements will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The agreements will contain terms and conditions supporting the Board's ordinances, policies, and programs, including, but not limited to: County's Greater Avenues for Independence (GAIN) and General Relief Opportunities 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 were 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 these agreements 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 lowest-priced bid; 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 were 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 was considered before making a recommendation to award.

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 the 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. The 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, the 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 agreements.

CONTRACTING PROCESS

On May 31, 2012, using the JOC Unit Price Book and Specifications adopted by the Board on April 10, 2012, Public Works issued and advertised an Invitation for Bids for a total of nine JOCs. Bids were due on June 28, 2012. The bid results are summarized in Attachment A. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the JOC Unit Price Book. Bids were determined by calculating a composite factor using a predetermined advertised formula. ACE Engineering, Inc.; New Creation Builders; Torres Construction Corporation; and MTM Construction, Inc., were deemed the apparent Lowest Responsive and Responsible Bidders meeting the criteria adopted by the Board with regard to the respective JOC agreements identified herein. The JOC Unit Price Book and contractors' adjustment factors will be incorporated in the awarded agreements.

To ensure the agreements are awarded to responsible contractors with a satisfactory performance history, bidders were required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by ACE Engineering, Inc.; New Creation Builders; Torres Construction Corporation; and MTM Construction, Inc., was considered before making this recommendation to award the agreements.

As requested by the Board on February 3, 1998, the invitation for bids was listed on the Doing Business with Us website and was posted on the Public Works Contract Opportunities website. A copy of the website posting is included as Attachment B for your reference.

ACE Engineering, Inc.'s.; New Creation Builders'; Torres Construction Corporation's; and MTM Construction, Inc.'s three-year respective contracting histories are on file with Public Works.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts 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.

The contractors will be in compliance with the Chief Executive Officer's and the Board's requirements.

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:zu

Attachments

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

Attachment A
September 18, 2012

DEPARTMENT OF PUBLIC WORKS:
JOB ORDER CONTRACTS FOR MAINTENANCE, REPAIR, REMODEL, AND REFURBISHMENT OF COUNTY INFRASTRUCTURE AND FACILITIES
AWARD JOB ORDER CONTRACTS
1201 THROUGH 1209
SPECIFICATIONS VARIOUS

Bid Opening Date: June 28, 2012

Bid Summary: JOC No. 1201

Bidder	Total Composite Factor
1. ACE Engineering, Inc.	0.5150
2. Torres Construction Corporation	0.5550
3. MTM Construction, Inc.	0.5900
4. Mackone Development, Inc.	0.6950
5. Angeles Contractor, Inc.	0.7500
6. New Creation Builders	0.8750

Bid Summary: JOC No. 1202

Bidder	Total Composite Factor
1. ACE Engineering, Inc.	0.5150
2. Torres Construction Corporation	0.5650
3. MTM Construction, Inc.	0.5700
4. Mackone Development, Inc.	0.6950
5. Angeles Contractor, Inc.	0.7500
6. New Creation Builders	0.8750

Bid Opening Date: June 28, 2012

Bid Summary: JOC No. 1203

Bidder	Total Composite Factor
1. New Creation Builders	0.5600
2. MTM Construction, Inc.	0.5650
3. Torres Construction Corporation	0.5750
4. Access Pacific	0.6234
5. Exbon Development, Inc.	0.6450
6. Mackone Development, Inc.	0.7050
7. Minco Construction	0.7350
8. Angeles Contractor, Inc.	0.7450
9. Prieto Construction, Inc.	1.1650

Bid Summary: JOC No. 1204

Bidder	Total Composite Factor
1. MTM Construction, Inc.*	0.5650
2. New Creation Builders*	0.5650
3. Torres Construction Corporation	0.5850
4. Access Pacific	0.6234
5. Exbon Development, Inc.	0.6450
6. Mackone Development, Inc.	0.7050
7. Minco Construction	0.7350
8. Angeles Contractor, Inc.	0.7450
9. Prieto Construction, Inc.	1.1550

*Low Bidders Tied:
MTM Construction, Inc., and New Creation Builders were tied for low bidder; MTM Construction, Inc., won the coin toss.

Bid Opening Date: June 28, 2012

Bid Summary: JOC No. 1205

Bidder	Total Composite Factor
1. Torres Construction Corporation*	0.5650
2. MTM Construction, Inc.*	0.5650
3. New Creation Builders	0.5850
4. Access Pacific	0.6134
5. Angeles Contractor, Inc.	0.6850
6. Exbon Development, Inc.	0.6950
7. Mackone Development, Inc.	0.6950
8. Minco Construction	0.7350
9. Prieto Construction, Inc.	1.1650

Bid Summary: JOC No. 1206

Bidder	Total Composite Factor
1. New Creation Builders	0.5475
2. Torres Construction Corporation	0.5625
3. MTM Construction, Inc.	0.5650
4. Harry H. Joh Constr. Inc.	0.5784
5. Pub Construction, Inc.	0.5784
6. Access Pacific	0.5884
7. Angeles Contractor, Inc.	0.6500
8. Mackone Development, Inc.	0.7000
9. Minco Construction	0.7450
10. Prieto Construction, Inc.	1.1200

*Low Bidders Tied:
Torres Construction Corporation and MTM Construction, Inc., were tied for low bidder; Torres Construction Corporation won the coin toss.

Bid Opening Date: June 28, 2012

Bid Summary: JOC No. 1207

Bidder	Total Composite Factor
1. New Creation Builders	0.5600
2. MTM Construction, Inc.	0.5650
3. Torres Construction Corporation	0.5725
4. Access Pacific	0.5884
5. Pub Construction, Inc.	0.5884
6. Angeles Contractor, Inc.	0.6100
7. Mackone Development, Inc.	0.7000
8. Minco Construction	0.7450
9. Harry H. Joh Constr. Inc.	0.8334
10. Prieto Construction, Inc.	1.1000

Bid Summary: JOC No. 1208

Bidder	Total Composite Factor
1. MTM Construction, Inc.*	0.5600
2. New Creation Builders*	0.5600
3. Torres Construction Corporation	0.5700
4. Access Pacific	0.5784
5. Harry H. Joh Constr. Inc.	0.5784
6. Angeles Contractor, Inc.	0.6100
7. Pub Construction, Inc.	0.6384
8. Mackone Development, Inc.	0.7000
9. Minco Construction	0.7450
10. Prieto Construction, Inc.	1.1125

*Low Bidders Tied:
MTM Construction, Inc., and New Creation Builders were tied for low bidder; MTM Construction, Inc., won the coin toss.

Bid Opening Date: June 28, 2012

Bid Summary: JOC No. 1209

	Bidder	Total Composite Factor
1.	MTM Construction, Inc.	0.5550
2.	Torres Construction Corporation	0.5600
3.	Access Pacific	0.5784
4.	New Creation Builders	0.5800
5.	Pub Construction, Inc.	0.6484
6.	Angeles Contractor, Inc.	0.6500
7.	Mackone Development, Inc.	0.7000
8.	Minco Construction	0.7450
9.	Harry H. Joh Constr. Inc.	0.8084
10.	Prieto Construction, Inc.	1.0450

Attachment B

Bid Detail Information

Bid Number : JOC 1201 - 1209
Bid Title : JOB ORDER CONTRACT 1201 THROUGH 1209
Bid Type : Construction
Department : Public Works
Commodity : BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)
Open Date : 5/31/2012
Closing Date : 6/28/2012 10:45 AM
Bid Amount : $ 4,300,000
Bid Download : Not Available
Bid Description : The work consists of a broad array of maintenance, repair, remodel and refurbishment of County infrastructure and facilities projects under the direction of Public Works. Public Works will hold a mandatory prebid conference for all JOC bids at 10:00 a.m. on June 14, 2012, at Eaton Canyon Nature Center, 1750 N. Altadena Drive, Pasadena, CA 91107, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory prebid conference. Bids from bidders who do not attend the prebid conference will be rejected as nonresponsive. It is strongly recommended that the prebid conference be attended by a principal of the company or a person authorized to make decisions for the company.

The maximum dollar value of each contract is $4,300,000.

JOC Specification Packets and Bid Forms may be downloaded for free from the Los Angeles County Public Works website To obtain a copy of the bid documents Click here or are available for purchase at the Cashiers Office of Public Works. Individual bid sets are $15, or $120 for all 9 sets.

For further directions, please contact Ms. Rosalinda Franco with Architectural Engineering Division at (626) 458-2534.

Contact Name : Rosalinda Franco
Contact Phone# : (626) 458-2534
Contact Email : rfranco@dpw.lacounty.gov
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Back to Last Window