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
32 October 30, 2012
SACHI A. HAMAI
EXECUTIVE OFFICER

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Fifth District

October 30, 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:
MILL CREEK CREW ROOM REPLACEMENT
AREA OF ANGELES NATIONAL FOREST
APPROVE REVISED PROJECT BUDGET AND
APPROPRIATION ADJUSTMENT
AWARD CONSTRUCTION CONTRACT
SPECS. 7079; CAPITAL PROJECT NO. 67938
(FIFTH DISTRICT) (4 VOTES)

SUBJECT

Approval of the recommended actions will approve the appropriation adjustment and revised Project budget and award a construction contract for the Mill Creek Crew Room Replacement Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the revised Project budget of $1,539,000 for the Mill Creek Crew Room Replacement Project, Capital Project No. 67938.

2. Approve the revised appropriation adjustment to recognize $129,000 in revenue from Department of Public Works Road Fund (B03) to the Mill Creek Crew Room Replacement Project, Capital Project No. 67938.

3. Find that Orian Construction and Roofing, Inc., is the apparent Lowest Responsive and Responsible Bidder for the Mill Creek Crew Room Replacement Project and award a construction contract for $829,000, subject to timely submittal to the County of satisfactory baseline construction schedule, acceptable Faithful Performance and Payment for Labor and Material Bonds, and evidence of required contractor insurance.

4. Delegate to the Director of Public Works, or her designee, authority to determine, in accordance with the applicable contract and bid specifications, whether the contractor has satisfied the conditions for contract award, and authorize the Director of Public Works, or her designee, to execute the construction contract, in the form previously approved as to form by County Counsel, with Orian Construction and Roofing, Inc., and to establish the effective date of the construction contract, if the Director of Public Works, or her designee, determines that the above conditions have been satisfied.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will allow the Department of Public Works (Public Works) to award a construction contract and proceed with the implementation and delivery of the Mill Creek Crew Room Replacement Project (Project).

The 1,830 square-foot building located at 27500 Angeles National Forest Highway, Palmdale, contained offices, bathrooms, a locker room, a kitchen, and was used as a field office by the Public Works Road Maintenance Division. The proposed 1,830 square-foot replacement facility, including a code compliant foundation, was designed to be consistent with the original design and to comply with all current jurisdictional requirements.

On July 31, 2012, the Board adopted plans and specifications for the Project and instructed the Executive Officer of the Board of Supervisors to advertise for construction bids. On September 4, 2012, Public Works received nine bids and determined that A. Bates G.C., Inc., was the apparent Lowest Responsive and Responsible Bidder. On September 10, 2012, Public Works received a letter from the apparent lowest bidder, A. Bates G.C., Inc., requesting that it be relieved of its bid due to a clerical error. Public Works found that relieving A. Bates G.C., Inc., of its bid was warranted.

Public Works determined that the second apparent Lowest Responsive and Responsible Bidder, Hanes & Associates, Inc., failed to list the location of the place of business of each subcontractor who would perform work as required by the bid documents and California Public Contract Code Section 4104. As a result of that oversight, Hanes & Associates, Inc., was required to self-perform the work rather than

subcontracting it out under the Public Contract Code. However, Hanes & Associates, Inc., advised Public Works that it was unable (due to lack of certain qualifications) to self-perform such work, and it requested relief from its bid. Public Works found that Hanes & Associates, Inc., did make an excusable error or omission in preparing its bid form and accordingly granted Hanes & Associates, Inc., relief from its bid on that basis.

The third Lowest Responsive and Responsible Bidder, Orian Construction and Roofing, Inc., submitted a proper bid containing all required documents. However, Orian Construction and Roofing, Inc., submitted a bid that exceeded Public Works' estimated construction cost of $700,000 by $129,000 for a total bid price of $829,000. The total Project budget is adjusted to reflect the additional construction cost, which will be funded by the Public Works Road Fund (B03).

As authorized by the Board on July 31, 2012, a consultant services agreement was executed with Orian Construction and Roofing, Inc., to prepare a baseline construction schedule for a $2,000 not-to-exceed fee, which will be subtracted from its total lump sum bid as described in the Instructions to Bidders.

Green Building/Sustainable Design Program

The Project supports the Board's Green Building/Sustainable Design Program by using energy-efficient light fixtures, an energy star-rated heating and air conditioning system, and improved structural insulation due to modernized building shell construction elements. The Project will incorporate low impact designs and drought-tolerant landscaping.

Implementation of Strategic Plan Goals

The recommended actions will support the Board-approved County Strategic Plan Goals of Operational Effectiveness (Goal 1) by maximizing the effectiveness of process, structure, and operations to support timely delivery of customer-oriented and efficient public service.

FISCAL IMPACT/FINANCING

The revised total Project cost, including plans and specifications, plan check, construction, change order contingency, consultant services, jurisdictional review, and County services, is estimated at $1,539,000. Because of the structure's remote location and the number of agencies involved in the funding, design, and approval process, exceptional effort went into coordination of all these elements leading to higher than normal soft costs.

Funding for the Project will be provided through the California Disaster Assistance Act and insurance policy proceeds from the County's Consolidated Property and Boiler Machinery Insurance Program, which is estimated at $1,179,000. The remainder of the costs, which are estimated at $360,000, will be funded by Public Works Road Fund (B03). The Public Works Road Fund will also cover any costs not fully covered by insurance proceeds. The Project Schedule and Budget Summary are included in Attachment A.

On July 31, 2012, the Board approved an appropriation adjustment in the amount of $231,000 in revenue from the Public Works Road Fund (B03) and upon the Board's approval of this appropriation adjustment (Attachment B) an additional $129,000 will be made available to fund the budget increase for a total of $360,000.

Operating Budget Impact

Public Works does not anticipate any one-time, start-up, or ongoing costs, as the Project replaces a prior facility. Future maintenance requirements will be fulfilled with existing Public Works staff and resources.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract contains terms and conditions supporting the Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent Lowest Responsive and Responsible Bidder, which refers to 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 exhibiting the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder 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 contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the contractor will be considered before making a recommendation to award.

In accordance with the Board's Civic Art Policy adopted on December 7, 2004, and revised on December 15, 2009, Civic Art fees do not apply to the Project.

ENVIRONMENTAL DOCUMENTATION

On July 31, 2012, the Board found the Project categorically exempt from California Environmental Quality Act since the Project includes replacement of a destroyed field office building with a structure having the same purpose and capacity. The recommended actions are within the scope of the previously filed Exemption.

CONTRACTING PROCESS

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.

On July 31, 2012, the Board adopted plans and specifications for the Project and instructed the Executive Officer of the Board of Supervisors to advertise for construction bids. On September 4, 2012, Public Works received 9 bids. Orian Construction and Roofing, Inc., has been found to be the apparent Lowest Responsive and Responsible Bidder in view of the bid relief deemed appropriate as discussed above.

As required by the 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 law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

As requested by the Board on February 3, 1998, this contract opportunity was listed on the Doing Business With Us website.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Orian Construction and Roofing, Inc., Community Business Enterprise participation data and three year contracting history with the County are on file with Public Works.

IMPACT ON CURRENT SERVICES OR PROJECTS

There will be no impact on current County services or projects during the performance of the recommended services.

CONCLUSION

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

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SW:VM:cvb

Attachments

c: Executive Office, Board of Supervisors
County Counsel
Auditor-Controller
Internal Services
Public Works

DEPARTMENT OF PUBLIC WORKS:
MILL CREEK CREW ROOM REPLACEMENT
AREA OF ANGELES NATIONAL FOREST
SPECS. 7079; CAPITAL PROJECT NO. 67938

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Design	
Construction Documents	08/31/11*
Jurisdictional Approvals	11/02/11*
Construction Bid and Award	
Bid Opening	09/04/12*
Construction	
Substantial Completion	08/16/13
Acceptance	11/22/13

* Indicates completed activity.

II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of this Action	Proposed Project Budget
Land Acquisition	$ 0		$ 0
Construction			
Low Bid Construction Contract	$ 700,000	$ 129,000	$ 829,000
Change Orders	$ 70,000	$ 0	$ 70,000
Telecommunication	$ 18,400	$ 0	$ 18,400
Utilities Connection Fee	$ 14,400	$ 0	$ 14,400
Subtotal	**$ 802,800**	**$ 129,000**	**$ 931,800**
Programming/Development	$ 0	$ 0	$ 0
Plans and Specifications	$ 0	$ 0	$ 0
Consultant Services			
Deputy Inspection	$ 25,000	$ 0	$ 25,000
Geotechnical/Soils Test	$ 4,773	$ 0	$ 4,773
Other	$ 16,100	$ 0	$ 16,100
Subtotal	**$ 45,873**	**$ 0**	**$ 45,873**
Miscellaneous Expenditures			
Internal Services Department	$ 3,625	$ 0	$ 3,625
Subtotal	**$ 3,625**	**$ 0**	**$ 3,625**
Jurisdictional Review/Plan Check/Permit			
Building and Safety Plan Check	$ 14,472	$ 0	$ 14,472
Fire Department	$ 2,500	$ 0	$ 2,500
Health Department	$ 1,500	$ 0	$ 1,500
State Water Resources Board	$ 1,000	$ 0	$ 1,000
Jurisdictional Review – USFS	$ 10,000	$ 0	$ 10,000
Regional Planning	$ 0	$ 0	$ 0
Subtotal	**$ 29,472**	**$ 0**	**$ 29,472**
County Services			
Code Compliance and Quality Control Inspections	$ 102,349	$ 0	$ 102,349
Design Review	$ 355	$ 0	$ 355
Design Services	$ 143,149	$ 0	$ 143,149
Contract Administration	$ 18,412	$ 0	$ 18,412
Project Management	$ 207,669	$ 0	$ 207,669
Project Management Support Services	$ 40,740	$ 0	$ 40,740
Project Technical Support	$ 15,556	$ 0	$ 15,556
Subtotal	**$ 528,230**	**$ 0**	**$ 528,230**
Total	**$ 1,410,000**	**$ 129,000**	**$ 1,539,000**

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BA FORM 09/09

BOARD OF SUPERVISORS OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S. NO. 690

DEPARTMENT OF PUBLIC WORKS

October 30, 2012

AUDITOR-CONTROLLER:
THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2012-13

~~3~~ 4 - VOTES

SOURCES	USES
PUBLIC WORKS - ROAD FUND Crew Room Replacement B03-CP-92-R409-65045-67938 Charges for Services/CP Increase Revenue	PUBLIC WORKS - ROAD FUND Crew Room Replacement B03-CP-6014-65045-67938 Capital Assets-Building and Improvements Increase Appropriation
SOURCES TOTAL: $ 129,000	**USES TOTAL:** $ 129,000

JUSTIFICATION

The appropriation adjustment is necessary to fund the additional amount required for the Mill Creek Crew Room Replacement Project based on revised Project cost.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Dawn McDivitt
AUTHORIZED SIGNATURE DAWN MCDIVITT

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

32 OCT 30 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR ---

☐ ACTION

☑ RECOMMENDATION

☑ APPROVED AS REQUESTED

☐ APPROVED AS REVISED

AUDITOR-CONTROLLER BY Karen Shikuma Oct 16 2012

B.A. NO. 029

CHIEF EXECUTIVE OFFICER BY [illegible] Oct 16 2012

SEND 6 COPIES TO THE AUDITOR-CONTROLLER