



GAIL FARBER, Director

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

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

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

August 19, 2014

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

24 August 19, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
CIRCLE DRIVE OVER VIRGINIA ROAD
BRIDGE REPLACEMENT PROJECT
IN THE CITY OF SAN MARINO
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the project to replace the Circle Drive over Virginia Road bridge in the City of San Marino; adopt the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid for the preparation of a baseline construction schedule for a fee not to exceed \$5,000 and a construction contract with the responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for a bridge replacement, at an estimated construction contract cost between \$1,900,000 and \$2,700,000.
2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on September 16, 2014, in accordance with the Notice Inviting Bids.

3. Authorize the Director of Public Works or her designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule for a fee not to exceed \$5,000, funded by existing project funds.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to approve and advertise the project; adopt the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule for a fee not to exceed \$5,000 funded by existing project funds and a construction contract with the responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule that conforms to the County of Los Angeles' specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, the Department of Public Works may return to the Board to recommend that the contractor be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables, which conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Service Delivery (Goal 3). The recommended actions will help achieve these goals by accelerating the delivery of this project to benefit the City and traveling public.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$1,900,000 and \$2,700,000. The total project cost is estimated to be \$3,800,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, materials testing, inspection, contract administration, change order contingency, and other County services.

The project is entirely within the City of San Marino. The County will administer the project under the Federal Highway Bridge Program covered by Agreement No. 76078 with the State of California. Under this program, Federal-aid funds will be used to finance a portion of the project cost. The City will finance the portion of the project cost not reimbursed with Federal-aid funds.

Funding for this project is included in the Fifth Supervisorial District's Road Construction Program in the Road Fund Fiscal Year 2014-15 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of Public Works' ongoing program for the construction of bridges/tunnels. It will be advertised in accordance with Section 20404 of the State Public Contract Code.

This project is to be completed in 140 working days. It is estimated the work will start in March 2015 and be completed in October 2015.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for the bridge replacement.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: 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 Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the 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 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 capability, capacity,

experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that 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 County, 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 the contractor will be considered before making a 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 September 18, 2012, Agenda Item 44, the Board found that this project is categorically exempt from the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County's website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Circle Drive over Virginia Road is entirely within the City's jurisdictional boundary. At the conclusion of the project, the City will continue to maintain and operate the project at the City's expense. There is no impact on current County services. When the project is completed, it will have a positive impact by providing improved highway facilities, thereby benefiting the City and the traveling public.

CONCLUSION

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

The Honorable Board of Supervisors

8/19/2014

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:JTS:vr

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