



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"Enriching Lives"*

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IN REPLY PLEASE

REFER TO FILE: **OS-1**

January 15, 2004

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:

**PUBLIC WORKS MAIN WAREHOUSE ROOF REPAIR  
CONTRACT AUTHORIZATION  
SUPERVISORIAL DISTRICT 1  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Authorize the Director of Public Works to enter into a sole source contract with Best Roofing & Waterproofing, Inc., in the amount of \$115,000 for the removal and replacement of Public Works Main Warehouse roof located at 1537 Alcazar Street, Los Angeles.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

In September 2001, following receipt of competitive bids, Purchase Order PM 40499 to renovate the roof of the Main Warehouse at 1537 Alcazar Street, Los Angeles, was awarded to Best Roofing & Waterproofing, Inc., in the amount of \$125,473. The specifications required that repairs be performed on weak areas of the original roofing material and the entire roof (50,000 square feet) then be treated with a liquid restoration material. This method of treatment was selected to avoid the more costly alternative of replacing the entire roof. The vendor provided a 10-year labor and material warranty on the work.

The contract work was completed in January 2002. Shortly thereafter, we experienced heavy rains, and several roof leaks were observed. The contractor performed corrective work under the contract warranty at no cost to the County. The contractor has since returned on multiple occasions to perform additional corrective work after significant rainstorms, but the roof has continued to leak.

While we could continue to summon the contractor to perform repairs under the warranty, we, the contractor, and the material supplier agree that the original restorative process was inadequate, and additional repeated repair work is not a satisfactory long-term solution due to operational disruptions and the potential for damage to warehouse commodities.

To rectify the problem, we have negotiated an arrangement whereby the contractor and material supplier will remove and dispose of the existing roofing material, provide the materials, and install a new roofing system at an additional cost to the County of \$115,000. The new roof will have a 20-year warranty. Considering the \$125,473 cost of the original contract, the total cost to the County for the project will be \$240,473. Public Works therefore receives the equivalent of a newly constructed 20-year-life roof at about the same cost had we removed and reconstructed the entire roof initially.

We believe this new contract is in the best interest of the County. If competitively bid, the cost of the improvements would be significantly higher than the cost of this new proposed contract. The failure of the original project was a result of the restorative process selected and not due to lack of performance or competency on the part of the contractor. The contractor has not skirted responsibility and has acted in good faith by returning numerous times to perform corrective action and negotiating with us on the price for this new contract. In addition, the contractor is willing to credit the County for the entire cost of the first contract, thus avoiding County expense in trying to recoup the money already paid.

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

This action is consistent with the County's Strategic Plan Goals of Workforce Excellence and Fiscal Responsibility since it maintains and improves the workplace environment and preserves and protects County structures and their contents.

### **FISCAL IMPACT/FINANCING**

Sufficient funds are available in various Fiscal Year 2003-04 Public Works funds to cover the cost of this project.

We have confirmed that the Child Support Services Department has received the contractor's Principal Owner Information form in compliance with the Los Angeles County Code Chapter 2.200 (Child Support Compliance Program).

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

Upon your approval, a contract will be entered into with Best Roofing & Waterproofing, Inc., for the complete removal of the old roof and the installation of the new roof as required in the specifications.

### **ENVIRONMENTAL DOCUMENTATION**

This project is exempt under Class 1 of the County of Los Angeles Environmental Document reporting procedures and guidelines approved by your Board on November 17, 1987.

### **CONTRACTING PROCESS**

For the reasons set forth above, we recommend a sole source contract for this project. The project specifications contain provisions 1) requiring the contractor to comply with the County's Child Support Compliance Program, 2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, 3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program, and 4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

The Honorable Board of Supervisors  
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**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There are no anticipated impacts on current services or projects.

**CONCLUSION**

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

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cc: Chief Administrative Office  
County Counsel  
Internal Services Department  
Office of Affirmative Action Compliance