



GAIL FARBER, Director

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

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

August 02, 2016

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

25 August 2, 2016

LORI GLASGOW
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
MCDONNELL AVENUE, ET AL.,
IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the McDonnell Avenue, et al., project in the unincorporated community of East Los Angeles; find this project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; authorize the Director of Public Works or her designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid for the preparation of a baseline construction schedule and storm water pollution prevention plan for a fee not to exceed \$10,000; award and execute a construction contract to the responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find this project categorically exempt from the provisions of the California Environmental Quality Act.
2. 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 roadway reconstruction and resurfacing, at an estimated construction contract cost between \$2,400,000 and \$3,300,000.

3. 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 August 30, 2016, in accordance with the Notice Inviting Bids.
4. 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.
5. 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 and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds.
6. 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.
7. 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 State 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 State Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of State 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 execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and storm water prevention plan for a fee not to exceed \$10,000 funded by existing project funds; award and execute a construction contract with the responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director or her designee to carry out this project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved roadway facilities for the traveling public, which will benefit the community.

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 \$2,400,000 to \$3,300,000. The total project cost is estimated to be \$5,400,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, right-of-way and utility clearances, materials testing, inspection, contract administration, change order contingency, and other County of Los Angeles services.

Financing for this project is included in the First Supervisorial District's Transportation Improvement Program in the Measure R Local Return Fund Fiscal Year 2016-17 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of the Department of Public Works' ongoing highway construction program. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 80 working days. It is anticipated the work will start in January 2017 and be completed in May 2017.

Delegating to the Director or her designee the authority to award and execute this construction contract will allow for streamlining of this project, which has received strong community support for completion as quickly as possible.

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

The award of the contract 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: the County's 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; 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 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 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 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 an 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

This project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301(c) of the California Environmental Quality Act guidelines and Class 1, Subsections (x)(2), (x)(7), (x)(9), (x)(14), (x)(18), and (x)(22) of the Environmental Document Reporting Procedures and Guidelines adopted by the Board. These exemptions provide for resurfacing and reconstruction of roadway pavement; posting of signs; parkway tree planting; reconstruction of existing curbs and gutters, sidewalk, driveway aprons, including removal of trees which are the cause of damage requiring the reconstruction; installation of street drainage facilities which do not drain to private property; and maintenance of existing roadway facilities.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. An 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.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

In addition, in order to increase opportunities for small businesses, Public Works will be coordinating with the Office of Small Business to maximize outreach.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved roadway facilities for the traveling public, which will benefit the community.

CONCLUSION

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

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 (Rochelle Goff)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)