



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **C-1**

March 20, 2007

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:

**ADOPT, ADVERTISE, AND APPROVE APPROPRIATION ADJUSTMENT
BIG TUJUNGA DAM SEISMIC REHABILITATION AND SPILLWAY MODIFICATION
SUPERVISORIAL DISTRICT 5
4 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES
COUNTY FLOOD CONTROL DISTRICT:**

1. Approve the project and adopt the plans and specifications for Big Tujunga Dam Seismic Rehabilitation and Spillway Modification, in the vicinity of Sunland (5), at an estimated cost of \$67,500,000. This project will be funded by the Flood Control District over four fiscal years.
2. Approve the enclosed Appropriation Adjustment to release \$20,700,000 of Flood Control District designations and appropriations to fund the first year's cost of \$24,500,000.
3. Call for bids to be received on May 15, 2007.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and seal and return the plans and specifications to Public Works for filing.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommendation is to approve this project, which will modify Big Tujunga Dam to meet current seismic and spillway requirements of the State Department of Water Resources - Division of Safety of Dams and restore full operation of the dam. The maximum water storage level behind the dam is currently restricted by the State due to safety concerns. The proposed project will rehabilitate and strengthen the dam by creating a thick-arch dam that will reduce the risk of a seismically induced failure. This project will also replace the outlet valves and control systems for reliable release of water for flood control and water conservation purposes.

The project will increase sustainability of local water supply by providing additional reservoir capacity to capture stormwater runoff. Approximately 4,500 additional acre-feet of water will be captured and recharged to local groundwater basins annually as a result of this project. In addition, a portion of the additional captured water will be used to supplement stream flows and provide habitat enhancement for Federally listed (threatened) species. The project has received letters of support from the U.S. Forest Service, State Department of Fish and Game, City of Los Angeles Department of Water and Power, City of Glendale, City of Burbank, Metropolitan Water District, State Department of Water Resources - Division of Safety of Dams, and the Upper Los Angeles River Area Watermaster.

Due to the high cost of the proposed project, alternatives were evaluated. The least cost alternative to meet the State's dam safety requirements would be to notch the dam and convert it to a free draining debris control structure. This project alternative is estimated to cost \$40,000,000, is not compliant with the U.S. Army Corps of Engineer's Los Angeles County Drainage Area requirements, would reduce existing water conservation benefits, and would not provide opportunities for habitat enhancement.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since the flood protection and additional water conservation provided by the project will improve the quality of life in the County.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund.

The Big Tujunga Dam Seismic Rehabilitation and Spillway Modification project's construction cost estimate is \$67,500,000 and will take three years to complete. The Flood Control District will fund this project over a period of four fiscal years. An appropriation adjustment of \$20,700,000 is necessary to complete funding of the first year's cost of \$24,500,000.

The enclosed Appropriation Adjustment releases \$18,500,000 in designations previously set aside for this project and appropriates \$2,200,000 of funds originally budgeted for Public Works' Headquarters Refurbishment project. The current 2006-07 Fiscal Year Budget includes \$3,800,000 for this project.

Appropriations for the second through fourth years will be included in the Flood Control District's Fund Budget for those years.

It is anticipated that Federal Emergency Management Agency Hazard Mitigation Grant funding, California Department of Water Resources Proposition 13 Groundwater Storage Grant funding, and City of Los Angeles Department of Water and Power funding will partially reimburse the cost of this project. We will continue to seek additional State and Federal funding and will return to your Board to accept grant funds and request authority to execute any necessary funding agreements.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract Agreement will be in the form previously approved by County Counsel.

As required by your 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 laws.

ENVIRONMENTAL DOCUMENTATION

On January 31, 2006, Agenda No. 40, your Board approved the Mitigated Negative Declaration and Mitigation Monitoring Program prepared for this project.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

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

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, civil litigation history, and prior criminal convictions. The information reported will be considered before making a recommendation to award.

The project specifications contain provisions requiring the contractor to (1) comply with the County's Child Support Compliance Program, (2) 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) comply with the requirements of the County's Contractor Employee Jury Service Program, and (4) 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.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project is to be completed in 900 calendar days. It is estimated the work will start in September 2007 and be completed in April 2010.

The Honorable Board of Supervisors
March 20, 2007
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CONCLUSION

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

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

EU:lgm

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

PROJECT ID NO. WRDD000005
BIG TUJUNGA DAM SEISMIC REHABILITATION AND SPILLWAY MODIFICATION
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Work
Construction Division

PUBLISHING

In accordance with Section 20991 of the Public Contract Code:

Publish: At least five or more times prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in eight weeks.

(First advertisement to be published no later than March 24, 2007)

NOTICE INVITING BIDS

Sealed Bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the construction of thick-arch dam, spillway, and abutment wall concrete, common excavation, rock excavation, consolidation grouting, control house and generator buildings, penstocks, butterfly and jet flow valves, a generator system, electrical and instrumentation work, plumbing work, and other appurtenant work under Project ID No. WRDD000005, Big Tujunga Dam Seismic Rehabilitation and Spillway Modification, in the vicinity of Sunland.

The Bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, May 15, 2007. The Bids will then be publicly opened and read in Conference Room A or at the location posted in the main lobby.

The Work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The Work is estimated to cost between \$60,000,000 and \$80,000,000 and shall be completed in 900 calendar days. The Work requires a California Class A contractor's license. Prebid questions should be directed to Mr. Erik Updyke at (626) 458-4914. Prebid questions regarding the Plans and Specifications shall be submitted via facsimile only, (626) 979-5450, to the attention of Mr. Updyke. **Prebid questions will not be accepted after 5 p.m. on Wednesday, May 2, 2007.**

The Schedule of Prices in the Proposal consists of items composing the Base Bid and additional items composing the Additive Alternate. The Contractor shall submit prices on both the Base Bid and the Additive Alternate. If, in any of the Proposals received, the total of the Base Bid plus the Additive Alternative is less than or equal to \$70,000,000, the total of the Base Bid plus the Additive Alternate will be used for comparison of the Bids and award of the Contract. Otherwise, the Base Bid will be used for such purposes.

A mandatory prebid meeting will be held on Tuesday, April 24, 2007 at 10 a.m. at the Project site, 809 Big Tujunga Canyon Road, Sunland, California 91040, Thomas Guide page 4645, D-5. Attendance at this meeting is mandatory for award of the Contract. The Project site will also be available for inspection on Tuesday, April 10, and Tuesday, May 8, 2007, from 10 a.m. to 12 p.m. only.

The Bids must be submitted on the Proposal forms included in the Bidder's package of the Contract Documents, which may be purchased for \$18, if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for \$22, if mailed, which includes postage and handling.

Each Bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the Bid to guarantee that the Bidder will enter into the Contract if it is so awarded.

All persons performing the Work shall be paid not less than the General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works. Furthermore, minimum wage rates for this Project as predetermined by the Secretary of Labor (Federal) are set forth in the Special Provisions.

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the applicable prevailing wage rates per the Director of Industrial Relations for similar classifications of labor, the Contractor and its subcontractors shall pay not less than the higher wage rate.

The rate of compensation for any classification not listed in the schedule, but which may be required to execute the Contract, shall be commensurate and in accordance with the rates specified for similar or comparable classifications or for those performing similar or comparable duties.

The County hereby notifies all Bidders that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit Bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, or national origin in consideration for an award of any contract entered into pursuant to this advertisement.

**NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL
EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)**

The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for Minority Participation in Each Trade 28.3%	Goals for Female Participation in Each Trade 6.9%
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These goals are applicable to all the Contractor's construction work (whether or not it is Federal or Federally assisted) performed in the covered area.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR, Part 60-4, shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR, Part 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the

Contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and females evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the Contract, the Executive Order, and the regulations in 41 CFR, Part 60-4. Compliance with the goals will be measured against the total work hours performed.

The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within ten working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the Contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the Contract is to be performed.

As used in this Notice, and in the Contract resulting from this solicitation, the "covered area" is the County of Los Angeles.

The Bid must provide full disclosure of False Claims Act violations, labor law/payroll violations, debarments, and civil/criminal legal actions as provided for on the forms included as part of the Proposal. Failure to complete these forms may result in a determination that the Bidder is nonresponsive and/or not responsible.

The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder whose Proposal complies with all of the prescribed requirements; however, the Board of Supervisors reserves the right to reject any and all bids.

A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible contractors.

The successful Bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the Contract. Failure to comply may be cause for termination of the Contract or initiation of debarment proceedings.

The successful Bidder will be required to submit a faithful performance bond, payment bond, worker's compensation insurance, and liability insurance with the Contract.

As provided for in Section 22300 of the California Public Contract Code, the Contractor may substitute securities for any monies withheld by the Department of Public Works to

ensure performance under the Contract or enter into an escrow agreement for the payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such Bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the Bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a esta numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5:30 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated March 20, 2007.

Sachi A. Hamai
Executive Officer
of the Board of Supervisors

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