



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  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

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

April 21, 2009

IN REPLY PLEASE  
REFER TO FILE: C-1

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:

**REJECT BIDS, ADOPT, AND READVERTISE  
INSTALLATION OF CATCH BASIN TRASH EXCLUDERS  
LOS ANGELES RIVER TRASH TOTAL MAXIMUM DAILY LOAD  
FULL COMPLIANCE CATCH BASIN RETROFIT- PHASE 4  
VARIOUS UNINCORPORATED COMMUNITIES THROUGHOUT  
THE LOS ANGELES RIVER WATERSHED  
(SUPERVISORIAL DISTRICTS 1, 2, AND 5)  
(3 VOTES)**

**SUBJECT**

This action is to reject all bids received on March 3, 2009, for this project and approve the project to install trash excluders into catch basins in various unincorporated communities throughout the Los Angeles River Watershed, adopt the revised plans and specifications, and call for bids.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Reject all bids received on March 3, 2009, for Los Angeles River Trash Total Maximum Daily Load Full Compliance Catch Basin Retrofit - Phase 4, in various unincorporated communities throughout the Los Angeles River Watershed.
2. Approve the project and adopt the revised plans and specifications for Los Angeles River Trash Total Maximum Daily Load Full Compliance Catch Basin Retrofit - Phase 4, in various unincorporated communities throughout

the Los Angeles River Watershed, at an estimated cost between \$1,300,000 and \$1,750,000.

3. Call for bids to be received on May 12, 2009.
4. Instruct the Executive Officer of your Board to readvertise the project and seal and return the plans and specifications to the Department of Public Works for filing.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain Board approval to reject the bids received on March 3, 2009, for this work, and readvertise for bids for the installation of catch basin trash excluders.

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

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended action will help meet these goals by preventing trash from entering downstream receiving waters via the storm drain system.

### **FISCAL IMPACT/FINANCING**

The estimated construction cost to complete this project is in the range of \$1,300,000 to \$1,750,000. Net County cost for this project is included in the County of Los Angeles Department of Public Works Budget for Fiscal Year 2008-09.

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

The Instructions to Bidders included in the bid documents provide for the rejection of all bids by your Board if such action is in the best interest of the County. On March 3, 2009, eight bids were received for this contract. The lowest bidder entered a bid based on knowledge that the trash excluders they proposed to install were just recently approved. This was not information available to other potential bidders. The Department of Public Works (Public Works) believes rejecting all bids is in the best interest of the County and the fairest to all participating bidders. The plans and specifications have been revised to include all tested and approved trash excluder devices and allow for testing of submitted equals.

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A certified record of receipt of the bids and the original bid proposal as submitted by the lowest bidder are included with this letter to be filed at the Executive Office.

This project, to contract for the installation of catch basin trash excluders, is part of Public Works' program for the repair and rehabilitation of flood control facilities to meet water quality regulations. It will be advertised in accordance with Section 20392 of the Public Contract Code.

This project is to be completed in 130 calendar days. It is estimated the work will start in August 2009 and be completed in January 2010.

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

The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: 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 Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; 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 lowest responsive and responsible bidder, 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 the lowest 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

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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 February 3, 2009, Agenda Item 42, your Board found this project categorically exempt from the provisions of the California Environmental Quality Act.

### **CONTRACTING PROCESS**

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

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

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by preventing trash from entering the downstream receiving waters via the storm drain system.

### **CONCLUSION**

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

Respectfully submitted,

  
GAIL FARBER  
Director of Public Works

GF:JTS:mt

c: Chief Executive Office (Lari Sheehan)  
County Counsel  
Office of Affirmative Action Compliance

LOS ANGELES RIVER TRASH TMDL FULL COMPLIANCE  
CATCH BASIN RETROFIT – PHASE 4  
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works  
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 three weeks.

## NOTICE INVITING BIDS

Sealed bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the installation of trash excluders in existing storm drain catch basins and the performance of other appurtenant work under Project ID No. FCC0001101, Los Angeles River Trash Total Maximum Daily Load Full Compliance Catch Basin Retrofit - Phase 4, in various unincorporated communities throughout the Los Angeles River Watershed.

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 12, 2009. 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 \$1,300,000 and \$1,750,000 and shall be completed in 130 calendar days. The work requires a Class A contractor's license. Prebid questions regarding the Plans and Specifications should be directed to Mr. Joseph Li at (626) 458-7839.

The bids must be submitted on the proposal forms included in the bidder's package of the contract documents, which may be purchased for \$14, 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 \$17, if mailed, which includes postage and handling.

Each bid must be accompanied by a certified check, cashier's check, or surety bond payable to County of Los Angeles 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.

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; 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, liability insurance, and workers' compensation insurance with the contract.

As provided for in Section 20392 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 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 este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5 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 April 21, 2009.

Sachi A. Hamai  
Executive Officer  
of the Board of Supervisors

CQ:mt

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