



County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

July 12, 2011

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:

**DEPARTMENT OF PUBLIC WORKS:  
HALL OF JUSTICE REPAIR AND REUSE PROJECT  
APPROVE REVISED PROJECT BUDGET  
AWARD SUPPLEMENTAL AGREEMENTS  
AWARD DESIGN-BUILD CONTRACT  
CITY OF LOS ANGELES  
CAPITAL PROJECT NO. 86630; SPECS. 6649  
(FIRST DISTRICT) (3 VOTES)**

**SUBJECT**

This action will award and authorize the Department of Public Works to execute a design-build contract with Clark Construction Group California, LP, for completion of the Hall of Justice Repair and Reuse Project. This action will also authorize supplemental agreements with Nadel Architects, Inc., and Historic Resources Group, LLC, to provide design and construction support services and historic material monitoring services, respectively, throughout the duration of the Project.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the \$231,785,000 revised Project budget for the Hall of Justice Repair and Reuse Project, Capital Project No. 86630.
2. Approve and authorize the Director of Public Works to execute a supplemental agreement with Nadel Architects, Inc., to provide Project design and construction support services for the Hall of Justice Repair and Reuse Project for a \$1,500,000 not-to-exceed fee and to establish the effective date following Board approval.

*"To Enrich Lives Through Effective And Caring Service"*

**Please Conserve Paper – This Document and Copies are Two-Sided  
Intra-County Correspondence Sent Electronically Only**

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

18 July 12, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

3. Approve and authorize the Director of Public Works to execute a supplemental agreement with Historic Resources Group, LLC, to provide peer review and historic rehabilitation monitoring efforts for the Hall of Justice Repair and Reuse Project for a \$150,000 not-to-exceed fee and to establish the effective date following Board approval.
4. Find that Clark Construction Group California, LP, is the Responsive and Responsible Bidder whose proposal is the most advantageous to the County for design and construction of the Hall of Justice Repair and Reuse Project using the design-build project delivery method, based on the best-value criteria stated in the Request for Proposal, including qualifications, technical design, construction expertise, proposed delivery plan, price, skilled labor force availability, acceptable safety record, and life cycle cost.
5. Award and authorize the Director of Public Works to execute a design-build contract with Clark Construction Group California, LP, for a contract sum of \$151,218,083 and a maximum contract sum not-to-exceed \$169,218,083 (inclusive of an alternate design solutions allowance not-to-exceed a deduction of \$1,000,000, which may be exercised by the County as unilateral options; the contract's design completion allowance of \$9,000,000; and the contract's Furniture, Fixtures, and Equipment allowance of \$9,000,000), subject to receipt by the County of acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of required contract insurance filed by the design-build entity.
6. Authorize the Director of Public Works to exercise control of the design completion allowance, including the authority to reallocate the allowance into the contract sum, as appropriate, to resolve cost issues with Clark Construction Group California, LP, that are identified during the design phase of the Project, such as changes resulting from unforeseen conditions, including construction related impacts.
7. Authorize the Director of Public Works to exercise control of the alternate design solution allowance for a deduction not-to-exceed \$1,000,000, including the authority to exercise the individual unilateral option and to reallocate the allowance into the contract sum.
8. Authorize the Director of Public Works to exercise control of the Furniture, Fixtures, and Equipment allowance, including the authority to reallocate the allowance into the contract sum, as appropriate, or in the alternative, if the Director of Public Works determines that it is more favorable for the County, authorize the Director to utilize the amounts reflected in such allowance for

purposes to acquire the furniture, fixtures and equipment, design coordination, and installation of furniture, fixtures, and equipment through a purchase order issued by the Internal Services Department using County vendor agreements in accordance with County Purchasing Policies and Procedures.

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

Approval of the recommended actions will award a design-build contract to Clark Construction Group California, LP (Clark) to complete the Hall of Justice Repair and Reuse Project resulting in the rehabilitation and reopening of the facility as a Leadership in Energy and Environmental Design (LEED) minimum Silver certified building (Clark has offered to achieve Gold certification at no additional cost to the County). Upon completion, the Project will provide approximately 308,000 square feet of useable office space, site improvements, and a new 1,000-space on-site parking structure.

The building will house members of the Sheriff's Department and the District Attorney. The Public Defender and Alternate Public Defender will backfill space in the Hall of Records and Criminal Courts building currently occupied by the District Attorney. Upon your Board's approval of the recommended actions, design-build activities will commence August 2011 and conclude in November 2014.

Approval of the recommended actions will also allow for supplemental agreements with Nadel Architects, Inc. (Nadel), and Historic Resources Group, LLC (Historic Resources), to provide design, construction, and historic materials monitoring support services throughout the design-build process.

### **Recommended Design-Build Contract**

The proposed design-build cost includes the following: delivery of construction documents; jurisdictional permits; construction of structural retrofit elements to strengthen the overall lateral performance of the building; anchoring of exterior stone cladding; interior light court reinforcement; installation of new electrical, plumbing, mechanical, elevator, communication, and data building systems; construction of interior partition walls, offices, and conference rooms; installation of finishes throughout the building; provision of moveable furniture and workstations; and further development of alternate design solutions.

The proposed design-build contract cost also includes site lighting, signage, and landscaping to include a pedestrian plaza entry, service vehicle entry, and an on-site partially underground 1,000-space parking structure to accommodate County employees relocated to the newly renovated Hall of Justice.

In its design-build proposal, Clark submitted a proposal of \$164,328,583, which was based on delivery of the project as specified in the scoping documents and included a base contract amount of \$144,328,583, a \$9,000,000 design completion allowance, a \$9,000,000 Furniture, Fixtures, and Equipment (FFE) allowance, and \$2,000,000 for a proposed option for construction of the parking structure involving the use of a concrete moment frame structure instead of a concrete shear wall structure.

As a result of negotiations between the Department of Public Works (Public Works) and Clark, further mechanical and electrical value-engineering items, as well as several alternate design solutions, which will achieve increased and improved interior space were negotiated for an additional cost of \$6,889,500. Public Works and the Chief Executive Office (CEO) have reviewed these options and have found them to be beneficial, and consequently, the recommended base contract sum is \$151,218,083.

### **Design Completion Allowance**

The contract's design completion allowance, totaling \$9,000,000, is intended to facilitate the resolution of issues identified only during the design phase of the Project, including issues concerning the County's scoping documents or changes required by jurisdictional agencies or due to unforeseen conditions discovered during design, including any increased design or construction costs associated therewith. The inclusion of the design completion allowance will facilitate the design decision process and minimize potential delays that could occur with design phase issues, including potential State Historic Preservation Office and other jurisdictional review delays that could occur due to staffing furloughs and shortages caused by the State, County, and City of Los Angeles budget constraints.

The use of the design completion allowance will be controlled by Public Works with concurrence from the CEO before reallocating funds from the design completion allowance into the contract sum. The design completion allowance will not be used to fund resolution of issues, conditions, or changes encountered during the construction phase.

### **Furniture, Fixtures, and Equipment**

The contract's FFE allowance of \$9,000,000 includes modular furniture, major movable equipment, and fixtures that are needed to complete the Project for operational use. Minor movable equipment and relocation moving expense from existing locations will be provided from the tenant departments' operational budgets and be included in the Fiscal Year 2013-14 Proposed Budget. The FFE allowance will facilitate the design coordination of interior space layouts and construction provided by Clark and the procurement and installation of the modular work stations, furniture, and equipment either by reallocation to the contract sum or by purchase order issued by Internal

Services Department and Public Works using competitively procured County contract vendors in accordance with County Purchasing Policies and Procedures. The use of the FFE allowance will be controlled by Public Works with concurrence from the CEO before reallocating funds from the FFE allowance into the contract sum.

### **Alternate Design Solution Allowance**

The contract's alternate design solution allowance, at a deduction not-to-exceed cost of \$1,000,000, includes modifications to the Scoping Documents provided by the proposer.

The contract provides an individual allowance for code-compliant elimination of exterior stone pinning, as unilateral options that may be exercised by the County within 120 days after issuing the Notice to Proceed. Public Works consulted with the County's Historic Monitoring Consultant, Historic Resources to determine if the alternate complies with the scope of work contained in the Environmental Assessment/Environmental Impact Report (EA/EIR) and the requirements of the Secretary of Interior Standards. The alternate meets the Secretary of Interior's Standards for Rehabilitation and additional environmental documentation is not required to exercise this option, however, field testing of the existing anchorage is needed to establish code compliance and eliminate the anchor pins included in the scoping documents. We anticipate that the testing will be complete within 120 days after issuing the Notice to Proceed.

On November 17, 2010, Clark provided confirmation to include the alternate within the maximum contract amount recommended. Public Works will not exercise the alternate design solution by allocation into the contract amount without concurrence from the CEO.

### **Supplemental Agreements**

A supplemental agreement with Nadel for a \$1,500,000 not-to-exceed fee will provide design support and construction review services throughout the duration of the Project. These services will ensure that performance qualifications and quality standards are met by the design-builder throughout the design-build process. Nadel's total resulting contract, including all supplemental agreements to date, will be revised to \$4,665,000.

In keeping with the Project's previous phased approach, separate supplemental agreements were authorized and issued to Nadel to provide appropriately phased services.

A supplemental agreement will also be executed with Historic Resources for a \$150,000 not-to-exceed fee to provide historic material monitoring services throughout the duration of the Project. Historic Resources' total resulting contract, including all supplemental agreements to date, will be revised to \$330,000.

Nadel's and Historic Resources' fees for these services have been reviewed by Public Works and are considered reasonable.

### **Project Background**

On July 20, 2004, your Board authorized and established Capital Project No. 86630 for the Hall of Justice Repair and Reuse Project using the standard capital projects process of design, bid, and build. On August 26, 2004, your Board authorized Public Works to proceed with the project incrementally through the eight separate phases listed below:

- Phase I: Debris Removal: Removal of loose material, debris, and furniture from the building (*completed May 2005*).
- Phase II: Interior Demolition Design: Architectural/engineering services to prepare design documents for nonstructural interior demolition work (*completed April 2005*).
- Phase III: Interior Demolition: Interior nonstructural demolition activities (*completed June 2007*).
- Phase IV: Rehabilitation Design: Architectural/engineering services to prepare design documents for structural retrofit work and repair/rehabilitation work, including the installation of new building utility systems and tenant improvements, and performance of retrofit work (*partially completed*).
- Phase V: Bidding Rehabilitation Work: Bid repair/rehabilitation work.
- Phase VI: Rehabilitation and Construction: Perform repair/rehabilitation work.
- Phase VII: Tenant Improvements: Bid and construct tenant improvements.
- Phase VIII: Move In/Start Up/Close Out: Tenant departments take occupation of the building.

Of these eight phases, three are completed and Phase IV was partially completed in January 2008.

On December 1, 2009, your Board directed the CEO to investigate the feasibility of completing Phase IV and the remaining phases of the Project under different delivery methods, including design-build and developer lease/lease-back methodologies, and to return to your Board with a recommendation for the most advantageous development strategy to complete the Project. In order to obtain accurate market information and determine the feasibility of these competing Project development strategies, on May 11, 2010, your Board authorized Public Works and the CEO to prepare a Request for Proposal (RFP) to solicit competitive proposals for both design-build and developer lease/lease-back approaches.

On August 19, 2010, Public Works, in conjunction with the CEO, developed and issued an RFP inviting interested firms to submit proposals under a design-build and/or developer lease/lease-back methodology. One hundred thirteen firms received a prequalification questionnaire, and on October 12, 2010, Public Works received 12 proposals, seven design-build proposals, and five developer lease/lease-back proposals. The builders associated with each of the five developers submitting a developer lease/lease-back proposal also submitted a design-build proposal. Oral presentations were conducted with all proposing firms and proposals were reviewed and scored in accordance with the criteria identified in the RFP, including criteria set forth in Section 20133 of the Public Contract Code, to determine the proposal that offered the best value to the County.

Both methodologies, design-build and developer lease/lease-back, would permit the County to contract with a qualified firm to complete the design, obtain jurisdictional approvals, and construct the remaining phases of work for the Hall of Justice Repair and Reuse Project. However, the key difference between the methods is primarily the funding strategy. A design-build approach requires the County to fund the Project (through long-term bonds) and make payments to the successful proposer throughout the construction duration. A developer lease/lease-back requires that financing for the cost of the project be provided by the developer in lieu of the County. In a developer lease/lease-back, the County retains ownership of the Hall of Justice and leases the property to the developer who in turn finances the construction and upon completion of the project, leases the property back to the County for a 30-year term.

Based on the RFP and your Board's approved design-build policy and procedures, Clark was found to be the most advantageous, best-value design-build proposer to perform the design and construction of the Project in November 2010. As discussed in the next section, after a comparative analysis, we determined that the design-build methodology is preferable to the developer lease/lease-back methodology for delivering this Project.

### **Discussion of Competing Delivery Methods (Design-Build Versus Developer)**

At the request of your Board, we assessed the costs and benefits of our standard design-build methodology as compared with a developer lease/lease-back process with the help of Thomas Properties Group, Inc. (Thomas Properties). Thomas Properties reviewed both costs of build-out and costs to finance the Project. Thomas Properties' report concluded that there is no reason to believe that the builder's hard and soft costs would differ between a design-build contract and a development contract, if a developer is required to comply with the same provisions and requirements that are applicable to the design-build delivery model. The responses to our RFP validated that conclusion. Each of the proposing developers teamed with a design-build group that also proposed the very same project without the developer using the same team and the same costs.

Similarly, Thomas Properties' report concluded that developer financing of the project was likely to be more costly than financing by the County. Again, the cost proposals responding to our RFP were consistent with the report. With the same building costs, each developer financing proposal was found to be more expensive over 30 years than County bond financing.

We also considered other potential values that a developer could provide. The proposing developers would, to varying extents, have overseen the design-build team. While the additional oversight could potentially ensure a Project is completed in a timely manner, within the scope of the contract, we were not convinced that the additional layer of management could either reduce the roles of Public Works or the CEO in the process or add significant value, since both departments are well-experienced in performing their respective oversight functions and in ensuring that projects are timely completed to meet County needs. Furthermore, an active developer would create distance between the County staff and the design-build staff, reducing the collaboration that is the key to the project's success.

We further considered the value of a developer as a lessor, operating and maintaining the Hall of Justice over the 30-year period after completion. While we found that some professional property management firms had significant experience in public buildings, either with smaller jurisdictions or for projects with large numbers of private tenants, we were not able to conclude that a management firm could provide either better service to meet the particular needs of these key County occupant departments or a lower price. Additionally, retaining a building management firm once the Hall of Justice is ready for occupancy would not require the other services of a developer.



### **Proposed Contractor Selection Review Process (Protest)**

Of the seven design-build proposing teams and the five developer proposing teams, one developer proposer, M4 Development Group, LLC (M4) submitted a letter of protest on November 7, 2010, citing claims of procedural and material violations throughout the RFP process and requested a Proposed Contractor Selection Review (PCSR). Pursuant to your Board's Policy on Services Contract Solicitation Panels (Policy 5.055) included in the Hall of Justice RFP, Public Works convened a PCSR comprised of Department staff to evaluate M4's protest. Public Works' PCSR performed a review of M4's claims, the RFP documents, and evaluation materials and concluded that no procedural or material violations occurred, nor did M4's correspondence demonstrate that any errors were committed that would have otherwise resulted in M4 being identified as the highest-scored developer proposer for the Project. On February 16, 2011, Public Works issued the written conclusion of the PCSR, indicating M4's protest was without merit and, therefore, rejected. The correspondence also advised M4 of their option to pursue the matter further by requesting a County Review Panel.

On March 2, 2011, M4 submitted a written request for a County Review Panel to further review the matters evaluated by the PCSR. Pursuant to Policy 5.055, Internal Services Department (ISD) convened a County Review Panel consisting of three evaluators to review M4's protest and the associated materials. On April 27, 2011, a public hearing was conducted by the panel in which representatives from the County, M4, and the general public, were present. At the conclusion of the hearing, the majority of the County Review Panel did not find merit to M4's claims under the categories of assertions permitted by Policy 5.055.

In summary, the majority of the County Review Panel: (1) did not find that Public Works materially failed to follow the procedures specified in the RFP; (2) did not find that Public Works made mathematical or other errors in evaluating proposals; (3) did not find evidence of bias in the conduct of the evaluations; and (4) did not find evidence supporting another basis for review under state or federal law. The panel issued their decision in writing on May 11, 2011, and Public Works distributed the decision to M4, in accordance with the County's prescribed protest review process. We are now recommending that your Board award a design-build contract to Clark.

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

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) through fiscal responsibility, service excellence, and organizational effectiveness by investing in public infrastructure that will provide an efficient workplace environment to better serve the local community and County residents. Rehabilitation and reuse of the Hall of Justice for use by the Sheriff's and other County departments is consistent with that goal.

### **Green Building/Sustainable Design Program**

As required under the RFP, the project will support your Board's sustainable design program by incorporating into the Project design and construction features for certification at least at the Silver Level under the U.S. Green Building Council's LEED. Clark has agreed to, and the contract will provide for, achievement of LEED Gold at no additional cost to the County.

### **FISCAL IMPACT/FINANCING**

The total Project cost is estimated at \$231,785,000, including \$17,345,000 in prior year expenditures. The remaining \$214,440,000 in costs includes the recommended maximum contract cost of \$169,218,083. The Project Schedule and Budget Summary are included in Attachment A. On November 3, 2010, your Board authorized the issuance of long-term bonds to finance the remaining Project costs.

The Treasurer and Tax Collector successfully issued such bonds on November 8, 2010. Annual debt service on the \$214,440,000 in remaining Project costs that were financed will commence in 2012 in the amount of \$12,700,000. The annual debt service will decrease to \$10,700,000 in 2013 and 2014, before increasing to an average of \$15,000,000 each year thereafter. Over the 30-year term of the bonds, debt service will total \$439,800,000.

As we informed your Board in a memo dated June 9, 2010, savings from the cancellation of space leases that currently house County staff from the Sheriff and the three attorney departments that will occupy the rehabilitated space in the Hall of Justice and backfill space in the Criminal Courts Building and Hall of Records will provide the primary basis for offsetting the debt service costs for this Project. We are currently anticipating an annual lease savings of approximately \$10,100,000 commencing in 2014, when the rehabilitated Hall of Justice is scheduled to be reoccupied. The annual savings will increase each year based upon the annual increases in the leases tied to the Consumer Price Index, tenant improvement costs which are passed through to tenants in the form of increased lease payments, and replacement leases. It is estimated that over the 30-year term of the bonds, the County will have avoided approximately \$600,100,000 lease costs, for a net overall savings of \$160,300,000.

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

The contracts will contain terms and conditions supporting your Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief

Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law). As required by your Board, language has been incorporated into the project specifications stating that the contactor 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 law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

The Project cost includes 1 percent (to a maximum of \$1,000,000) of design and construction costs to be allocated to the Civic Art Fund per your Board's Civic Art Policy adopted on December 7, 2004.

### **ENVIRONMENTAL DOCUMENTATION**

On June 13, 2006, your Board certified an EA/EIR and adopted a Mitigation Monitoring and Reporting Program (MMRP) and Environmental Findings of Fact and Statement of Overriding Consideration for the Hall of Justice Repair and Reuse Project and found that the Project would have no adverse effect on wildlife resources.

The previously adopted MMRP will ensure compliance with the mitigation developed for the Project to mitigate, reduce, or avoid significant effects to the environment where feasible. The successful proposer will be required to adhere to the requirements of the MMRP.

The remaining proposed actions are within the scope of the previously certified EA/EIR. Upon your Board's approval of the recommended actions, Public Works will file a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code.

### **CONTRACTING PROCESS**

A standard design-build contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

On August 19, 2010, the joint RFP for design-build and/or developer lease/lease-back services was advertised. This contract opportunity was also listed in the County's Doing Business with Us website.

The first phase of the RFP process was submission of prequalification questionnaires (Part A). On August 31, 2010, 19 prequalification questionnaire submissions were received for evaluation. The prequalification questionnaires were evaluated by Public Works' Contract Administration personnel based on responses to questions concerning the business type and ownership of each design-build or developer entity, evidence of the design-builder's or developer's experience and capacity to perform projects of similar size and complexity, licenses, registration, credentials, violations of State and Federal labor codes and safety regulations, debarment, default, bankruptcy, lawsuits on public works projects in the preceding five years and other relevant criteria. Based on the review and evaluation of the prequalification questionnaires, 18 submissions were determined to be prequalified and teams were invited to submit proposals under Part B, Technical and Cost Proposal.

Throughout the duration of the Part B preparation, site visits, as well as individual meetings, were conducted with all teams in order to provide ample project access and information to the proposers to assist them in compiling informed, thorough, and competitive proposals to meet the County's needs. On October 12, 2010, seven design-build proposals and five developer lease/lease-back proposals were received among seven teams. In this regard, five of the teams submitted both design-build and developer and lease/back proposals, and two of the teams submitted only design-build proposals.

The technical and cost proposals were evaluated by a panel of representatives from the CEO, Public Works, and Sheriff's Department based on technical design and construction expertise, proposed delivery plans, price, life cycle costs, skilled labor force availability, acceptable safety record, and design-build team personnel and organization. Final ranking of the proposers is listed in Attachment B. Clark, in its design-build proposal, was found to have submitted the best value and most advantageous proposal to perform these services under the design-build delivery method, in accordance with the evaluation criteria stated in the RFP. These evaluations were completed without regard to race, creed, color, or gender.

On September 7, 2004, your Board approved and authorized Public Works to execute an architect/engineer agreement with Nadel to provide design services under Phase II, Interior Demolition Design. On August 8, 2006, your Board approved and authorized Public Works to execute a Supplemental Agreement 1 with Nadel to provide structural demolition and retrofit design services. On May 11, 2010, your Board approved and authorized Public Works to execute a Supplemental Agreement 2 with Nadel to provide scoping and program documents to support the design-build delivery of the project. Approval of the recommendations will allow Public Works to execute Supplemental Agreement 3 with Nadel to provide design and construction support services throughout the duration of the design-build process. Nadel has agreed to provide the services for a \$1,500,000 not-to-exceed fee.

The negotiated fee has been reviewed by Public Works and is considered reasonable for the scope of work. On September 7, 2004, your Board also approved and authorized Public Works to execute a supplemental agreement with Historic Resources to provide Historic American Building Survey services. On May 11, 2010, your Board approved and authorized Public Works to execute a consultant services agreement with Historic Resources to provide peer review of historic rehabilitation design activities. Approval of the recommendations will allow Public Works to execute Supplemental Agreement 2 with Historic Resources to provide peer review of historic rehabilitation design activities and monitoring services for a \$150,000 not-to-exceed fee. The negotiated fee has been reviewed by Public Works and is considered reasonable for the scope of work.

Clark's Community Business Enterprises participation data and three-year contracting history with the County are on file with Public Works. If the Director of Public Works determines that it is more favorable to utilize the services of the County Purchasing Agent, the acquisition of the FFE design coordination and installation of furniture, fixtures, and equipment will be requisitioned through and accomplished by the ISD in accordance with the County's Purchasing Policies and Procedures using existing County contract vendors.

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

Approval of the recommended actions will build upon the progress made thus far to complete the Hall of Justice Repair and Reuse Project and eventually allow the Sheriff's Department and the District Attorney to move to the centrally located Hall of Justice, thereby improving access and communication among those departments and the Board of Supervisors, the Superior Court, and other related agencies.

The Honorable Board of Supervisors  
July 12, 2011  
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**CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; Arts Commission; and the Department of Public Works, Project Management Division II.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR:DJT  
JK:MV:zu

Attachments (2)

- c: Executive Office, Board of Supervisors
- Alternate Public Defender
- Arts Commission
- Auditor-Controller
- County Counsel
- District Attorney
- Public Defender
- Public Social Services (GAIN/GROW Program)
- Sheriff

July12, 2011

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
HALL OF JUSTICE REPAIR AND REUSE PROJECT  
APPROVE REVISED PROJECT BUDGET  
AWARD SUPPLEMENTAL AGREEMENTS  
AWARD DESIGN-BUILD CONTRACT  
CITY OF LOS ANGELES  
CAPITAL PROJECT NO. 86630; SPECS. 6649**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Phase I Debris Removal	05/21/05*
Phase II Interior Demolition Design	04/04/05*
Phase III Interior Demolition	06/11/07*
Phase IV Rehabilitation Design	
a) Retrofit Design	01/01/08*
b) Rehabilitation Design	N/A
Completion of Remaining Phases V, VI, and VII by Design-Build Delivery	11/17/14
Phase VIII Move In/Start Up/Close Out	12/29/14

\*Indicates completed activity.

**II. PROJECT BUDGET SUMMARY (Through Phase IV)**

<b>Budget Category</b>	<b>Project Budget</b>	<b>Impact of this Action</b>	<b>Revised Budget</b>
<b>Phase I Debris Removal (Complete)</b>	\$ 569,000	\$ 0	\$ 569,000
<b>Phase II Non-Structural Demolition Design</b>	\$ 1,509,500	\$ 0	\$ 1,509,500
<b>Phase III Interior Non-Structural Demolition (Complete) and Phase IV Structural Demolition/Retrofit Design</b>	\$ 12,550,500	\$ 0	\$ 12,550,500
<b>Design-Build/Lease-Lease Back RFP</b>	\$ 2,716,000	\$ 0	\$ 2,716,000
Subtotal	\$ 17,345,000	\$ 0	\$ 17,345,000
<b>Design-Build Phase V-VIII</b>			
Construction			
Base Design-Build Contract	\$ 0	\$151,218,083	\$151,218,083
Design Completion Allowance	\$ 0	\$ 9,000,000	\$ 9,000,000
FF&E Allowance	\$ 0	\$ 9,000,000	\$ 9,000,000
Alternate Design Solutions Allowance Not-to-Exceed	\$ 0	\$ 0	\$ 0
Maximum Design-Build Contract	\$ 0	\$169,218,083	\$169,218,083
Change Order Contingency	\$ 0	\$ 16,921,917	\$ 16,921,917
Utility Connection Fees	\$ 0	\$ 2,500,000	\$ 2,500,000
Civic Arts (maximum of \$1,000,000)	\$ 0	\$ 1,000,000	\$ 1,000,000
Subtotal	\$ 0	\$189,640,000	\$189,640,000
Plans and Specifications			
A/E Design-Build Support Services			
Subtotal	\$ 0	\$ 1,500,000	\$ 1,500,000
Consultant Services			
Historic Resources Monitoring	\$ 0	\$ 150,000	\$ 150,000
Deputy Inspection	\$ 0	\$ 1,500,000	\$ 1,500,000
Materials Testing	\$ 0	\$ 1,200,000	\$ 1,200,000
Environmental Documents	\$ 0	\$ 150,000	\$ 150,000
Geotechnical Survey	\$ 0	\$ 300,000	\$ 300,000
Project Cost Estimating	\$ 0	\$ 300,000	\$ 300,000
Project Scheduling	\$ 0	\$ 250,000	\$ 250,000
Historic Documentation	\$ 0	\$ 150,000	\$ 150,000
LEED Commissioning	\$ 0	\$ 500,000	\$ 500,000
Subtotal	\$ 0	\$ 4,500,000	\$ 4,500,000
Miscellaneous Expenditures	\$ 0		
Los Angeles County Affirmative Action Compliance	\$ 0	\$ 500,000	\$ 500,000
Printing	\$ 0	\$ 50,000	\$ 50,000
Subtotal	\$ 0	\$ 550,000	\$ 550,000



<b>Budget Category</b>	<b>Project Budget</b>	<b>Impact of this Action</b>	<b>Revised Budget</b>
Jurisdictional Review & Plan Check			
Building and Safety Division	\$ 0	\$ 800,000	\$ 800,000
Regional Planning	\$ 0	\$ 200,000	\$ 200,000
Grading	\$ 0	\$ 200,000	\$ 200,000
Geotechnical Materials Engineering	\$ 0	\$ 150,000	\$ 150,000
County Fire Inspection/Permits	\$ 0	\$ 200,000	\$ 200,000
Health Department	\$ 0	\$ 75,000	\$ 75,000
City of Los Angeles	\$ 0	\$ 1,000,000	\$ 1,000,000
Subtotal	\$ 0	\$ 2,625,000	\$ 2,625,000
County Services			
Construction Inspection Services	\$ 0	\$ 2,170,000	\$ 2,170,000
Construction Inspection Supervision	\$ 0	\$ 600,000	\$ 600,000
Contract Administration	\$ 0	\$ 500,000	\$ 500,000
ISD FOS Trades	\$ 0	\$ 1,500,000	\$ 1,500,000
Project Manager	\$ 0	\$ 1,850,000	\$ 1,850,000
Assistant Project Manager	\$ 0	\$ 1,750,000	\$ 1,750,000
Capital Projects Manager	\$ 0	\$ 500,000	\$ 500,000
Document Control	\$ 0	\$ 800,000	\$ 800,000
Secretarial	\$ 0	\$ 650,000	\$ 650,000
Project Technical Support	\$ 0	\$ 400,000	\$ 400,000
Consultant Contract Recovery	\$ 0	\$ 150,000	\$ 150,000
Project Contingency	\$ 0	\$ 4,755,000	\$ 4,755,000
Subtotal	\$ 0	\$ 15,625,000	\$ 15,625,000
Total	\$ 17,345,000	\$214,440,000	\$231,785,000

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
 HALL OF JUSTICE REPAIR AND REUSE PROJECT  
 APPROVE REVISED PROJECT BUDGET  
 AWARD SUPPLEMENTAL AGREEMENTS  
 AWARD DESIGN-BUILD CONTRACT  
 CITY OF LOS ANGELES  
 CAPITAL PROJECT NO. 86630; SPECS. 6649  
 (FIRST DISTRICT) (3 VOTES)**

The proposed Project consists of the repair and rehabilitation of the Hall of Justice and associated site improvements, including a 1,000-space parking structure at 211 West Temple Street in downtown Los Angeles.

Proposal Date: October 12, 2010  
 Proposer ranking from most advantageous to least:

<u>Design-Build Firms</u>	<u>Final Score</u>
1. Clark Construction California, LP	868
2. Hathaway Dinwiddie Construction Company	848
3. McCarthy Building Companies, Inc.	812
4. DPR Construction	786
5. Bernards Bros., Inc.	771
6. Webcor Construction LP, dba Webcor Builders	746
7. Turner Construction Company	736

<u>Developer Firms</u>	<u>Final Score</u>
1. HOJ Development Partners LLC (Clark Construction) Edgemoor Real Estate Services	866
2. TC LA Development Inc., aka Trammell Crow Company (Hathaway Dinwidde Construction Company )	848
3. M4 Development Group/Lutzky Associates (DPR Construction)	798
4. HOJ Development Corporation (Robert Sonnenblick/Bernards Bros., Inc.)	754
5. Sonnenblick Del Rio (Nelson Del Rio/Turner Construction Company)	736

The contract sum of \$151,218,083, and a maximum contract sum of \$169,218,083, will be issued to Clark Construction California, LP, based on the cost components listed below:

Base Contract Sum	\$ 151,218,083
County Authorized Design Completion Allowance	\$ 9,000,000
County Authorized FF&E Allowance	\$ 9,000,000
Alternate Solutions Allowances Not-to-Exceed Cost	\$ <u>0</u>
<b>Total Maximum Contract Sum Not-to-Exceed</b>	<b>\$ 169,218,083</b>