



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

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

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ALHAMBRA, CALIFORNIA 91803-1331  
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**GAIL FARBER, Director**

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

October 02, 2012

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

**24 October 2, 2012**

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

**JOB ORDER CONTRACT NOS. 1210 THROUGH 1220  
FOR MAINTENANCE AND REPAIR OF PUBLIC WORKS' INFRASTRUCTURE  
ADOPT, ADVERTISE, AND AWARD  
IN VARIOUS UNINCORPORATED COMMUNITIES  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

This action is to adopt the specified Job Order Contract Unit Price Book and Specifications, authorize the Director of Public Works or her designee to advertise for bids to be received, and award and execute a contract with the lowest responsive and responsible bidder for 11 separate Job Order Contracts.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the award of Job Order Contract Nos. 1210 through 1220 exempt from the California Environmental Quality Act.
2. Adopt the Job Order Contract Unit Price Book and Specifications for 11 separate Job Order Contracts for work involving maintenance, repair, and refurbishment of Public Works' infrastructure.
3. Authorize the Director of Public Works or her designee to advertise and award 11 separate Job Order Contracts for work involving maintenance, repair, and refurbishment of Public Works' Infrastructure in a not-to-exceed amount of \$4.3 million per contract to each of the lowest responsible bidders with responsive bids.
4. Authorize the Director of Public Works or her designee to execute the Job Order Contracts in the

form previously approved by County Counsel and to establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractors.

5. Delegate to the Director of Public Works or her designee the authority to designate and reject all nonresponsive bids and determine, in accordance with the applicable contract and bid documents, the lowest responsible bidders.

6. Authorize the Director of Public Works or her designee to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not to exceed the maximum amount of each Job Order Contract.

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

Approval of the recommended actions will provide contract forces to augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County infrastructure. Specifically, the work involves guardrail replacement, concrete maintenance, tree trimming/removal, and roadway resurfacing/seal coating.

The Job Order Contract (JOC) is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, and refurbishment of County of Los Angeles (County) facilities and infrastructure without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. The proposed JOCs will be used for repair, refurbishment, or other repetitive work. We are precluded from using it for new construction pursuant to Section 20128.5 of the State Public Contract Code.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting State and County procurement requirements. The contracts will be publicly advertised for bids and awarded to the lowest responsive and responsible bidders in accordance with the State Public Contracting Code.

We recommend that your Board authorize the Director of Public Works (Director) or her designee to award the 11 JOCs, each for a \$4.3 million not-to-exceed amount, following bid review and determination of the lowest responsive and responsible bidders.

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

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

### **FISCAL IMPACT/FINANCING**

Maintenance, repair, and refurbishment work may be ordered for and subsequently funded by various Public Works-administered funds. The largest expenditures are anticipated to be derived from the Road Fund. Expenditures from the General Fund, if any, will be included in the General Fund Budget for that fiscal year. Sufficient funds for each JOC work order will be made available in the appropriate fund prior to authorizing the work.

Public Works will work with the Chief Executive Office (CEO) to quantify any administrative costs

attributable to the Local Worker JOC Program and present any necessary budgetary recommendations to your Board for approval.

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

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOCs 1210 through 1220, will be solicited on an open-competitive basis and in accordance with applicable State and County requirements. The contractors will be in compliance with the requirements of the CEO and your Board.

The award of these contracts will not result in unauthorized disclosure of confidential information and 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 your Board's ordinances, policies, and programs including, but not limited to: the County 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; the Los Angeles 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 demonstrating the attributes of trustworthiness, quality, fitness, capacity, experience to satisfactorily perform the work required under the bid solicitation.

To ensure that each 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 a recommendation to award.

The Unit Price Book and Specifications include the contractual provisions, methods, and material requirements necessary for these projects and are on file with Public Works. Enclosed is a description of the scope of work for JOC Nos. 1210 through 1220.

### **Local Worker Hiring JOC Program**

Monitoring of the Local Worker JOC Program will be provided by Public Works' contract administration staff based on review of the JOC worksite and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractor will provide certified payroll records for labor forces. These records will be monitored by work order,

hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Local Worker JOC Program to your Board each year as part of its annual resolicitation for JOC contractors.

### **ENVIRONMENTAL DOCUMENTATION**

The recommended actions are exempt from California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that its approval may have a significant impact on the environment pursuant to Section 15061(b)(3) of the California CEQA Guidelines. The recommended actions are covered by the general rule that CEQA only applies to actions that have a potential for causing a significant effect on the environment. The adoption of the JOC unit price books and specifications and authorization to award JOC contracts does not include approval of work to be performed under work orders issued pursuant to the contracts.

The implementation of each work order under these JOCs will be subject to prior determination and documentation by Public Works that the work is exempt from CEQA. The type of work to be performed under these JOCs is generally anticipated to be exempt under Section 15301, Class 1, of the California CEQA Guidelines as well as Class 1 of the County Environmental Document Reporting Procedures since it involves maintenance of landscaping and maintenance, repair and refurbishment of roadways. In the event the work under the work orders is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation of work.

Upon your Board's approval of this action, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 15062 of the California State CEQA Guidelines.

### **CONTRACTING PROCESS**

These contracts will be contracted on an open-competitive bid basis. A recommendation for award of each JOC by the Director or her designee will be made upon review of the bids meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, these contracts will be listed on the County website for upcoming bids.

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

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County roads. Minor impacts to adjacent residents and businesses, and motorists may occur while maintenance, repair, and refurbishment work on County roads is underway.

### **CONCLUSION**

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

The Honorable Board of Supervisors

10/2/2012

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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:ma

Enclosures

c: Chief Executive Office  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance

**ENCLOSURE**

<b><u>SD</u></b>	<b><u>PROJECT ID NO.</u></b>	<b><u>JOC</u></b>	<b><u>SCOPE OF WORK</u></b>
All	RMDJOC1210	1210	Roadway resurfacing
All	RMDJOC1211	1211	Roadway seal coating
All	RMDJOC1212	1212	Guardrail replacement
All	RMDJOC1213	1213	Tree trimming and removal
All	RMDJOC1214	1214	Concrete maintenance
All	RMDJOC1215	1215	Concrete maintenance
5	RMDJOC1216	1216	Roadway resurfacing
5	RMDJOC1217	1217	Roadway seal coating
5	RMDJOC1218	1218	Guardrail replacement
5	RMDJOC1219	1219	Tree trimming and removal
5	RMDJOC1220	1220	Concrete maintenance