

WILLIAM T FUJIOKA Chief Executive Officer

# 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

"To Enrich Lives Through Effective And Caring Service"

March 19, 2013

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:

# DEPARTMENT OF PUBLIC WORKS: BURTON CHACE PARK TRANSIENT DOCK REPLACEMENT PROJECT APPROVE APPROPRIATION ADJUSTMENT AND REVISED PROJECT BUDGET; AND ADOPT, ADVERTISE, AND AWARD SPECS. 7218; CAPITAL PROJECT NO. 77570 (FOURTH DISTRICT) (4 VOTES)

# **SUBJECT**

Approval of the recommended actions will approve the revised proposed Project budget and appropriation adjustment, adopt plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract for the Burton Chace Park Transient Dock Replacement Project located in Marina del Rey.

# IT IS RECOMMENDED THAT THE BOARD:

1. Approve the revised Project budget of \$7,437,000 for the Burton Chace Park Transient Dock Replacement Project, Capital Project No. 77570.

2. Approve the appropriation adjustment in the amount of \$2,037,000 offset by revenue from the Marina Accumulative Capital Outlay funds to fully fund the proposed Burton Chace Park Transient Dock Replacement Project, Capital Project No. 77570.

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

ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

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March 19, 2013

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3. Adopt plans and specifications that are on file with the Department of Public Works for construction of the Burton Chace Park Transient Dock Replacement Project at an estimated construction cost of \$5,945,000, and instruct the Executive Officer of the Board of Supervisors to advertise the Project for construction bids to be received and opened on April 23, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

4. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$2,000 not-to-exceed amount funded by the existing Project funds.

5. Authorize the Director of Public Works, or her designee, to determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by the Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to execute and award the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance.

# PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will approve the revised proposed Burton Chase Park Transient Dock Replacement Project (Project) budget and appropriation adjustment, adopt plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract for the proposed Project.

### Project Description and Delivery

The proposed Project includes removal of the existing aged and outdated dock system with undesignated docking areas and replacement with a new dock system consisting of 44 new reconfigured transient boat slips; one 300 foot long side-tie transient dock that can accommodate approximately ten 30 foot boats or a very large transient vessel, a 120 foot-long dock for a waterbus landing and boat sewage pump out, a 138-foot side tie in front of the boathouse area, and a 147 foot dock for a 4-hour transient berthing. The reconfigured docks will not increase the level of use. In addition, the proposed Project will include repair and upgrade of the landside utilities (water, fire protection, power, and sewer) for the new dock system. The new dock system will encompass the same footprint area of the existing dock system and will meet the County's standards for marina construction, the latest accessibility standards contained in the Americans with Disabilities Act for public marina facilities, and the California Department of Boating and Waterways Design Guidelines.

On April 17, 2012, the Board approved the proposed Project with a total estimated proposed Project budget of \$5,400,000. The original budget was based on the assumption that repair and upgrade of the landside utilities would be minimal for the new dock system. However, during the design phase, it was determined, in consultation with Southern California Edison, that the existing power service to Burton Chace Park which also supplies the dock areas was inadequate and needed to be upgraded to serve the new dock system.

Therefore, based on the final design, the power service to Burton Chace Park will be upgraded and a new larger underground service feed will be installed from the park to the dock areas to meet the

power requirements for the new dock system as part of the proposed Project. The attached appropriation adjustment will allocate additional funding to fully fund the proposed Project based on the final design.

Plans and specifications for the proposed Project have been completed, and we are recommending that the Board adopt and advertise these documents for construction bids.

In order to expedite construction of the proposed Project for completion by the peak summer season of 2014, it is recommended that the Board authorize the Director of Public Works, or her designee, to execute and award a consultant services agreement to the apparent Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter), if the low bid can be awarded within the total estimated proposed Project budget approved by the Board. If the low bid cannot be accommodated within the approved total proposed Project budget, a contract will not be awarded under delegated authority, and we will return to the Board with a revised Project scope and/or funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable construction schedule, the Director of Public Works may return to the Board to recommend that the Bidder be determined nonresponsive and recommend awarding the consultant services agreement to the next apparent Lowest Responsive and Responsible Bidder, contingent on that Bidder completing a baseline schedule that conforms to the County's specifications.

The proposed Project will be managed by the Department of Public Works (Public Works). It is anticipated that construction will begin in July 2013 and be completed in June 2014.

Burton Chace Park will remain open to the public during construction, and visiting vessels will be directed to the nearby Parcel 77 and Anchorage 47 docks, which are both owned and operated by the County.

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

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3) by investing in public infrastructure that will enhance recreational opportunities for County residents and visitors by replacing the transient docks at Burton Chace Park in Marina del Rey.

### **FISCAL IMPACT/FINANCING**

Public Works' fair construction cost estimate for the proposed Project is \$5,945,000. The total proposed Project cost, including programming, plans and specifications, plan check, construction, consultant services, utility upgrades, miscellaneous expenditures, and County services, is currently estimated at \$7,437,000, which reflects an increase of \$2,037,000 from the previously approved proposed Project budget of \$5,400,000. The increase is in the estimated construction costs based on the completed design (including additional change order contingency amount). Approval of the attached appropriation adjustment (Attachment B) will transfer an additional \$2,037,000 from the Department of Beaches and Harbors' (Beaches and Harbors) Marina Accumulative Capital Outlay (ACO) Services and Supplies budget to fully fund the proposed Project. The Project Schedule and

Budget Summary are detailed in Attachment A.

The proposed Project will be funded with \$4,100,000 from the Designation for Program Expansion appropriation in the Beaches and Harbors' Marina del Rey Replacement ACO budget, \$2,037,000 from the ACO Services and Supplies budget, and \$1,300,000 from the U.S. Fish and Wildlife Service's National Boating Infrastructure Grant Program administered by the State of California Department of Boating and Waterways.

**Operating Budget Impact** 

Beaches and Harbors does not anticipate any one-time, start-up costs or an increase in ongoing maintenance and operational costs as a result of the proposed Project. The proposed Project will attract more visitors by providing enhanced public use and enjoyment of the transient boater facilities in Marina del Rey.

# FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to the Board's Civic Art Policy adopted on December 7, 2004, and revised on December 15, 2009, the proposed Project is exempt from the Civic Art Policy funding allocation requirement because the proposed Project involves public infrastructure improvements.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 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 quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation. As part of their bids, Bidders are required to provide unit prices for the installation of guide piles and for the extended daily overhead rate. As specified in the bid documents, the lowest bid price shall be determined by adding the lump sum bid, the extended overhead daily rate multiplied by 30 calendar days, the unit price for the 14-inch-diameter guide piles multiplied by 100 linear feet, the unit price for the 20-inch-diameter guide piles multiplied by 60 linear feet, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000), if applicable.

A standard construction contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting the Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy 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; and 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.

To ensure that the contract is awarded to the apparent Lowest Responsive and Responsible Bidder 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 Bidder will be considered before making a recommendation to award.

The proposed Project specifications contain provisions requiring the Bidder to report solicitations of improper consideration of County employees and allowing the County to terminate the contract if it is found that the Bidder offered or gave improper consideration to County employees.

The plans and specifications include the contractual provisions and material requirements necessary for the proposed Project and are on file with the Architectural Engineering Division of Public Works.

# **ENVIRONMENTAL DOCUMENTATION**

On April 17, 2012, the Board found the Project to be categorically exempt under the California Environmental Quality Act, as the Project provides for repair and upgrade of the landside utilities (water, fire protection, power, and sewer) and removal and replacement of the existing transient boat docks with new facilities of substantially the same purpose and capacity with no expansion of use. There have been no changes to the Project since the Board found it to be exempt.

# **CONTRACTING PROCESS**

The plans and specifications were completed by Noble Consultants, Inc., through one of Beaches and Harbors' Board-approved harbor engineering consultant services agreements.

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment C).

As requested by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' CBE Outreach Program and by monitoring the good faith efforts of Bidders to utilize CBE.

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

Approval of the recommended actions will have no impact on current County services or projects.

Burton Chace Park will remain open to the public during construction, and visiting vessels will be directed to the nearby County-owned docks.

### **CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; the Department of Beaches and Harbors; and the Department of Public Works, Project Management Division I.

Respectfully submitted,

WILLIAM T FUJIOKA Chief Executive Officer

WTF:RLR:DJT DKM:AC:zu

Enclosures

c: Executive Office, Board of Supervisors County Counsel Beaches and Harbors Public Works

### ATTACHMENT A March 19, 2013

### DEPARTMENT OF PUBLIC WORKS: BURTON CHACE PARK TRANSIENT DOCK REPLACEMENT PROJECT APPROVE APPROPRIATION ADJUSTMENT AND REVISED PROJECT BUDGET; AND ADOPT, ADVERTISE, AND AWARD SPECS. 7218; CAPITAL PROJECT NO. 77570

### I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Dates	Revised Completion Dates
Construction Documents	10/18/12*	
Jurisdictional Approvals	11/05/12*	
Award Construction Contract	01/17/13	06/13/13
Construction Start	02/04/13	07/01/13
Substantial Completion	08/30/13	06/27/14
Final Acceptance	10/31/13	08/28/14

\* Actual completion date.

# II. Project Budget Summary

Project Activity	Approved Project Budget	Impact of This Action	Revised Project Budget
Land Acquisition	\$0	\$ 0	
Construction			-
Low Bid Construction Contract	\$ 4,100,000	\$1,845,000	\$5,945,000
Job Order Contract	. 0	0	0
Change Orders	410,000	185,000	595,000
Departmental Crafts	0	0	0
Youth Employment	0	0	0
Construction Contingency	0	0	0
Telecomm Equip – Affixed to Building	0	0	0
Civic Arts	0	0	0
Other: Utility Connection Fees	0	7,000	7,000
Subtotal	\$4,510,000	\$2,037,000	\$6,547,000
Programming/Development	\$ 0	\$ 0	\$ 0
Plans and Specifications	\$ 290,000	\$ 0	\$ 290,000
Consultant Services	· · · · · ·		1
Site Planning	\$ 0	\$ 0	\$ 0
Hazardous Materials	0	0	0
Geotech/Soils Report and Soils Testing	50,000	0	50,000
Material Testing	0	0	0
Cost Estimating	0	13,000	13,000
Topographic Surveys	0	0	0
Construction Management	0	0	0
Construction Administration	0	0	0
Environmental (Biological Surveys)	75,000	0	75,000
Move Management	0	0	0
Equipment Planning	0	0	0
Legal	0	0	0
Other: Agency Permit Support Services	25,000	<u>( 13,000)</u>	12,000
Subtotal	\$ 150,000	\$ 0	\$ 150,000
Miscellaneous Expenditures	\$ 10,000	\$ 0	\$ 10,000
Jurisdictional Review/Plan Check/Permit	\$ 25,000	\$ 0	\$ 25,000
County Services			
Code Compliance/Quality Control Inspection	\$ 100,000	\$ 0	\$ 100,000
Design Review	20,000	0	20,000
Design Services	0	0	0
Contract Administration	50,000	0	50,000
Project Management	200,000	0	200,000
Project Management Support Services	0	0	0
ISD Job Order Contract Management	0	0	0
DPW Job Order Contract Management	0	0	0
ISD ITS Communications	0	0	0
Project Security	0	0	0
Project Technical Support	30,000	0	30,000
ISD Countywide Compliance Section	15,000	0	15,000
Subtotal	\$ 415,000	\$ 0	\$ 415,000
TOTAL	<b>\$5,400</b> ,000	\$2,037,000	<b>\$7,437</b> ,000

ATTACHMENT B March 19, 2013

## DEPARTMENT OF PUBLIC WORKS: BURTON CHACE PARK TRANSIENT DOCK REPLACEMENT PROJECT APPROVE APPROPRIATION ADJUSTMENT AND REVISED PROJECT BUDGET; AND ADOPT, ADVERTISE, AND AWARD SPECS. 7218; CAPITAL PROJECT NO. 77570

APPROPRIATION ADJUSTMENT (See Attachment) BA FORM 09/09

BOARD OF SUPERVISORS OFFICIAL COPY

#### COUNTY OF LOS ANGELES

### **REQUEST FOR APPROPRIATION ADJUSTMENT**

#### DEPARTMENT OF BEACHES AND HARBORS

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

### ADJUSTMENT REQUESTED AND REASONS THEREFOR

### FY 2012-13

### 4 - VOTES

SOURCES

BA Detail - See Attachment I

BA Detail - See Attachment I

SOURCES TOTAL: \$ 4,074,000

USES TOTAL: \$ 4,074,000

### JUSTIFICATION

Reflects a decrease in the Marina Replacement A.C.O. Services and Supplies budget to fund the Burton Chace Park Transient Dock Replacement Project (CP#77570).



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AUTHORIZED SIGNATURE Adriana Zarate-Lee, Head, Financial Services

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

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EXECUTIVE OFFICER

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR ----

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V	RECOMMENDATION

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ACTION

AUDITOR-CONTROLLER

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CHIEF EXECUTIVE OFFICER

APPROVED AS REQUESTED

APPROVED AS REVISED

BY

SEND 6 COPIES TO THE AUDITOR-CONTROLLER

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**USES** 

DEPT'S. 055

NO.

January 25, 2013

### COUNTY OF LOS ANGELES REQUEST FOR APPROPRIATION ADJUSTMENT CAPITAL PROJECTS/REFURBISHMENTS FISCAL YEAR 2012-13

### **4-VOTES**

### SOURCES

#### USES

MARINA REPLACEMENT A.C.O. FUND MA2-BH-2000-65296 SERVICES & SUPPLIES DECREASE APPROPRIATION - \$2,037,000

BEACHES AND HARBORS TRANSIENT DOCK REPLACEMENT PROJECT A01-CP-96-9919-65024-77570 OPERATING TRANSFER IN/CP INCREASE REVENUE - \$2,037,000 MARINA REPLACEMENT A.C.O. FUND MA2-BH-6100-65296 OTHER FINANCING USES INCREASE APPROPRIATION - \$2,037,000

BEACHES AND HARBORS TRANSIENT DOCK REPLACEMENT PROJECT A01-CP-6014-65024-77570 CAPITAL ASSETS - BUILDING AND IMPROVEMENTS INCREASE APPROPRIATION - \$2,037,000

SOURCES TOTAL: \$4,074,000

USES TOTAL: \$4,074,000

BA# 073 Faun Shikume 2/12/13



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### DEPARTMENT OF PUBLIC WORKS: BURTON CHACE PARK TRANSIENT DOCK REPLACEMENT PROJECT APPROVE APPROPRIATION ADJUSTMENT AND REVISED PROJECT BUDGET; AND ADOPT, ADVERTISE, AND AWARD SPECS. 7218; CAPITAL PROJECT NO. 77570

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

## OFFICIAL NOTICE INVITING BIDS

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

			BID DOC	DATE OF BID
<u>SD</u>	<u>SPECS</u>	PROJECT	<u>FEE</u>	<b>OPENING</b>
4	7218	Burton Chace Park Transient Dock Replacement Project 13650 Mindanao Way Marina del Rey, CA 90292	\$75	April 23, 2013

Copies of the project manual and drawings may be downloaded free of charge from the County of Los Angeles, Department Works of Public website (http://dpw.lacounty.gov/go/constructioncontracts), or may be purchased for the fee stated above at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. For bid information, please contact Ms. Ivonne Pena of Architectural Engineering Division at (626) 458-2585. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 11 a.m. on this date in the Main Conference Room, 5th Floor, at 900 South Fremont Avenue, Alhambra, California 91803.

Attachment C March 19, 2013 Page 2

This project requires the general contractor firm to possess an active A license classification at the time of bid.

In addition, in order to qualify to bid on this project, the general contractor shall, at a minimum, have previously completed, as a prime contractor or as a subcontractor, two similar type projects within the last 10 years that included installation of prefabricated concrete module floating boat docks with precast concrete guide piles.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of the prevailing rate per diem wages are on file at the Department of Public Works, which shall be made available to any interested party upon request.

### PREBID CONFERENCE

The Department of Public Works Project Management Division I will hold a prebid conference at 10 a.m., on April 4, 2013, at the project site, 13650 Mindanao Way, Marina del Rey, California 90292, to provide information on the scope of work and answer basic questions that the potential bidders may have. Detailed questions or additional information must be submitted in writing to Ms. Ivonne Pena with the Department of Public Works Architectural Engineering Division at Fax No. (626) 979-5311 or you may contact her at (626) 458-2585.

### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Individuals requiring reasonable accessibility accommodations may request written materials in alternate formats, physical accessibility accommodations, sign language interpreters or other reasonable accommodations by contacting our departmental Americans with Disabilities Act Coordinator at (626) 458-4081, from 7:30 a.m. to

5:00 p.m., Monday through Thursday (excluding holidays). Persons who are deaf or hard of hearing may make contact by first dialing the California Relay Service at 7-1-1.

Attachment C March 19, 2013 Page 3

Requests should be made at least one week in advance to ensure availability. When making a reasonable accommodation request, please reference [PJ-I].



Individuos que requieran acomodamiento rasonable accessible pueden solicitar materiales escritos en formatos alternativos, acomodamiento fisico accesible, intérpretes en lenguaje de señas Americano ú otros acomodamientos rasonables comunicándose con nuestro Coordinador Departamental del Acto de Americanos con Incapacidades al (626)

458-4081, de 7:30 a.m. a 5:00 p.m., Lunes a Jueves (excluyendo días festivos). Personas sordas o con problemas auditivos pueden comunicarse primero marcando al Servicio de Difusión de California al 7-1-1. Solicitudes pueden hacerse por lo menos una semana antes para asegurar disponibilidad. Cuándo se haga una petición reasonable para acomodo, por favor mencione **[PJ-I]**.

By order of the Board of Supervisors of the County of Los Angeles, State of California, dated March 19, 2013.

Specs. 7218 SACHI A. HAMAI, EXECUTIVE OFFICER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES