



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

December 10, 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:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 December 10, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
ROADWAY RECONSTRUCTION AND RESURFACING
GRAVES AVENUE, ET AL., PHASE 2
IN THE CITIES OF INDUSTRY, MONTEBELLO, MONTEREY PARK, ROSEMEAD,
SOUTH EL MONTE, AND WEST COVINA AND IN THE UNINCORPORATED
COMMUNITIES OF SOUTH EL MONTE, SOUTH SAN GABRIEL, VALINDA,
AND WEST PUENTE VALLEY
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the project for reconstruction and resurfacing of roadway pavement on Graves Avenue, et al., Phase 2, in the Cities of Industry, Montebello, Monterey Park, Rosemead, South El Monte, and West Covina and in the unincorporated communities of South El Monte, South San Gabriel, Valinda, and West Puente Valley; adopt the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 and a construction contract with the apparent responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for roadway reconstruction and resurfacing, at an estimated construction contract cost between \$3,800,000 and \$5,200,000.

2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on January 7, 2014, in accordance with the Notice of Inviting Bids.
3. Authorize the Director of Public Works or her designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest bid.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance certificate submitted by the contractor, and deliver the project.
6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to approve and advertise the project, adopt the plans and specifications, authorize the Director of Public Works or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds and a construction contract with the apparent responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and a storm water pollution prevention plan that conform to the County of Los Angeles' specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, the Department of Public Works may return to the Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables, which conform to the County's specifications.

The limits of the project are as follows:

- Amar Road - Aileron Avenue to Witzman Drive

- Amar Road - Southern Pacific Railroad to Puente Avenue
- Amar Road - Sunset Avenue to 45 feet west of Evanwood Avenue
- Amar Road - 1,200 feet west of Unruh Avenue to 200 feet west of Unruh Avenue
- Del Mar Avenue - Graves Avenue to Potrero Grande Drive
- Graves Avenue - 445 feet west of Stevens Avenue to 255 feet east of Stevens Avenue
- Graves Avenue - 360 feet west of Del Mar Avenue to 650 feet east of Del Mar Avenue
- Graves Avenue - 1,185 feet west of San Gabriel Boulevard to 785 feet west of San Gabriel Boulevard
- Hill Drive - Potrero Grande Drive to San Gabriel Boulevard
- Paramount Boulevard - 40 feet north of Arroyo Drive to Hill Drive
- Potrero Grande Drive - Arroyo Drive to 50 feet west of San Gabriel Boulevard
- Rush Street - 200 feet east of Durfee Avenue to 1,200 feet east of Durfee Avenue
- San Gabriel Boulevard Hill Drive to 130 feet north of Lake Knoll Drive
- San Gabriel Boulevard - 130 feet east of Delta Avenue to Hill Drive
- Lark Ellen Avenue - Maplegrove Street to 1,090 feet north of Maplegrove Street
- Lark Ellen Avenue - 670 feet South of Francisquito Avenue to 330 feet north of Francisquito Avenue
- Valinda Avenue - 814 feet north of Amar Road to 650 feet north of Francisquito Avenue

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved roadway facilities for the traveling public, which will benefit the cities and communities.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$3,800,000 to \$5,200,000. The total project cost is estimated to be \$7,123,700. In addition to the construction contract cost, the total project cost includes preparation of plans and specifications, consultant services, survey, environmental permit compliance, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, contribution to the Contract Cities Liability Trust Fund, and other County services.

Portions of this project are in the Cities of Industry, Rosemead, South El Monte, and West Covina. The County-City of Industry Cooperative Agreement No. 77911, executed on January 29, 2013, provides for the County to perform the preliminary engineering and administer the construction of the project, with the City of Industry and the County to finance their respective jurisdictional shares of the project costs, estimated to be \$80,800 and \$7,013,000 respectively. The Cities of Rosemead, South El Monte, and West Covina will finance their jurisdictional shares of the cost of the project, estimated to be \$1,500, \$1,600, and \$26,800, respectively, under City Service Requests.

Sufficient funds to finance the County's share of the project cost will be financed with State Proposition 1B Transportation Bond funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. Financing for this project is included in the First Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of Public Works' ongoing highway construction program. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 140 working days. It is estimated the work will start in May 2014 and be completed in December 2014.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for roadway reconstruction and resurfacing.

Effective January 1, 2011, State law requires that projects funded with specific bond funds be subject to monitoring and oversight by the Department of Industrial Relations' Compliance Monitoring Unit (CMU). In order to comply with guidance issued by the CMU, contractors and subcontractors engaged in this contract will be required to submit electronic certified payrolls directly to the State. The CMU may invoice Public Works up to one quarter of one percent of the total project cost.

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

The award of the contract 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 the Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles 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 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 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 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 January 29, 2013, Agenda Item 24, the Board found that this project is categorically exempt from the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

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

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

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved roadway facilities for the traveling public, thereby benefiting the cities and communities.

CONCLUSION

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

Respectfully submitted,



GAIL FARBER

Director

GF:JTS:lg

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