



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

June 06, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

84 June 6, 2023

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**CONSTRUCTION CONTRACT
WATER RESOURCES CORE SERVICE AREA
MONTEITH PARK STORMWATER CAPTURE PROJECT
UNINCORPORATED LOS ANGELES COUNTY
APPROVE REVISED BUDGET
APPROVE APPROPRIATION ADJUSTMENT
CAPITAL PROJECT NO. 69813
FISCAL YEAR 2022-23
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval of the revised budget and appropriation adjustment for the Monteith Park Stormwater Capture Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the recommended actions are within the scope of project impacts analyzed in the Final Program Environmental Impact Report for the Enhanced Watershed Management Programs, previously certified by the Los Angeles County Flood Control District, and the Addendum thereto for the Monteith Park Stormwater Capture Project, previously certified by the County.
2. Approve the revised budget for the Monteith Park Stormwater Capture Project, Capital Project No. 69813, at a revised estimated total project budget of \$12,223,000, from the previously approved budget of \$10,163,000.

3. Approve the appropriation adjustment to transfer \$2,060,000 from the Hasley Canyon Park Stormwater Capture Project, Capital Project No. 69814, to the Monteith Park Stormwater Capture Project, Capital Project No. 69813, to fully fund the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find that the project is within the scope of the project impacts analyzed in the previously certified Final Program Environmental Impact Report (PEIR) for the Los Angeles County Flood Control District Enhanced Watershed Management Programs and Addendum thereto; approve the revised project budget for the Monteith Park Stormwater Capture Project to accommodate the higher than anticipated construction bids; and authorize the recommended appropriation adjustment for the project.

The project is comprised of two separate sites located within the unincorporated community of View Park in the County of Los Angeles: Monteith Park (3701 South Mullen Avenue, Los Angeles, CA 90043) and an alley located between Victoria Avenue and Crenshaw Boulevard, north of Mount Vernon Drive. This project will help improve water quality and habitat in the Centinela Creek, Ballona Creek, and the Santa Monica Bay and assist the County to comply with its stormwater permit requirements by reducing bacteria, trash, nutrients, metals, and toxic pollutants. The project will also enhance the local community through the creation of additional green spaces.

On October 4, 2022, the Board of Supervisors authorized advertising for bids and award and execution of a construction contract with the apparent lowest responsive and responsible bidder, if the low bid could be awarded within the total project budget. The construction cost estimate was \$5,482,799.

On December 1, 2022, six bids were received. One bidder requested relief from their bid in accordance with State Public Contract Code and one additional bidder was found to be nonresponsive to the solicitation. Of the remaining four bids, Clarke Contracting Corporation was determined to be the responsible bidder with the lowest responsive bid in the amount of \$7,298,395.

Clarke Contracting Corporation's bid price is 33 percent higher than the construction cost estimate of \$5,482,799. The construction market conditions have been changing in Southern California due to high inflation. Pricing on some construction materials doubling in the last 2 years has contributed to this cost increase. Public Works has reviewed the bid price from Clark Contracting Corporation and finds it reasonable given the current construction market conditions and, therefore, recommends moving forward with the bid.

Public Works awarded the contract to Clarke Contracting Corporation on January 26, 2023. Upon approval of the recommended action, to revise the budget from the previously approved budget of \$10,163,000 to \$12,223,000, Public Works will execute the construction contract. Construction is anticipated to start in summer 2023 and be completed in summer 2024.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy II.2, Support the Wellness of our Communities, Objective II.2.2, Expand Access to Recreational and Cultural Opportunities, Objective II.2.4, Promote Active and Healthy Lifestyles; and Strategy II.3, Make Environmental Sustainability our Daily Reality, Objective II.3.1, Improve Water Quality, Reduce Water Consumption, and Increase Water Supplies. The recommended actions are consistent with the County's mission to provide essential services and improve the quality of life for residents by enhancing recreational opportunities and providing environmentally sustainable practices by reducing stormwater pollution.

FISCAL IMPACT/FINANCING

The total revised project budget, including the preparation of plans and specifications, construction, change orders, consultant services, miscellaneous expenditures, Civic Art Fee, and County services is estimated at \$12,223,000, which reflects an increase of \$2,060,000 that will be transferred from the Hasley Canyon Park Stormwater Capture Project, Capital Project No. 69814, to the Monteith Park Stormwater Capture Project, Capital Project No. 69813.

Upon approval of the enclosed appropriation adjustment of \$2,060,000, the revised project budget will include sufficient appropriation to fund the total project cost of \$12,223,000 funded by the Los Angeles Region Safe, Clean Water Program in the amount of \$4,550,000; net County cost allocated for Unincorporated Area Stormwater Quality Improvements in the amount of \$6,673,000; and the State of California Proposition 12 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 in the amount of \$1,000,000.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

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. A standard construction contract will be used that contains terms and conditions supporting the Board's ordinances, policies, and programs, including, but not limited to, the County's Greater Avenues for Independence and General Relief Opportunities for Work Program, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Contractor Employee Jury Service Program, and the Los Angeles County's Child Support Compliance Program.

In accordance with the Board's Civic Art Policy, the previously approved project budget of \$10,163,000 included \$13,000 of allocation to the Civic Art Fund. The Civic Art Fund allocation is reduced from \$13,000 to \$11,000 based on the one percent of eligible design and updated construction cost from the lowest responsive bid received from Clarke Contracting Corporation. Although the overall construction cost for the project went up, the increase was for the belowground portion of the project, while the cost for the aboveground portion actually decreased resulting in the reduced Civic Art Fund allocation as the allocation only applies to the aboveground portion of the project.

ENVIRONMENTAL DOCUMENTATION

On May 26, 2015, the Board, acting as the governing board of the Los Angeles County Flood Control District, certified the Final PEIR (State Clearinghouse No. 2014081106) for the District Enhanced Watershed Management Programs, pursuant to the California Environmental Quality Act (CEQA). The PEIR analyzed the general effects due to the structural and nonstructural best management practices identified in the Enhanced Watershed Management Plans.

On October 4, 2022, the Board certified the Addendum to the previously certified PEIR for the Monteith Park Stormwater Capture Project in compliance with CEQA, which reflected the independent judgment and analysis of the County.

The current recommended actions are within the scope of the project impacts analyzed in the previously certified Addendum and PEIR. There have been no changes to the project or to the circumstances under which the project is undertaken that require a subsequent or supplemental Environmental Impact Report under CEQA.

CONTRACTING PROCESS

Advertising for construction bids was in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements.

In accordance with the Board's consolidated Local and Targeted Worker Hire Policy, the contract documents required that at least 30 percent of the total California craft worker hours for construction of the project be performed by Local Residents and at least 10 percent be performed by Targeted Workers facing employment barriers.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project was listed on both the County's "Doing Business with the County" and "Public Works Business Opportunities" websites for open bids.

On December 1, 2022, six bids were received. The apparent low bidder, Environmental Construction, Inc., withdrew their bid on December 2, 2022, due to clerical errors in accordance with Section 5103 of the Public Contract Code. Consequently, Clarke Contracting Corporation was determined to be the apparent lowest responsive and responsible bidder with a bid price of \$7,298,395.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

During implementation of the improvements, Monteith Park and the alley located between Victoria Avenue and Crenshaw Boulevard, north of Mount Vernon Drive, will be closed to the public. Parking for construction personnel would occur along the street, adjacent to the work sites. Temporary lane closures would occur along the perimeter of the project site for the delivery of equipment and materials, and trench construction within the adjacent streets and alley. Trench construction will limit access to some residential driveways during working hours; however, full access will be provided all other times. Monteith Park will be closed to the community for a duration of 12 months during construction.

CONCLUSION

Please return one adopted copy of this Board letter to Public Works, Project Management Division III.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mark Pestrella".

MARK PESTRELLA, PE
Director

MP:RLG:dw

Enclosures

c: Department of Arts and Culture
Auditor-Controller
Chief Executive Office (Alex Bajarias)
County Counsel
Executive Office
Internal Services Department
Department of Parks and Recreation
Department of Public Social Services
(GAIN/GROW Program)

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BOARD OF SUPERVISORS

OFFICIAL COPY

June 06, 2023

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

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 HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE

FY 2022-23

3 - VOTES

SOURCES		USES	
STORMWATER PROJECTS HASLEY CANYON PARK STORMWATER CAPTURE A01-CP-6014-65075-69814 CAPITAL ASSETS - B & I DECREASE APPROPRIATION		STORMWATER PROJECTS MONTEITH PARK STORMWATER CAPTURE PROJECT UAS A01-CP-6014-65075-69813 CAPITAL ASSETS - B & I INCREASE APPROPRIATION	
2,060,000		2,060,000	
SOURCES TOTAL		USES TOTAL	
\$ 2,060,000		\$ 2,060,000	

JUSTIFICATION

Reflects the transfer of \$2,060,000 from the Hasley Canyon Park Stormwater Capture project, Capital Project No. 69814, to the Monteith Park Stormwater Capture Project UAS, Capital Project No. 69813, to fully fund the project.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#84 June 6, 2023

Amir Alam

Digitally signed by Amir Alam
Date: 2023.03.29 16:40:11 -07'00'

AUTHORIZED SIGNATURE

AMIR ALAM, MANAGER, CEO

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

CELIA ZAVALA
EXECUTIVE OFFICER

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR---

☐ ACTION

☒ RECOMMENDATION
Digitally signed by Lan Sam
Date: 2023.03.30 10:03:24 -07'00'

AUDITOR-CONTROLLER

B.A. NO. 194

DATE 3/30/23

☒ APPROVED AS REQUESTED

☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

Matthew J. Diaz
Digitally signed by Matthew J. Diaz
Date: 2023.03.30 12:15:12 -07'00'

DATE 3/30/23