



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

April 09, 2024

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

61 APRIL 09, 2024

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT
TRANSPORTATION CORE SERVICE AREA
ADOPT, ADVERTISE, AND AWARD
PROJECT ID NO. TGR000019
MALIBU CANYON ROAD NORTH OF MILE MARKER 2.32 - GUARDRAIL PROJECT
IN THE UNINCORPORATED COUNTY AREA NORTH OF THE CITY OF MALIBU
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to adopt plans and specifications, advertise for construction bids, and award and execute a construction contract for the Malibu Canyon Road North of Mile Marker 2.32 - Guardrail Project in the unincorporated County area north of the City of Malibu.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act, for the reasons stated in this Board letter and in the record of the project.
2. Approve the project and adopt the plans and specifications that are on file with Public Works Project Management Division III for the Malibu Canyon Road North of Mile Marker 2.32 - Guardrail Project at an estimated construction contract cost between \$750,000 and \$1,125,000.
3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement that are to be received before 11 a.m. on May 14, 2024, in accordance with the Notice Inviting Bids.

4. Find pursuant to State Public Contract Code, Section 3400 (c) (1-4), that it is necessary to specify designated items by specific brand name in order to comply with California Department of Transportation authorized materials list for guardrail and to match other products in use on a particular public improvement either completed or in the course of completion.
5. Delegate authority to the Director of Public Works or his 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 responsive bid.
6. Delegate authority to the Director of Public Works or his designee to award and execute a construction contract for the Malibu Canyon Road North of Mile Marker 2.32 - Guardrail Project with the responsible contractor with the lowest responsive bid within or less than the estimated cost range of \$750,000 and \$1,125,000, or that exceeds the estimated cost range by no more than 15 percent, if additional and appropriate funds have been identified.
7. Delegate to the Director of Public Works or his designee the following authority in connection with this contract: (a) extend the date and time for the receipt of bids consistent with the requirements of State Public Contract Code, Section 4104.5; (b) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in State Public Contract Code, Sections 4100 et seq. and 5100 et seq., respectively; (c) approve and execute change orders within the same monetary limits delegated to the Director of Public Works or his designee under Section 2.18.050 of the Los Angeles County Code; (d) accept the project upon its final completion; and (e) release retention money withheld consistent with the requirements of State Public Contract Code, Sections 7107 and 9203.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find that the project is exempt from the California Environmental Quality Act (CEQA) and allow Public Works to install new guardrails to improve roadway safety for the users of the roadway.

In prior years, Public Works has worked on numerous guardrail projects to increase public safety. There is a steep embankment along Malibu Canyon Road, and the installation of guardrail may reduce the occurrence of an errant vehicle running off the road and dissipate energy from collisions in some cases. The proposed project will install about 1,240 feet of guardrail on Malibu Canyon Road between Mile Markers 1.86 and 2.32, which is approximately one mile north of Francisco Ranch Road (see Enclosure A).

The work is anticipated to start in August 2024 and be completed by January 2025.

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, and Objective II.2.4, Promote Active and Healthy Lifestyles; and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, Objective III.3.2, Manage and Maximize County Assets, by supporting ongoing efforts to encourage the use of alternate modes of transportation and manage and improve public infrastructure assets.

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 \$750,000 and \$1,125,000 with a maximum construction contract cost to be 15 percent above this range. The total project cost is estimated to be \$1,850,000. In addition to the construction contract cost, the total project cost includes the interim installation of K rail, preparation of plans and specifications, construction engineering, inspection, contract administration, change order contingency, environmental compliance, survey, utility clearance, and other County services. The project is located entirely within the unincorporated County areas in the Third Supervisorial District.

The project will be funded using the State of California Road Maintenance and Rehabilitation Account Funds allocated to the County under the Road Repair and Accountability Act of 2017, Senate Bill 1. Funding for this project is included in the Road Fund (B03-Capital Assets – Infrastructure and B03 – Services and Supplies) Fiscal Year 2023-24 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project will be advertised in accordance with Section 20392 of the State Public Contract Code.

State Public Contract Code Section 3400 allows a product to be designated by specific brand name for several purposes, two of which are to comply with California Department of Transportation authorized materials list for guardrail and to match other products in use on a particular public improvement either completed or in the course of completion, if the awarding authority makes a finding and language is included in the Notice Inviting Bids. The Notice Inviting Bids includes language describing this finding.

A list of specific brand names and qualified purposes in accordance with the State Public Contract Code is provided in Enclosure B.

The contract award will comply with applicable Federal and State requirements and Board policies and mandates. The contract documents will require the contractor to comply with these same requirements, policies, and mandates. The construction contract will be in the form previously reviewed and approved by County Counsel.

As required by Board Policy No. 5.140, information such as defaulted contracts with the County, complaints filed with the Contractors State License Board, labor violations, and debarment actions will be considered before a contract is awarded.

Documents related to award of this contract will be available at Los Angeles County Public Works, Project Management Division III, 900 South Fremont Avenue, 8th Floor, Alhambra, CA 91803.

ENVIRONMENTAL DOCUMENTATION

The proposed project is exempt from CEQA. The project to install new guardrail is within a class of projects that have been determined not to have a significant effect on the environment and which meets the criteria set forth in Section 15301 (c) of the State CEQA Guidelines and Class 1 (x) Subsections 14, 17, and 22 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. In addition, based on the proposed project records, the project will comply with all applicable regulations, and there are no cumulative impacts; unusual circumstances; damage to scenic highways; listing on hazardous waste site lists compiled pursuant to Government Code, Section 65962.5; or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

CONTRACTING PROCESS

In accordance with the Board's consolidated Local and Targeted Worker Hire Policy, the contract documents will include a best-efforts goal that at least 30 percent of the total California craft worker hours for construction of the project be performed by Local Residents. The "Targeted Worker" component will not be included as part of the project.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Los Angeles County" and "Do Business with Public Works" websites for open bids:

<https://lacounty.gov/business/doing-business-with-la-county/>

<http://pw.lacounty.gov/general/contracts/opportunities>

Also, the contract solicitation will be advertised through web-based and social media platforms, including X (formally Twitter).

In addition, in order to increase opportunities for small businesses, Public Works will be coordinating with the Office of Small Business at the Department of Economic Opportunity to maximize outreach, as well as offering preferences to Local Small Business Enterprises, Social Enterprises, and Disabled Veteran Business Enterprises in compliance with Los Angeles County Code, Chapters 2.204, 2.205, and 2.211.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by improving roadway safety and the aesthetic appeal of the unincorporated community of Malibu, which will enhance the quality of life for community residents.

CONCLUSION

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is written in a cursive, flowing style.

MARK PESTRELLA, PE

Director

MP:RLG:ja

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

MALIBU CANYON ROAD NORTH OF MILE MARKER 2.32 - GUARDRAIL PROJECT
PROJECT ID NO. TGR0000019



**PROJECT NAME: MALIBU CANYON ROAD NORTH OF MILE MARKER 2.32 –
GUARDRAIL PROJECT**

PROJECT ID NO.: TGR0000019

List of specific brand names in accordance with State Public Contract Code Section 3400

	<u>Item/Category</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Public Contract Code 3400 Justification*</u>	<u>Detailed Justification</u>
1.	Guardrail End Treatment	Road Systems, Inc.	Type MSKT-SP-MGS	(3)	In order to obtain a necessary item that is only available from one source. The item is from the California Department of Transportation’s authorized materials list for guardrail.
2.	Steel Galvanized Surface Colorant	Natina Products, LCC	Natina Steel	(2)	In order to match other products in use on County facilities either completed or in the course of completion.

*(1) In order that a field test or experiment may be made to determine the product’s suitability for future use. (2) In order to match other products in use on a particular public improvement either completed or in the course of completion. (3) In order to obtain a necessary item that is only available from one source. (4) (A) In order to respond to an emergency declared by a local agency, but only if the declaration is approved by a four-fifths vote of the governing board of the local agency issuing the Invitation for Bid or Request for Proposals. (B) In order to respond to an emergency declared by the State, a State agency, or political subdivision of the State, but only if the facts setting forth the reasons for the finding of the emergency are contained in the public records of the authority issuing the invitation for bid or request for proposals.