



MARK PESTRELLA, Director

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

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

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P.O. BOX 1460  
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IN REPLY PLEASE  
REFER TO FILE

September 10, 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

64 September 10, 2024

EDWARD YEN  
EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT  
WATER RESOURCES CORE SERVICE AREA  
MARINA DEL REY BACK BASINS STORMWATER IMPROVEMENTS PROJECT  
IN THE UNINCORPORATED COMMUNITY OF MARINA DEL REY  
APPROVE CAPITAL PROJECT AND BUDGET  
APPROVE APPROPRIATION ADJUSTMENT  
ADOPT, ADVERTISE, AND AWARD  
CAPITAL PROJECT NO. 69881, PROJECT ID NO. SWQ0000032  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to adopt plans and specifications, advertise for construction bids, establish and approve Capital Project No. 69881, approve the proposed project budget and related appropriation adjustment, and award and execute a construction contract for the Marina del Rey Back Basins Stormwater Improvements Project in the unincorporated community of Marina del Rey.

**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. Establish and approve the Marina del Rey Back Basins Stormwater Improvements Project, Capital Project No. 69881, with a total project budget of \$4,134,000.

3. Approve the appropriation adjustment to transfer \$1,024,000 from the Unincorporated Area Stormwater Quality Improvements, Capital Project No. 87195, to fully fund the proposed Marina del Rey Back Basins Stormwater Improvements Project, Capital Project No. 69881.
4. Adopt the plans and specifications that are on file with Public Works Project Management Division III for the Marina del Rey Back Basins Stormwater Improvements Project, Capital Project No. 69881.
5. Instruct the Executive Officer of the Board 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 October 16, 2024, in accordance with the Notice Inviting Bids.
6. Find pursuant to State Public Contract Code, Section 3400 (c) (2) and (3) that it is necessary to specify designated items by specific brand name in order to match other products in use on a particular public improvement either completed or in the course of completion, and to obtain a necessary item that is only available from one source.
7. 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; waive inconsequential and nonmaterial deficiencies in bids submitted; and to determine, in accordance with applicable contract and bid documents, whether the apparent lowest responsive and responsible bidder has satisfied all conditions for contract award.
8. Delegate authority to the Director of Public Works or his designee to award and execute a construction contract, in the form previously approved by County Counsel, for the Marina del Rey Back Basins Stormwater Improvements Project to the responsible contractor with the lowest responsive bid within the approved total budget.
9. 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**

The purpose of the recommended actions is to find the proposed Marina del Rey Back Basins Stormwater Improvements Project is exempt from the California Environmental Quality Act (CEQA) and allow Public Works to construct stormwater filtration Best Management Practices (BMPs) at existing storm drains located within Marina del Rey.

The proposed project is located within the unincorporated community of Marina del Rey and comprised of four separate work areas: (1) within the public street intersection of Admiralty Way and Palawan Way; (2) within the County-owned parking lot leased to Tony P's Dockside Grill at 4445 Admiralty Way; (3) within the parking lot of the Los Angeles County Lloyd Taber Library at 4533 Admiralty Way; and (4) within the County owned parking lot leased to Marina Del Rey Hotel at 13534

Bali Way (see Enclosure A). The proposed improvements will involve modifying existing local storm drains with the construction of new diversion manholes, conveyance pipes, precast concrete vaults, and stormwater filtration BMPs. These BMPs will help treat stormwater runoff and prevent pollutants from entering the Marina del Rey harbor.

In accordance with the Los Angeles Regional Water Quality Control Board's Los Angeles Regional Phase I Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for Municipal Separate Storm Sewer System (MS4), the County is a responsible party for the Total Maximum Daily Load (TMDL) of bacteria and toxic pollutants within the Marina del Rey watershed. The current deadline for the County to meet the TMDLs is July 15, 2024. Public Works is working with the Los Angeles Regional Water Quality Control Board to fulfill compliance with the TMDL requirements.

The work is anticipated to start in the first quarter of 2025 and be completed in the third quarter of 2025.

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

These recommendations support the County Strategic Plan: North Star 2, Foster Vibrant and Resilient Communities, Focus Area Goal D, Sustainability, Strategies i & iv, Climate Health and Environmental Justice by improving public infrastructure assets that support the quality of life of Los Angeles County residents.

### **FISCAL IMPACT/FINANCING**

The total project cost is estimated to be \$4,134,000, including the preparation of plans and specifications, jurisdictional approvals, construction engineering, inspection, contract administration, construction contract cost, change order contingency, environmental compliance, and other County services (see Enclosure B). Approval of the appropriation adjustment will transfer \$1,024,000 from the Unincorporated Area Stormwater Quality Improvements, Capital Project No. 87195, to the Marina del Rey Back Basins Stormwater Improvements Project, Capital Project No. 69881 (see Enclosure C), to fund the proposed project.

Upon approval of the appropriation adjustment, the revised project budget will include sufficient appropriation to fund the total project cost of \$4,134,000 funded by net County cost allocated for Unincorporated Area Stormwater Quality Improvements.

The County will be responsible for the operation and maintenance of the proposed water quality improvements. Public Works will work with the Chief Executive Office to determine the appropriate level of funding and, if necessary, would request additional ongoing funds in a future budget request.

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

The MS4 Permit requires the identification of control measures, strategies, and BMPs within the watershed with the goal of creating an efficient program to focus resources on the watershed priorities. The project is required to help the County address attainment of the TMDL pollutant reductions necessary for meeting the MS4 Permit requirements.

The proposed project will be advertised in accordance with Section 20125 of the California Public Contract Code.

California Public Contract Code Section 3400 (c) (2) and (3) allows a product to be designated by specific brand name for the following purposes: (a) in order to match other products in use on a completed public improvement, and (b) to obtain a necessary item that is only available from one source. The Notice Inviting Bids includes language describing this finding.

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

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

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

Documents related to the proposed 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.

In accordance with Board Policy 5.270, Countywide Local and Targeted Worker Hiring, the proposed project will require that at least 30 percent of the California construction labor hours be performed by qualified Local Residents and at least 10 percent be performed by Targeted Workers facing employment barriers. The project would also include a jobs coordinator who will facilitate the implementation of the targeted hiring requirement of the policy.

In accordance with the Board's Civic Art Policy, adopted on December 7, 2004, and amended on August 4, 2020, the proposed project is exempt from the Civic Art Allocation as it consists of improvements related to streets, paving, and underground infrastructure.

## **ENVIRONMENTAL DOCUMENTATION**

The proposed project is exempt from CEQA. The project to modify existing storm drains with the construction of new diversion manholes, pipes, precast concrete vaults, and stormwater filtration BMPs at four locations, is within certain classes 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 (b); Section 15302 (c); Section 15303 (d); and Section 15304 (f) of the State CEQA Guidelines and Class 1 (e) and (x) Subsections 14 and 17; Class 2 (a); Class 3 (b) and (q); and Class 4 (k) of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines, Appendix G. The project involves minor alterations of existing publicly-owned facilities that do not involve the removal of healthy, mature, or scenic trees. In addition, based on the proposed project records, it will comply with all applicable regulations, it is not in a sensitive environment, 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.

Upon the Board's approval of the project, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk and with the State Clearinghouse at the Office of Planning and Research in accordance with Section 21152 of the California Public Resources Code and will post the notice to the County's website in accordance with Section 21092.2.

### **CONTRACTING PROCESS**

Advertising for construction bids will be 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 will require 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 will be listed on both the County's "Doing Business with Los Angeles County" and "Public Works Business Opportunities" websites for open bids:

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

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

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, in compliance with Los Angeles County Code, Chapter 2.204.

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)**

Temporary traffic lane closures are required at the intersection of Admiralty Way and Palawan Way for the work at this location. These closures will temporarily reduce the capacity of roadways and could result in some traffic delays; however, the effects will be short-term. Public Works will monitor the traffic and take any necessary actions to alleviate the traffic delays. There will be no significant impact on current County services or projects during the performance of the proposed activities.

Approximately 15 parking spaces at the Los Angeles County Lloyd Taber Library parking lot will be temporarily blocked off during construction; however, temporary library parking will be provided in Marina Public Parking Lot No. 5. Approximately 32 parking spaces within Marina Public Parking Lot No. 5 will be closed off to the public for a contractor's staging area during construction.

**CONCLUSION**

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

Respectfully submitted,



MARK PESTRELLA, PE

Director

MP:JWA:ja

Enclosures

- c: Department of Arts and Culture (Civic Art Division)
- Auditor-Controller
- Chief Executive Office (Susana Graether)
- County Counsel
- Executive Office
- Internal Services Department
- Department of Public Social Services (GAIN/GROW Program)

MARINA DEL REY BACK BASINS STORMWATER IMPROVEMENTS PROJECT  
CAPITAL PROJECT NO. 69881, PROJECT ID NO. SWQ0000032



**CONSTRUCTION CONTRACT  
WATER RESOURCES CORE SERVICE AREA  
MARINA DEL REY BACK BASINS STORMWATER IMPROVEMENTS PROJECT  
IN THE UNINCORPORATED COMMUNITY OF MARINA DEL REY  
APPROVE CAPITAL PROJECT AND BUDGET  
APPROVE APPROPRIATION ADJUSTMENT  
ADOPT, ADVERTISE, AND AWARD  
CAPITAL PROJECT NO. 69881, PROJECT ID NO. SWQ0000032  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**I. PROJECT SCHEDULE**

Project Activity	Scheduled Completion Date
Construction Documents	10/17/2023*
Jurisdictional Approvals	11/1/2023*
Construction Award	11/4/2024
Construction Start	3/27/2025
Substantial Completion	8/1/2025
Project Acceptance	9/15/2025

\*Actual Completion Date

**II. PROJECT BUDGET SUMMARY**

Project Activity	Proposed Budget
Construction	\$2,035,000
Civic Art	\$ 0
Plans and Specifications	\$ 575,000
Consultant Services	\$ 569,000
Miscellaneous Expenditures	\$ 12,000
Jurisdictional Review/Plan Check/Permits	\$ 43,000
County Services	\$ 900,000
<b>TOTAL</b>	<b>\$4,134,000</b>



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BA FORM 10142022

BOARD OF SUPERVISORS  
OFFICIAL COPY

September 10, 2024

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 2024-25**  
**3 - VOTES**

**SOURCES**

**USES**

STORMWATER PROJECTS  
UA STORMWATER QUALITY IMPROVEMENTS  
A01-CP-6014-65075-87195  
CAPITAL ASSETS - B & I  
**DECREASE APPROPRIATION**

**1,024,000**

STORMWATER PROJECTS  
MARINA DEL REY BACK BASINS STORMWATER IMPROVEMENTS PROJECT  
A01-CP-6014-65075-69881  
CAPITAL ASSETS - B & I  
**INCREASE APPROPRIATION**

**1,024,000**

**SOURCES TOTAL** \$ 1,024,000

**USES TOTAL** \$ 1,024,000

**JUSTIFICATION**

Reflects the transfer of \$1,024,000 from the Unincorporated Area (UA) Stormwater Quality Improvements, Capital Project No. 87195, to the Marina Del Rey Back Basins Stormwater Improvements project, Capital Project No. 69881, to fully fund the project.

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

**James Yun**

Digitally signed by James Yun  
Date: 2024.08.29 10:44:35  
-07'00'

**AUTHORIZED SIGNATURE**

**JAMES YUN, MANAGER, CEO**

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

64 September 10, 2024

*Edward Yen*  
EDWARD YEN  
EXECUTIVE OFFICER

REFERRED TO THE CHIEF  
EXECUTIVE OFFICER FOR---

ACTION

RECOMMENDATION  
Digitally signed by  
Andrea Turner  
Date: 2024.08.29  
11:10:45 -07'00'

AUDITOR-CONTROLLER

BY

**Turner**

B.A. NO. 020

DATE 8/29/24

APPROVED AS REQUESTED

APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

**Amir Alam**

BY

Digitally signed by  
Amir Alam  
Date: 2024.08.29  
11:27:32 -07'00'

DATE 8/29/24

**PROJECT NAME: MARINA DEL REY BACK BASINS STORMWATER IMPROVEMENTS PROJECT**

**PROJECT ID NO.: SWQ0000032**

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

<b><u>Item/Category</u></b>	<b><u>Manufacturer</u></b>	<b><u>Model</u></b>	<b><u>PCC 3400 Justification*</u></b>	<b><u>Detailed Justification</u></b>
Frame and Lids/Metal Fabrication	Neenah Foundry	6662T24	(2), (3)	The proposed frame and lids have been custom manufactured by Neenah Foundry for Los Angeles County Public Works and are in use on facilities either completed, or about to be completed, in Los Angeles County. The included features are not available through any other steel foundries.

\*California Public Contract Code Section 3400 (c) permits designation by a specific brand or trade name under any of the following circumstances providing the required finding is made and described in the Invitation for Bids: (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.