



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

February 04, 2025

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:

**CONSTRUCTION-RELATED CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
HALL OF RECORDS  
FIRE SPRINKLER SYSTEM INSTALLATION PROJECT  
AWARD CONSTRUCTION MANAGER AT RISK AGREEMENT  
AUTHORIZE EQUIPMENT PROCUREMENT  
SPECS. 7803; CAPITAL PROJECT NO. 87753  
FISCAL YEAR 2024-25  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to award a Construction Manager at Risk Preconstruction and Construction Services Agreement for the preconstruction phase services.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the recommended actions related to the approved Hall of Records Fire Sprinkler Installation Project are within the scope of the previous finding of exemption from the California Environmental Quality Act for the reasons stated in the Board letter and in the record of the approved project.
2. Award and authorize the Director of Public Works or his designee to execute a Construction Manager at Risk Preconstruction and Construction Services Agreement with Bernard Bros., Inc., for the Hall of Records Fire Sprinkler System Installation Project for the maximum contract sum of \$427,639 to proceed with the preconstruction phase services until final determination of the

recommended Guaranteed Maximum Price. Sufficient appropriation is available in the Fiscal Year 2024-25 Capital Projects/Refurbishment Budget under Capital Project No. 87753 to fund the award of the agreement.

3. Delegate authority to the Director of Public Works or his designee to supplement the maximum contract sum of \$427,639 for the Construction Manager at Risk Preconstruction and Construction Services Agreement by up to 25 percent of the contract amount for the preconstruction phase services.

4. Authorize the Internal Services Department, as the County's Purchasing Agent, to solicit for the acquisition of long-lead electrical and mechanical equipment for the Hall of Records Fire Sprinkler System Installation Project for a not to exceed amount of \$2,200,000.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find the Hall of Records Fire Sprinkler System Installation Project is within the scope of the previous finding of exemption under the California Environmental Quality Act (CEQA); award a Construction Manager at Risk (CMAR) Preconstruction and Construction Services Agreement for the preconstruction phase services; and authorize the Internal Services Department to procure the long lead electrical and mechanical equipment for the project.

#### **Project Background and Description**

The Hall of Records (HOR) is located at 320 West Temple Street, Los Angeles, CA 90012, in the Los Angeles Downtown Civic Center. The HOR is a 15-story high-rise building originally built in 1962, which houses various County departments that provide critical public services. The building's existing fire sprinkler system does not provide full building coverage and needs repair and improvements to meet current code requirements.

On November 30, 2021, the Board approved the project with a preliminary budget of \$12,600,000 as part of the ongoing Facility Reinvestment Program to address the high priority deficiency noted above as identified in the County's Strategic Asset Management database. On February 7, 2023, the Board approved a preliminary total project cost estimate of \$14,800,000. The project will consist of repairing and expanding the fire sprinkler system to provide full building coverage, including replacing and installing wet pipe fire sprinkler and standpipe systems, fire water pumps, a high-capacity fire water storage tank, and all associated piping and fire alarm tie-in connections; installing a backup power supply generator to serve the fire sprinkler system equipment; providing a central fire command center for responders use within the First Floor of the building; and improving the building main electrical service to accommodate the additional power requirements for the expanded building fire sprinkler system.

Public Works is proceeding with the design effort using one of its on-call consultants, Sparano Mooney Architects, which is anticipated to be completed in August 2025.

As part of the ongoing design effort, the full selection is being made for the required electrical and mechanical equipment that has a long-lead time due to ongoing supply chain issues in the construction industry. Approval of the recommended actions will authorize ISD, as the County's Purchasing Agent, to solicit for the acquisition of the long lead equipment needed for the project at

an estimated value of \$2,200,000, including two fire water pumps, one fire water storage tank, three electrical main service panels, and an emergency power generator. All the long-lead equipment will be installed as part of the future CMAR construction phase for the project.

### Recommended Construction Manager at Risk Agreement

Public Works recommends that the project be carried out using the CMAR delivery method in accordance with State Public Contract Code Section 20146. In this delivery method, the CMAR contractor acts as a consultant to the County for the project development and design (preconstruction phase) but assumes the risk for construction performance as a general contractor holding all trade subcontracts during the construction phase. The CMAR contractor provides the preconstruction phase services at a fixed fee. This delivery method is particularly suitable for large and complex projects requiring intense contractor participation throughout development of the design and preparation of the construction documents in the preconstruction phase. During the preconstruction phase, the CMAR contractor will provide cost estimating, scheduling, planning, value engineering, and design-assist services for the County's project architectural/engineering team.

The preconstruction phase services will conclude with the CMAR contractor providing a Guaranteed Maximum Price (GMP) for carrying out the full scope of construction for the project. The GMP will be based on actual direct construction cost (open book accounting) plus a preagreed fee percentage submitted during the Request for Proposals (RFP). In the construction phase, the CMAR contractor assumes the risk for construction performance as a general contractor holding all trade subcontracts.

Public Works anticipates completing the CMAR preconstruction phase in August 2025. If after negotiations, Public Works is satisfied that the GMP is reasonable and technically and financially viable, Public Works will return to the Board at that time for approval to proceed with the CMAR construction phase of the project.

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

These recommendations support the County Strategic Plan: North Star 3, Realize Tomorrow's Government Today, Focus Area Goal F, Flexible and Efficient Infrastructure, Strategy ii, Modernize Infrastructure, by renovating and modernizing public infrastructure assets that will improve the operational effectiveness of existing County assets.

### **FISCAL IMPACT/FINANCING**

The recommended CMAR agreement for preconstruction phase services with Bernards Bros., Inc., is for a maximum contract sum of \$427,639.

There is sufficient appropriation available in the HOR Fire Sprinkler System Installation Project, Capital Project No. 87753, to fully fund the recommended CMAR agreement for preconstruction phase services, the equipment procurement, and associated County costs.

The preliminary total project cost estimate is between \$40,000,000 and \$45,000,000. Public Works will work with Sparano Mooney and Bernards in the preconstruction phase to finalize the design and validate the construction cost estimate and schedule. After completion of the preconstruction phase, Public Works will work with the Chief Executive Office to identify funding within the Facility Reinvestment Program to fully fund the project and return to the Board for approval of the total project budget and the construction phase under the CMAR agreement.

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

In accordance with the Board's Civic Art Policy amended on August 4, 2020, the total project budget that will be submitted to the Board for approval after completion of the CMAR preconstruction phase will include 1 percent of the eligible design and construction costs for the Civic Art Allocation.

The project will support the Board's policy for Green Building/Sustainable Design Program by incorporating energy efficient equipment that is expected to greatly conserve water and energy use.

A CMAR agreement, in a form previously approved by County Counsel, will be used. The agreement contains terms and conditions supporting the Board's ordinances and policies and includes provisions requiring the consultant to track subcontractor's utilization of Local Small Business Enterprise, Disabled Veterans Business Enterprise, and Social Enterprise Businesses.

The term of the CMAR agreement shall commence on the date of the full execution of the contract and will continue for the duration of the project. The initial Notice to Proceed will be for the preconstruction phase only from the date of full execution of the contract until final determination of the recommended GMP. Enclosure A reflects the Community Business Enterprises participation data, and Enclosure B reflects the CMAR's minority participation data.

## **ENVIRONMENTAL DOCUMENTATION**

On November 30, 2021, the Board approved and found the project exempt from CEQA since it consists of repairs and upgrades to the building's fire sprinkler system and is within certain classes of projects that have been determined not to have a significant effect on the environment. The project meets the criteria set forth in Sections 15301 (a), (d), and (l); 15302 (b) and (c); and 15303 of the State CEQA Guidelines, and Classes 1 (c), (d), (h), (j), (l), and (m); 2 (a), (b), and (e); and 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The project provides for repair, refurbishment, and alterations of existing facilities and installation of new equipment involving negligible or no expansion of an existing use and where replacement features will have the same purpose and capacity. The currently recommended actions are within the scope of the previous finding of exemption, and there have been no changes that require further findings under CEQA.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the California Public Resources Code and will post the notice to its website in accordance with Section 21092.2.

## **CONTRACTING PROCESS**

On April 15, 2024, Public Works issued an RFP for CMAR services. The RFP was advertised on the County's "Doing Business with Us" and Public Works "Contract Opportunities" websites, and advertisements were placed in the Los Angeles Daily Journal, Los Angeles Sentinel, La Opinión, Santa Monica Daily Press, Daily Breeze, The Signal, and San Gabriel Valley Tribune newspapers. Also, Public Works informed 1,277 local small business enterprises; 145 disabled-veteran owned business enterprises; and 147 social enterprises about this business opportunity. Twelve firms registered on the Public Works website for this RFP.

On July 18, 2024, three firms submitted proposals. An evaluation committee, consisting of Chief Executive Office, District Attorney, and Public Works staff evaluated the proposals based on criteria described in the RFP, including technical response, experience, personnel, qualifications, demonstrated competence, understanding of the work requirements, and price. Based on the evaluation of the proposals, Bernards was selected without regard to race, creed, color, or gender as the best value firm to provide the required services. Public Works has determined that the firm's proposed rates for performing the services are reasonable. The three-year contracting history for the selected firm is on file with Public Works.

Public Works has evaluated and determined that the Los Angeles County Code Chapter 2.201 (Living Wage Program) does not apply to the recommended agreement. The agreement is exempt from the requirements of Proposition A because the services are required on a part time and intermittent basis.

The procurement of long-lead equipment is under the statutory authority of the County Purchasing Agent and will be accomplished in accordance with the County's purchasing policies and procedures.

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

Approval of the recommended actions will have no impact on current County services or projects. The HOR will remain operational and open to the public during the repair work. Public Works will coordinate with each of the affected tenant departments and the contractor to phase and schedule the work to minimize disruption to facility operations and to maintain public access. If a location must close for a limited or extended duration, planning and coordination will be done with impacted departments to assist in collocating or consolidating to alternate locations.

**CONCLUSION**

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

Respectfully submitted,



MARK PESTRELLA, PE  
Director

MP:HA:sl

Enclosures

c: Arts and Culture (Civic Art Division)  
Chief Executive Office (Capital Programs  
Division)  
County Counsel  
Executive Office, Board of Supervisors  
Internal Services

**PROPOSERS' UTILIZATION PARTICIPATION AND COMMUNITY BUSINESS ENTERPRISE PROGRAM  
INFORMATION FOR CONSTRUCTION MANAGER AT RISK PRE-CONSTRUCTION AND CONSTRUCTION SERVICES  
FOR THE LOS ANGELES COUNTY  
HALL OF RECORDS FIRE SPRINKLER SYSTEM INSTALLATION PROJECT  
RFP NUMBER: BRC0000504**

**SELECTED FIRM**

	<b>Proposer Name (Prime with subcontractors* listed below) *only subcontractors with Utilization Participation are listed.</b>	<b>Local Small Business Enterprise (SBE)</b>	<b>Small Business Enterprise (SBE)</b>	<b>Minority</b>	<b>Women-Owned</b>	<b>Disadvantaged Business</b>	<b>Disabled Veteran Business Enterprise</b>	<b>Social Enterprise</b>	<b>Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning-Owned Business Enterprise</b>
1	Bernards Bros Inc.	NA	NA	NA	NA	NA	NA	NA	NA
2	XL Fire Protection Company	NA	NA	NA	NA	NA	NA	NA	NA
3	Taft Electric Company	NA	NA	NA	NA	NA	NA	NA	NA
4	Northstar Contracting Group, Inc.	NA	NA	NA	NA	NA	NA	NA	NA

**NON-SELECTED FIRMS**

	<b>Proposer Name</b>	<b>Local Small Business Enterprise (SBE)</b>	<b>Small Business Enterprise (SBE)</b>	<b>Minority</b>	<b>Women-Owned</b>	<b>Disadvantaged Business</b>	<b>Disabled Veteran Business Enterprise</b>	<b>Social Enterprise</b>	<b>Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning-Owned Business Enterprise</b>
1	Gilbane Building Company	NA	NA	NA	NA	NA	NA	NA	NA
2	Plant Construction Company	NA	NA	NA	NA	NA	NA	NA	NA

\*Information provided by proposers in response to the Request for Proposal. On final analysis and consideration of award, vendors were selected without regard to race, creed, gender, or color.

**PROPOSERS' MINORITY PARTICIPATION INFORMATION FOR CONSTRUCTION  
MANAGER AT RISK PRE-CONSTRUCTION AND CONSTRUCTION SERVICES FOR THE  
LOS ANGELES COUNTY  
HALL OF RECORDS FIRE SPRINKLER SYSTEM INSTALLATION PROJECT  
RFP NUMBER: BRC0000504**

<b>FIRM INFORMATION*</b>		Bernard Bros Inc.
<b>BUSINESS STRUCTURE</b>		Corporation
<b>CULTURAL/ETHNIC COMPOSITION</b>		<b>NUMBER</b>
<b>OWNERS/PARTNERS</b>	Black/African American	14
	Hispanic/Latino	112
	Asian or Pacific Islander	49
	American Indian	2
	Filipino	NA
	White	161
	<i>Female (included above)</i>	84
<b>MANAGERS</b>	Black/African American	NA
	Hispanic/Latino	NA
	Asian or Pacific Islander	NA
	American Indian	NA
	Filipino	NA
	White	NA
	<i>Female (included above)</i>	NA
<b>STAFF</b>	Black/African American	NA
	Hispanic/Latino	NA
	Asian or Pacific Islander	NA
	American Indian	NA
	Filipino	NA
	White	NA
	<i>Female (included above)</i>	NA
<b>Total No. of Employees*</b>		370

\*Managers and Staff numbers are the breakdown of the Owners/Partners/Associate Partners numbers

<b>COUNTY CERTIFICATION</b>	
CBE	N/A
LSBE	N/A
<b>OTHER CERTIFYING AGENCY</b>	N/A

\*Information provided by proposers in response to the Request for Proposal. On final analysis and consideration of award, vendors were selected without regard to race, creed, gender, or color.