



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

May 06, 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:

**AWARD CONSTRUCTION CONTRACT
TRANSPORTATION CORE SERVICE AREA
PROJECT ID NO. RDC0016498
BIG PINES HIGHWAY, ET AL. – GUARDRAIL REPLACEMENT ON-SYSTEM
(2020 BOBCAT FIRE)
IN THE UNINCORPORATED COMMUNITIES OF JUNIPER HILLS AND
LITTLEROCK/LLANO
(SUPERVISORIAL DISTRICT 5)
(3-VOTES)**

SUBJECT

Public Works is seeking Board approval to award and execute a construction contract to Access Pacific, Inc., for the Big Pines Highway, et al. - Guardrail Replacement On-System (2020 Bobcat Fire) project in the unincorporated communities of Juniper Hills and Littlerock/Llano.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the recommended actions are within the scope of a previous exemption from the provisions of the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the approved project.
2. Find the apparent lowest bid submitted by Aguilar & Calderon Corporation, to be nonresponsive for failure to demonstrate adequate efforts to meet the Disadvantage Business Enterprise goal of the project, as required in the bid documents.
3. Award and authorize the Director of Public Works, acting as Road Commissioner, or his designee to execute a construction contract with Access Pacific, Inc., in the amount of \$474,400, and establish

the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance certificate filed by the contractor for Project ID No. RDC0016498, Big Pines Highway, et al. - Guardrail Replacement On-System (2020 Bobcat Fire) project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project, and related actions, are within the scope of the previous finding of exemption from the California Environmental Quality Act (CEQA) and allow Public Works to execute a construction contract to replace guardrails damaged by the 2020 Bobcat Fire.

The project includes the removal and replacement of guardrails, clearing and grubbing, unclassified excavation, and grading. Construction will occur on Big Pines Highway at Mile Marker 1.22 and 700 feet east of Mile Marker 1.22; 106th Street East 800 feet south of Mile Marker 24.90; and Tumbleweed Road at Mile Marker 0.35 (Pallet Creek, Bridge No. 3578).

On July 9, 2024, the Board approved the project and delegated certain authorities to the Director of Public Works to deliver the project, including authority to advertise the project; 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; and award and execute a construction contract with the responsible contractor with the lowest responsive bid within or less than the estimated cost range of \$270,000 and \$405,000 or that exceeded the estimated cost range by no more than 15 percent. On August 13, 2024, two bids were received (see Enclosure). Aguilar & Calderon Corporation was identified as the apparent lowest bidder with the bid price of \$433,246. However, their bid has been found to be nonresponsive as provided by the Instructions to Bidders. Based on Section 9.9 of the Local Assistance Procedures Manual (January 2024) and Appendix A in Part 26 of Title 49 of the Code of Federal Regulations, Aguilar & Calderon Corporation's bid proposal did not demonstrate adequate efforts to meet the established Disadvantage Business Enterprise (DBE) goal for this project.

In accordance with Part 26 of Title 49 of the Code of Federal Regulations, Public Works offered Aguilar & Calderon Corporation an administrative reconsideration of Public Works' findings. The administrative reconsideration offers Aguilar & Calderon Corporation the opportunity to provide written documentation or argument concerning the adequacy of their good faith efforts. Aguilar & Calderon Corporation declined the offer for an administrative reconsideration.

Access Pacific, Inc., was identified as the next apparent responsible bidder with the bid price of \$474,400 and a proposed 100 percent DBE goal. This bid price exceeded the Director of Public Works' delegated authority to award the project and represents a price 17 percent higher than the estimated construction cost range, which was based on historical average contract prices for similar items of work. Readvertising the project will result in loss of Federal reimbursement, increase contract administration cost, and delay construction with no guarantee that lower bids will be received. Public Works considers the bid price submitted by Access Pacific, Inc., is reasonable and recommends awarding them the contract.

It is anticipated the work will start in the third quarter of 2025 and be completed in the third quarter of 2026.

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 replacing and improving public infrastructure assets that support the quality of life of Los Angeles County residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The total project cost at award is estimated to be \$1,300,000.

The project will be administered utilizing Federal aid funding in the amount of \$834,500 under the Federal Emergency Relief Program covered by Agreement 78542 with the State of California. The remaining project cost of \$465,500 is funded with 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 available in the Road Fund (B03 – Services and Supplies) Fiscal Year 2024-25 Budget. Funding for future years will be requested through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

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 as to form by County Counsel.

Documents related to the 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

On July 9, 2024, the Board approved the project and found that it was exempt from CEQA pursuant to Sections 15301 (c), 15302, and 15304 (a) of the State CEQA Guidelines and Class 1 (x) Subsections 17 and 22, Class 2, and Class 4 (a) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The current recommendations are within the scope of the previously approved exemptions from CEQA, as there is no change in the project scope or the circumstances under which the project will be undertaken.

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

CONTRACTING PROCESS

The contract was solicited on an open competitive basis in accordance with the provisions of the State Public Contract Code.

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 "Do Business with Public Works" websites for open bids:

<https://doingbusiness.lacounty.gov/>
<https://dpw.lacounty.gov/contracts/opportunities.aspx>

Public Works received, and publicly opened, two bids on the solicitation for the advertised project. The responsible contractor with the lowest apparent responsive bid identified in the enclosure, Aguilar & Calderon Corporation, did not demonstrate adequate efforts to meet the established DBE goal for this Federally funded project and should be found to be nonresponsive.

In addition, 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 was considered before making the recommendation to award to Access Pacific, Inc.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The new guardrails on Big Pines Highway will enhance safety by reducing the severity of run-off-road collisions.

CONCLUSION

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" and last name "Pestrella" clearly distinguishable.

MARK PESTRELLA, PE

Director

MP:KF:hd

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office, Board of Supervisors
Internal Services (Countywide Contract
Compliance)

ENCLOSURE
May 6, 2025

PROJECT NAME: BIG PINES HIGHWAY, ET AL. - GUARDRAIL REPLACEMENT
ON-SYSTEM (2020 BOBCAT FIRE)

PROJECT ID NO.: RDC0016498

BID OPENING DATE: AUGUST 13, 2024

BID SUMMARY:

	Bidder	Bid Amount	Local Small Business Enterprise Certified	Certified Business Enterprise Certified	Disabled Veterans Business Enterprise Certified
1.	Aguilar & Calderon Corporation 15738 Yermo Street Whittier, CA 90603	\$433,246	Yes	Yes	Yes
2.	Access Pacific, Inc. 2835 Sierra Grande Street Pasadena, CA 91107	\$474,400	Yes	Yes	Yes