



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 17, 2025

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

40 June 17, 2025

Edward Yen

EDWARD YEN
EXECUTIVE OFFICER

Dear Supervisors:

**CONSTRUCTION-RELATED CONTRACT
WATER RESOURCES CORE SERVICE AREA
CAPITAL PROJECT NO. 6S002
AEOLIAN ELEMENTARY SCHOOL STORMWATER CAPTURE PROJECT
IN THE CITIES OF SANTA FE SPRINGS AND WHITTIER AND
IN THE UNINCORPORATED COMMUNITY OF WEST WHITTIER/LOS NIETOS
(SUPERVISORIAL DISTRICT 4)
(3-VOTES)**

SUBJECT

Public Works is seeking Board approval to establish the capital project for the proposed Aeolian Elementary School Stormwater Capture Project. Public Works intends to deliver the project using the Progressive Design-Build method. The proposed project is located at Aeolian Elementary School and in the Cities of Santa Fe Springs and Whittier and in the unincorporated community of West Whittier/Los Nietos.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the recommended action to establish the proposed Aeolian Elementary School Stormwater Capture Project is not a project under the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the proposed activities.
2. Establish the proposed Aeolian Elementary School Stormwater Capture Project, Capital Project No. 6S002.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the establishment of the proposed project is exempt from the California Environmental Quality Act (CEQA) and allow Public Works to plan for the proposed stormwater improvements at Aeolian Elementary School and its surrounding areas (see Enclosure).

The proposed project site is located within Aeolian Elementary School (11600 Aeolian Street, Whittier, CA 90606) and its surrounding area in the Cities of Santa Fe Springs and Whittier and in the unincorporated community of West Whittier/Los Nietos.

In accordance with the California 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 responsible for the bacteria and toxic pollutants' Total Maximum Daily Load of all the unincorporated areas of Los Angeles County.

The proposed project will assist the County and the Cities of Santa Fe Springs and Whittier in meeting their MS4 permit requirements through a regional stormwater capture and infiltration system that would mitigate stormwater pollutants from discharging into the San Gabriel River contributing to the effort of achieving Total Maximum Daily Load compliance. The proposed project would include construction of underground infiltration or storage structures below Aeolian Elementary School and various stormwater diversion structures and underground pipelines to maximize capture and treatment of the 85th percentile design storm.

The proposed project may also include upgrades to the existing sports field within Aeolian Elementary School and other above-ground improvements that may include walking paths, public gathering areas, educational signages about water quality and water conservation, and low impact development components, such as bioswales, native and drought-tolerant landscaping, and porous pavement. The potential above-ground improvements would be coordinated with feedback from the Los Nietos School District.

Public Works is proposing that the project be delivered using the Progressive Design-Build (PDB) project delivery method, in which the PDB contractor, consisting of a designer and contractor team, starts at the earliest feasible stage of the project. The contractor will work with the County to define the project's concept by conducting exploratory studies and investigations, refine the budget and schedule as design evolves with open book cost estimating during the preconstruction phase, assume the risk for construction performance as a general contractor by holding all trade subcontracts during the construction phase, and be accountable for the work. This is particularly suitable for large and complex projects that require continuous collaboration and adaptability, such as the proposed Aeolian Elementary School Stormwater Capture Project, that would benefit from early contractor involvement throughout preconstruction and meets the minimum contract threshold of \$5,000,000, as required by Section 22171 of the State Public Contract Code.

Once the Aeolian Elementary School Stormwater Capture Project is established, a Request for Qualifications would be issued for PDB preconstruction and construction services in accordance with Section 22172 of the State Public Contract Code. After firms submit proposals, an evaluation committee will evaluate the proposals, conduct interviews, and make a qualifications-based selection, as defined in State Public Contract Code Section 22170 (i), to engage the PDB contractor. When the PDB contractor is selected, Public Works will then return to the Board for approval to award the contract and for authorization to move forward with the preconstruction phase. The PDB contractor would provide design preconstruction services at a not-to-exceed fee, develop cost estimates, and ensure constructability.

The PDB contractor would subsequently submit a Guaranteed Maximum Price (GMP) for the full scope of the final design and construction for the proposed project. The GMP would be based on actual direct construction cost and a previously agreed to construction services fee as specified in the PDB agreement. If both parties agree to the GMP, the County, in its sole discretion, may amend its contract with the PDB to include remaining design, preconstruction, and construction activities required to complete and close out the project. If the County elects not to agree to the proposed GMP, the County may pursue other options to complete the project, as permitted by State Public Contract Code Section 22172.2 (c) (1).

Assuming both parties agree to the GMP and that full funding for the proposed project is identified, Public Works will then return to the Board for approval of the project, negotiated GMP, and the amendment and authorization to move forward with the construction phase. The PDB contractor would serve as the project's general contractor and assumes risk for construction performance. Specifically, if the cost to complete remaining design, preconstruction, and construction activities required to close out the project exceed the GMP, the PDB contractor would not be entitled to the difference between the additional cost and the GMP unless the parties previously entered into an agreement to share the additional cost.

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

Public Works will coordinate with potential funding partners and pursue other funding opportunities through the completion of the proposed project. Funding partners may include the Cities of Santa Fe Springs and Whittier.

Public Works will return to the Board to request approval of the award of the PDB contract, to authorize the start of the preconstruction phase to develop the design of the project, and to approve the budget for the preconstruction phase. After completion of the preconstruction phase, Public Works will return to the Board again to request approval of the total project budget, to finalize the design and proceed with the construction phase under the PDB agreement, and of any related funding agreements with partnering MS4 permittees, Los Nietos School District, Safe Clean Water Program, or other grants.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed project is subject to the Board's Civic Art Policy. The amount of funding for Civic Art will be identified when we return to the Board for approval of the GMP and construction of the project.

In accordance with Board Policy 5.270, Countywide Local and Targeted Worker Hiring, the 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. Effective June 7, 2023, Countywide Community Workforce Agreement (CWA) applies to projects with an estimated construction contract value of \$5,000,000 or greater. Therefore, CWA would apply to this project. If the project is approved, the contractor and all subcontractors must comply with all terms and conditions of the CWA which, among other things, increases work opportunities for those seeking to start a new career in the construction industry and promotes the hiring of underrepresented individuals on the project.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are to establish the capital project for budget purposes only, is not a project under CEQA because they are excluded from the definition of a project under Section 21065 of the California Public Resources Code and Section 15378 (b) of the State CEQA Guidelines since they are an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

Public Works will return to the Board with appropriate recommendations under CEQA prior to implementing any activities that would be considered a project.

Upon the Board's approval of those recommended actions, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk and with the State Clearinghouse at the Governor's 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

Public Works will continue to utilize Board-approved on-call consultants to complete any relevant technical studies, reports, and environmental analysis for inclusion in the PDB Request for Qualifications.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects as a result of authorizing the recommended actions.

CONCLUSION

Please return one 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:ma

Enclosures

c: Arts and Culture (Civic Art Division)
Auditor-Controller
Chief Executive Office (Susana Graether)
County Counsel
Executive Office, Board of Supervisors

June 17, 2025

**AEOLIAN ELEMENTARY SCHOOL STORMWATER CAPTURE PROJECT
CAPITAL PROJECT NO. 6S002**

