



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE

June 27, 2023

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

63 June 27, 2023

CELIA ZAVALA
EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT
TRANSPORTATION CORE SERVICE AREA
DELEGATE AUTHORITY TO ADOPT, ADVERTISE, AND AWARD
ON-CALL TRAFFIC SIGNAL AND SAFETY CONSTRUCTION
CONTRACTS A THROUGH F
CONTRACT ID NOS. TDS0001826 THROUGH TDS0001831
IN THE NORTH AND SOUTH REGIONS OF LOS ANGELES COUNTY
(FISCAL YEARS 2023-27)
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to procure and execute six separate contracts, Contracts A through F, for the proposed On-Call Traffic Signal and Safety Construction Projects, and delegate authority to adopt the plans and specifications when ready for future projects that may be proposed under Contracts A through F, located in the North and South regions of Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed procurement and execution of Contracts A through F and related delegations of authority to the Director of Public Works are not a project under the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the proposed activity.
2. Approve the On-Call Traffic Signal and Safety Construction Contracts A through F and delegate to the Director of Public Works, acting as the Road Commissioner, or his designee, the authority to adopt the plans and specifications when they are on file with Public Works Project Management

Division III for each contract at an estimated construction cost range between \$4,250,000 and \$5,250,000 each for Contracts A, B, E, and F, and between \$1,500,000 and \$2,000,000 each for Contracts C and D.

3. Delegate authority to the Director of Public Works, acting as the Road Commissioner, or his designee, to request that the Executive Officer of the Board of Supervisors advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement with the Notice Inviting Bids.
4. Find pursuant to State Public Contract Code, Section 3400 (c), that it is necessary to specify the 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.
5. Delegate authority to the Director of Public Works, acting as the Road Commissioner, 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, acting as the Road Commissioner, or his designee, to separately award and execute Contracts A through F for the On Call Traffic Signal and Safety Construction contracts with the responsible contractors with the lowest responsive bid within or less than the estimated cost range between \$4,250,000 and \$5,250,000, each for Contracts A, B, E, and F; and between \$1,500,000 and \$2,000,000, each for Contracts C and D, or that exceeds the estimated cost by no more than 15 percent, if additional and appropriate funds have been identified and allow for the adjustment of the funding sources as required for the life of Contracts A through F.
7. Delegate to the Director of Public Works, acting as the Road Commissioner, or his designee, the following authority in connection with these contracts: (1) extend the date and time for the receipt of bids consistent with the requirements of State Public Contract Code, Section 4104.5; (2) 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; (3) issue work orders to the selected contractors in an aggregate per on-call contract amount not to exceed the maximum amount of each on-call contract for synchronizing traffic signals, installing, modifying, and repairing traffic signals, streetlights, guard rails, striping, signage, and curb ramp modifications for an aggregate total not to exceed \$28,750,000; (4) approve and execute supplemental work 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; (5) accept any project assigned by work order under these contracts upon the project's final completion; and (6) 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 they are not subject to the California Environmental Quality Act (CEQA) and allow Public Works to execute contracts for future proposed projects to synchronize traffic signals, and install, modify, and repair traffic signals, streetlights, and guardrails in addition to performing other traffic safety-related work, such as striping, signage, and curb ramp modifications, on an on-call basis throughout Los Angeles County. While the contracts may be predominantly divided into the North and South regions of Los Angeles County (see Enclosure A), to get better overall contract pricing, urgent or emergency work could be done outside of the assigned region with a pricing surcharge. Also, some work can straddle between the regions.

For split jurisdiction intersections, Public Works will gain concurrence and commitment from the city or cities either by formal agreement, requiring Board approval, a County-City cooperative agreement, or City Services Request.

Public Works has utilized on-call contractors in prior years to increase traffic safety and provide efficient construction of traffic signal and street lighting infrastructure.

The number of proposed project locations under each contract has not been finalized and the locations will be identified as needed throughout the duration of the contracts. Construction is anticipated to begin January 2024.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, and Objective III.3.2, Manage and Maximize County Assets. These actions support ongoing efforts to manage and improve public infrastructure assets.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost of Contracts A, B, E, and F are in the range between \$4,250,000 and \$5,250,000. The estimated construction contract cost of Contracts C and D are in the range between \$1,500,000 and \$2,000,000, each with a maximum construction contract cost to be 15 percent above this range. The aggregate construction contract amounts for Contracts A through F shall not exceed \$28,750,000.

Funding for these projects is included in the Road Fund (B03 - Capital Assets—Infrastructure and Services and Supplies), Proposition C Local Return Fund (CN9 – Capital Assets-Infrastructure and Services and Supplies), and the various County Lighting Maintenance Districts Funds Fiscal Year 2023-24 Budgets.

For split jurisdiction intersections, the city or cities will finance their respective jurisdictional shares of the project cost under a County-City cooperative agreement or City Service Request. Funding to finance future contract years will be requested through the annual budget process. When the need arises for services under these agreements, financing will be made from the appropriate Public Works administered funds. Total expenditures for these construction contracts will not exceed the amount approved by the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

These contracts will be advertised in accordance with Section 20392 of the State Public Contract Code.

Public Contract Code Section 20391 allows the Board of Supervisors of Los Angeles County to delegate approval of plans and specifications to the Director of Public Works, acting as the Road Commissioner, on a project-by-project basis.

Public Works anticipates advertising and executing the contracts over the next 12 months. The six construction contracts will each be for a period of one year.

The State Public Contract Code Section 3400 (c) (2) allows a product to be designated by specific brand name for several purposes, one of which is 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 awards 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 contracts 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 Contractors State License Board, labor violations, and debarment actions will be considered before a contract is awarded.

These on-call contracts are subject to Board Policy 5.270, Countywide Local and Targeted Worker Hiring.

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

ENVIRONMENTAL DOCUMENTATION

Procurement and execution of Contracts A through F, and related delegations of authority to the Director of Public Works, do not constitute a project under CEQA because the activity is excluded from the definition of a project under Section 21065 of the Public Resources Code and Section 15378 (b) (4) and (5) of the State CEQA Guidelines. These activities are administrative actions of government and involve the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant environmental impact or direct or indirect changes to the environment. On-Call Contracts A through F, under which work orders would be issued, would include repair, remodeling, refurbishment, and maintenance of existing structures and facilities, as requested by County departments, are anticipated to meet requirements for categorical exemptions under CEQA. The Board's award of the on-call contracts does not include approval of any work under the contracts. The future implementation of each work order proposed under the on-call contracts will be subject to prior determination and documentation by the Director of Public Works or his designee that the work is exempt from CEQA, if appropriate. In the event that the proposed work is subject to CEQA and is not determined to be exempt, Public Works will ensure that appropriate CEQA findings are recommended to the Board prior to issuance of the work orders.

CONTRACTING PROCESS

Contract provisions require the contractors to comply with the Board-adopted Local and Targeted Worker Hire Policy.

To increase contractor awareness of Public Works' program to contract work out to the private sector, the future projects, which would be issued under Contracts A through F, will be listed on both the County's "Doing Business with Los Angeles County" and "Do Business with Public Works" websites for open bids:

<http://www.lacounty.gov/business/doing-business-with-the-county>

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

Also, the contract solicitations will be advertised through web-based and social media platforms, including 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 Consumer and Business Affairs 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 work under Contracts A through F is completed, it will have a positive impact by improving traffic flow and safety for motorists and pedestrians.

CONCLUSION

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

Respectfully submitted,

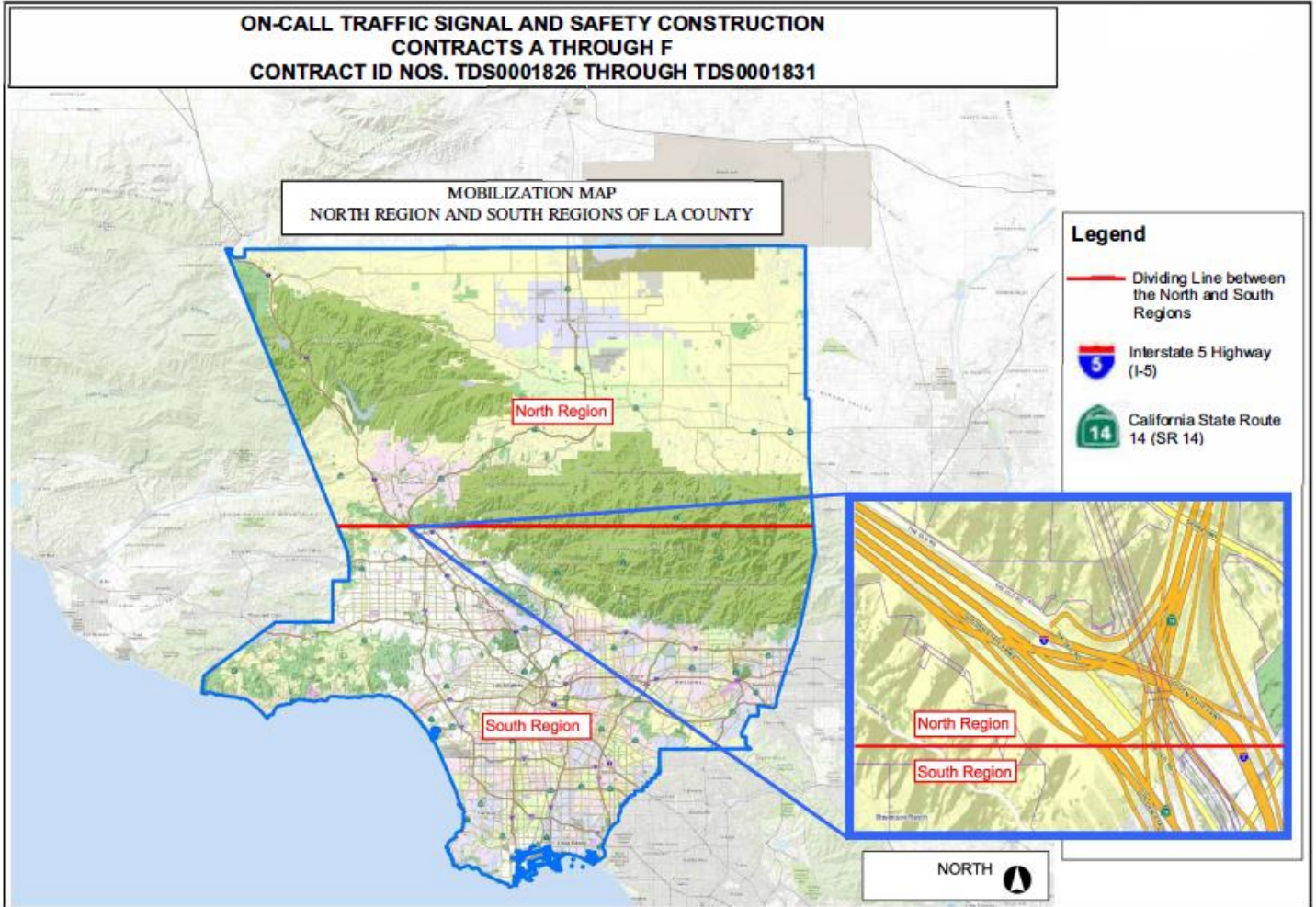


MARK PESTRELLA, PE
Director

MP:RLG:dw

Enclosures

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



**PROJECT NAME: ON-CALL TRAFFIC SIGNAL AND SAFETY CONSTRUCTION
CONTRACTS A THROUGH F**

CONTRACT ID NOS.: TDS0001826 THROUGH TDS0001831

**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>
Contemporary Series, Octagonal Concrete Poles	Ameron	Type 1 C1	2	In order to match other products in use on a particular public improvement 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.