

APPROVED
NOV 07 2012

REPORT OF GENERAL MANAGER

NO. 12-306

DATE November 7, 2012

**BOARD OF RECREATION
& PARK COMMISSIONERS**

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED SEWER TIE REPAIRS, RETROFIT AND/OR NEW INSTALLATIONS – AWARD OF CONTRACTS

R. Adams _____

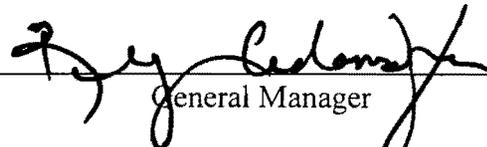
K. Regan _____

H. Fujita _____

*M. Shull RAH

V. Israel _____

N. Williams _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that the services to be provided are professional and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous as it is necessary for the Department of Recreation and Parks (Department) to be able to call on contractors to perform this work as-needed and on an occasional, but frequent, basis without engaging in a new competitive process for each individual project to be performed; however, from among as-needed contractors each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;
2. Find in accordance with Charter Section 371(e)(10), that use of competitive bidding would be undesirable, impractical or impossible or is otherwise excused by the common law and the Charter because, unlike the purchase of a specified product, there is no single criterion, such as price comparison, that will determine which proposer can best provide the services required by the Department to provide as-needed sewer tie repairs, retrofit and/or new installations;
3. Find, in accordance with Charter Section 372, that obtaining competitive proposals or bids for each individual project for which work may be performed pursuant to this agreement is not reasonably practicable or compatible with the Department's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price,

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and expertise, and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by the Department to perform services;

4. Find as the contract awarding authority, in accordance with Charter Section 1022, that the work can be performed more economically or feasibly by independent contractors than by City employees because the Department does not have, available in its employ, personnel with sufficient time or necessary expertise to undertake sewer tie repairs, retrofitting and/or new installations and related work projects in a timely manner, and therefore it is more feasible, economical and in the Department's best interest, to secure these services by contract with multiple contractors to perform this work as-needed and on an occasional, but frequent basis, without engaging in a new competitive bidding process for each individual project to be performed;
5. Approve the proposed contracts substantially in the form on file in the Board Office and instruct staff to award contracts to the following two (2) firms for as-needed sewer tie repairs, retrofit and/or new installations for a term of three (3) years;
 - 1) MNR Construction, Inc.
5103 Bleecker Street
Baldwin Park, CA 91706
 - 2) Mike Prlich & Sons, Inc.
5103 Elton Street
Baldwin Park, CA 91706
6. Direct the Board Secretary to transmit the contracts to the Mayor in accordance with Executive Directive No. 3 and, concurrently to the City Attorney for review and approval as to form; and,
7. Authorize the Board President and Secretary to execute the contracts upon receipt of the necessary approvals.

SUMMARY:

Currently, the Department does not have contracts in place to perform any sewer tie repairs, retrofitting and/or new installations. With over 420 park locations under the jurisdiction of the Department, sewer tie contracts are critical to maintaining and expanding our facilities sewer and storm drain infrastructure.

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These contracts will provide the Department with the ability to repair, retrofit and/or replace existing sewer line systems at our current aging park facilities. In addition, these contracts will provide the Department's Planning, Construction and Maintenance Branch a tool to modernize current park locations and the creation of new parks.

On May 16, 2012, the Board approved a Request for Qualifications (RFQ) which was released June 19, 2012. On August 14, 2012, the Department received five (5) proposals in response to the RFQ for Sewer Tie Repairs, Retrofit and/or New Installations.

- 1) Select Trenchless Pipelines, Inc.
 283 Winfield Circle
 Corona, CA 92880

- 2) Vasilj, Inc.
 15531 Arrow Highway
 Irwindale, CA 91706

- 3) John T. Malloy, Inc.
 3032 Bandini Boulevard
 Los Angeles, CA 90058

- 4) MNR Construction, Inc.
 5103 Bleecker Street
 Baldwin Park, CA 91706

- 5) Mike Prlich & Sons, Inc.
 5103 Elton Street
 Baldwin Park, CA 91706

Responders were required to provide evidence of their qualifications and were required to meet all of the following minimum requirements as stated below:

- 1) Responders must have current and be in good standing with The California State License Board with the possession of a Classification "A" License (General Engineering Contractor) and/or Classification C-42 License (Sanitation System Contractor).

- 2) Must be current on all required California trenching and shoring certification and must be current with all excavation certificates as it relates to California Division of Occupational Safety and Health (Cal/OSHA) safety regulations.

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- 3) Must be familiar and able to perform shoring construction under Cal-OSHA's safety provision Article 29 (Erection and Construction).
- 4) Must meet all current bonding requirements with the City of Los Angeles.
- 5) Responders must have performed 15 "Saddle" sewer connections within the last three (3) years at a trenching depth of 10 feet or more. All projects submitted must have been performed in the City of Los Angeles under a "S" permit issued by the City of Los Angeles, Bureau of Engineering (BOE).

Only two (2) of the five (5) responders submitted a responsive submittal to this RFQ. Three (3) responders failed to submit a completed submittal and thus had to be disqualified from any further review process. The following responders were disqualified because they submitted an incomplete RFQ package submittal response, specific details for the disqualifications can be found on Exhibit A.

- 1) Select Trenchless Pipelines, Inc.
283 Winfield Circle
Corona, CA 92880
- 2) Vasilj Inc.
15531 Arrow Highway
Irwindale, CA 91706
- 3) John T. Malloy, Inc.
3032 Bandini Boulevard
Los Angeles, CA 90058

The following responders met the minimum qualifications for this RFQ for sewer tie repairs, retrofit and/or new installations specified above:

- 1) MNR Construction, Inc.
5103 Bleecker Street
Baldwin Park, CA 91706
- 2) Mike Prlich & Sons, Inc.
5103 Elton Street
Baldwin Park, CA 91706

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RFQ responses were evaluated solely for the minimum qualifications (as stated in RFQ Document). The minimum qualifications as set forth will determine the responder's knowledge and experience to perform the terms and specifications of this Contract. It was determined through review of the submittals and verification of references by Department staff that the above listed responders have met and/or exceeded the minimum qualifications as set forth in the RFQ.

When staff checked the respondent's references, questions were posed regarding each respondent's ability to produce a quality product that met all necessary standards, in a timely manner. References were also asked if the respondent was timely and effective in their correspondence with governing agencies. All of the references for the respondents who met our minimum qualifications responded favorably to these questions and highly recommend the respective respondent. Staff then determined that the two respondents listed above should be selected as pre-qualified sewer tie repairs, retrofit and/or new installation contractors eligible to bid on future Department projects.

All responders who submitted and qualified performed and passed the City's Business Inclusion Program (BIP) outreach.

Staff recommends the Board approve the proposed contracts substantially in the form on file in the Board Office and authorize the Board President and Secretary to execute these contracts, subject to City Attorney and Mayor approval. The selected pre-qualified contractors are recommended to the Board for a three (3) year contract, in an amount not to exceed an annual expenditure of \$3,000,000 per contract. The contract amount is an estimate, and the Department does not guarantee that the contract maximum amount will be reached. The professional services that the Department is requesting shall be on an as-needed basis; the Department, in entering into an agreement, guarantees no minimum amount of business or compensation. Contracts awarded through this RFQ shall be subject to funding availability and early termination by the Department, as provided in the Standard Provisions for City Contracts.

Funding for projects will be provided from various funding sources including to but not limited to Proposition K, Quimby, and Proposition 40.

FISCAL IMPACT STATEMENT:

Executing these as-needed contracts has no impact to the Department's General Fund.

This report was prepared by Jim Newsom, Management Analyst II, Planning, Construction and Maintenance Branch.

EXHIBIT A

REQUEST FOR QUALIFICATIONS SEWER TIE REPAIRS, RETROFIT AND/OR NEW INSTALLATIONS

"NON RESPONSIVE" RESPONDERS	REASONS FOR "NON-RESPONSIVENESS"
John T. Malloy	1) Responder did not provide two (2) original RFQ Responses as instructed in the RFQ document (Page 5 Section 2, Page 8 Section 1, Page 13 Section a).
Select Trenchless Pipelines, Inc.	1) Responder did not sign and date the Contractor Responsibility Ordinance (CRO) on pages 66 and 72 of the RFQ document.
Vasili, Inc.	1) Responder did not fill out or sign the Childcare declaration sheet on Page 84 of the RFQ document.