

# APPROVED

JUN 20 2018

BOARD OF RECREATION AND PARK COMMISSIONERS NO. 18-124

BOARD REPORT

DATE June 20, 2018

C.D. 11

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: POTRERO CANYON PARK – GRADING (G775) (W.O. E1907428) PROJECT – REVIEW OF BIDS AND AWARD OF CONTRACT

AP Diaz	_____	V. Israel	_____
<i>Yes</i> R. Barajas	<u>VSD</u>	S. Piña-Cortez	_____
H. Fujita	_____	N. Williams	_____



General Manager

Approved X

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS

1. Find OHL USA, Inc. DBA Group OHL USA, Inc., with a bid of Thirteen Million, Five Hundred Twenty-Six Thousand, Five Hundred Seventy-Nine Dollars (\$13,526,579.00), to be the lowest responsive and responsible bidder for the Potrero Canyon Park – Grading (G775) (W.O. E1907428) Project (Project);
1. Award the construction contract to OHL USA, Inc. DBA Group OHL USA, Inc., in the amount of Thirteen Million, Five Hundred Twenty-Six Thousand, Five Hundred Seventy-Nine Dollars (\$13,526,579.00), all according to the plans and specifications approved by the Board of Recreation and Park Commissioners' (Board) on April 18, 2018, Report No. 18-069;
2. Request the Department of Public Works, Bureau of Accounting to encumber funds in the amount of Thirteen Million, Five Hundred Twenty-Six Thousand, Five Hundred Seventy-Nine Dollars (\$13,526,579.00) in available funds from the following fund and account number under the awarding authority of this Board Report;

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>AVAILABLE AMOUNT</u>
Potrero Canyon Trust Fund	100/54/00G998	\$13,526,579.00

3. Authorize the RAP's General Manager or Designee to make technical corrections, as necessary to carry out the intent of this Board Report; and,
4. Authorize the Board of Recreation and Park Commissioners' (Board) President and Secretary to execute the contract, subject to approval by the City Attorney as to form.

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SUMMARY

On April 18, 2018, the Board approved final plans and call for bids for the Project, located at 15101 Pacific Coast Highway, Pacific Palisades, CA 90272. The plans and specifications were prepared by MARRS Services, Inc., under the direction of the Department of Public Works, Bureau of Engineering (BOE), Geotechnical Engineering Division.

The proposed scope of work for the Project bid includes the following:

1. Clearing and grubbing
2. Demolition and disposal of existing concrete access road
3. Grading – cut and fill from existing stockpiles; including buttressing of over-steepened slopes, compaction of all fill, and on-site hauling
4. Construction of wet riparian zone through the center of the canyon; including impermeable liner, check dams, and rip rap facing
5. Construction of soil cement access road
6. Erosion control / SWPPP implementation
7. Construction of terrace drains, down drains, and related drainage systems
8. Construction of a 6" PVC force main to supply water for riparian zone
9. Construction of approximately 2,000-linear feet of 12" to 24" storm drain line
10. Construction of a concrete stairway
11. Extending maintenance shafts to proposed grade
12. Construction of two (2) storm drain maintenance holes

The City Engineer's estimate of the Project's construction cost was Fourteen Million, Seven Hundred Ninety-Two Thousand, Four Hundred Twelve Dollars (\$14,792,412.00) for the Bid.

The Project went out to bid on April 18, 2018, and on May 10, 2018, the Board received a total of three (3) bids for the Project as follows:

<u>Bidders</u>	<u>Bid</u>
OHL USA, Inc. DBA Group OHL USA, Inc.	\$13,526,579.00
Sukut Construction, LLC	\$13,777,777.00
Los Angeles Engineering, Inc.	\$14,137,117.50

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The bid specification states that the lowest bidder would be determined to be the responsible and responsive bidder submitting the lowest bid. OHL USA Inc., DBA Group OHL USA, Inc., submitted the lowest bid in the amount of Thirteen Million, Five Hundred Twenty-Six Thousand, Five Hundred Seventy-Nine Dollars (\$13,526,579.00) or eight point six percent (8.6%) lower than the City Engineer's construction cost estimate of Fourteen Million, Seven Hundred Ninety-Two Thousand, Four Hundred Twelve Dollars (\$14,792,412.00). The corporate records for this bidder, as filed with the State of California Secretary of State, reflect that the legal corporate name is "OHL USA, INC. WHICH WILL DO BUSINESS IN CALIFORNIA AS GROUP OHL USA, INC." Thus, if the Board approves the recommended award of the contract, the contract will be issued to: "OHL USA, Inc. DBA Group OHL USA, Inc." The bid bond that was submitted with the bid was issued to said legal entity and the contractor's license is in the name of said legal entity. Similarly, after award of contract, the required performance bond and insurance will also have to be issued to "OHL USA, Inc., DBA Group OHL USA, Inc." For ease of reference in this Board Report, the contractor will be referred to as "OHL USA, Inc."

OHL USA, Inc., has successfully posted all the required Business Inclusion Program (BIP) outreach documentation on the Los Angeles Business Virtual Assistance Network (LABAVN) that demonstrates satisfactory effort in its outreach to Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE), Disabled Veteran Business Enterprise (DVBE), and Other Business Enterprise (OBE) for sub-bid or subcontracting businesses. Staff has reviewed all certifications and documentation submitted by OHL USA, Inc., and determined that OHL USA, Inc.'s bid complies with all requirements.

City Staff has evaluated the outreach documentation submitted by OHL USA, Inc., and determined that they have passed all six (6) indicators as required for the effort to obtain sub-bid/subcontracting participation by MBE, WBE, SBE, EBE, DVBE and OBE businesses, and is in compliance with the BIP outreach requirements. The outreach documentation package is on file in the Board Office, and a synopsis of said package is attached to this Report (Attachment No. 1, BIP Evaluation Result for OHL USA Inc.).

The Department of Public Works, Bureau of Contract Administration, indicates that there have been no labor compliance violations or contract performance issues on City contracts with this bidder within the past five (5) years

The funds available to award the contract for this Project are in the following account:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>AVAILABLE AMOUNT</u>
Potrero Canyon Trust Fund	100/54/00G998	\$ 13,526,579.00

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### TREE AND SHADE STATEMENT

This portion of the project, Grading, will consist of the removal of existing vegetation from the planned grading area to facilitate the final grading of the site. Landscaping is not included in this portion of the work (Grading phase). A future construction phase, planned to immediately follow the Grading phase, will include all landscaping planned for the project. The proposed landscaping palette has been discussed at the various community meetings, and will consist of native, drought tolerant landscaping and trees and shrubs that are indigenous to the various microclimates located along Potrero Canyon.

### ENVIRONMENTAL IMPACT STATEMENT

The project was previously evaluated for environmental impacts in accordance with the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) (State Clearinghouse No. 84091901) for the project was previously certified by the Board on June 28, 1985. Staff has determined that this project and the environmental conditions of the site have not substantially changed since the previous evaluation. Therefore, no additional CEQA determination or documentation is required at this time.

### FISCAL IMPACT STATEMENT

The project will be funded by the aforementioned funding source (Potrero Canyon Trust Fund). There is no immediate fiscal impact to RAP's General Fund. RAP's future maintenance and operations costs will be requested through the City budget process.

This Report was prepared by Pedro Garcia, Project Manager, BOE Geotechnical Engineering Division, and was reviewed by: Neil Drucker, Proposition K Program Manager, BOE Architectural Division; Mahmood Karimzadeh, Principal Architect, BOE Architectural Division; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Cathie Santo Domingo, Superintendent, Planning, Maintenance, and Construction Branch.

### LIST OF ATTACHMENTS

1. BIP Evaluation Results for OHL USA, Inc. DBA Group OHL USA, Inc.

**CITY OF LOS ANGELES  
GUIDELINES FOR EVALUATION OF THE BUSINESS INCLUSION PROGRAM (BIP)  
OUTREACH CHECKLIST**

Bidder: OHL USA, Inc. DBA Group OHL USA, Inc. Bid Date: 05/10/2018

Project Name: Potrero Canyon Park – Grading W.O. #: E1907428

Indicator	Required Documentation	Description of Submitted or Missing Documentation	Credit ✓
<b>2 Pre-Bid Meeting</b>	a) Attend pre-bid meeting and be listed on the attendance sheet, or b) Submit a letter either by e-mail, mail, or fax to the Bureau of Engineering, Project Award and Control (PAC) on certifying it is informed of the BIP project requirements and has participated in a City-sponsored or City approved matchmaking event in the past 12 months. <b>Note:</b> If the RFB states that the pre-bid meeting is mandatory, then attendance at the pre-bid meeting is the only way to pass this indicator.		✓
<b>3 Work Areas</b>	Proof of this must be demonstrated in Indicator 4. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓
<b>4 Written Notice to Sub-contractors</b>	E-mail or fax notification in each of the selected potential work areas to available MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs for each anticipated work area to be performed. The notification must be performed using the BAVN's BIP Outreach Reports system. The notification may be to potential sub-bidders/ subcontractors either currently registered on the BAVN or added to the BAVN by the bidder. Letters must contain areas of work selected to be subcontracted, City of Los Angeles project name, name of the bidder, and contact person's name, address, and telephone number. Bidders are required to send notifications to a sufficient number of firms in each potential sub work area as determined by the City. Typically, the sufficient number of firms is determined by the total number of potential sub-bidders/ subcontractors in each sub work area.		✓
<b>5 Plans, specifications and requirements</b>	Include, in Indicator 4, information detailing how, where, and when the bidder will make the required information available to interested potential sub-bidders/ subcontractors. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓
<b>6 Negotiate in Good Faith</b>	a) Copies of all potential MBE/WBE/SBE/EBE/DVBE/OBE bids or quotes received must be submitted prior to award of a contract; and b) Online Summary Sheet must be completed, listing the bids or quotes received, the name of the sub-bidder/ subcontractor who submitted the bid or quote, and a brief reason given for selection/ non-selection of each subcontractor. The reasons for selection/non-selection should be included in the Notes section of the online Summary Sheet. If the bidder elects to perform a listed work area with its own forces, they must include a bid/ quote for comparison purposes and an explanation must be provided and included on the Summary Sheet. All bids/ quotes received, regardless of whether or not the bidder outreached to the sub-bidder/ subcontractor, must be submitted. To this extent, the City expects the bidder to submit a bid/ quote from each sub-bidder/ subcontractor listed on the Summary Sheet. The Summary Sheet must be performed using the BAVN's BIP Outreach Reports system and must be submitted by 4:30 p.m. the following City working day after the date bids are received by the Board of Public Works. If a bid/quote is submitted by a sub-bidder/subcontractor that is not registered on the BAVN, the contractor is required to add that firm to their Summary Sheet.		✓
<b>7 Bonds</b>	Include, in Indicator 4, information about the bidder's efforts to assist with bonds, lines of credit, and insurance. The notification must be performed using the BAVN's BIP Outreach Reports system.	(Automatic after meeting Indicator 4 requirements)	✓

**Prime % = 91.71%**

MBE%= 1.99%    WBE%= 3.30%    SBE%= 1.83%    EBE%= 0%    DVBE%= 0%    OBE%= 10.86%

**RESPONSIVE**