

Department of Public Works

Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 2

October 23, 2009
CD No. 3

TAMPA AVENUE BRIDGE OVER LOS ANGELES RIVER AND BIKEWAY UNDERPASS BRIDGE, No. 53C-1335 W.O. Nos. E700023F & E700308F; FEDERAL PROJECT NO. BHLS-5006 (184) AND WINNETKA AVENUE BRIDGE OVER LOS ANGELES RIVER BRIDGE No. 53C-1388 W.O. No. E700027F; FEDERAL PROJECT NO. BHLS-5006 (209) - CONTRACT AWARD

RECOMMENDATIONS

1. Declare C.A. Rasmussen, Inc., to be the lowest responsive, responsible bidder and award them a contract for this project for \$7,154,863.
2. Authorize the President or two members of the Board to execute the contract after approval as to form by the City Attorney.

TRANSMITTAL

Summary of bids received on August 5, 2009.

DISCUSSION

Background

The project on Tampa Avenue over Los Angeles River will retrofit and widen the existing bridge deck by 38 feet, to provide curb to curb width of 80 feet, will improve the structural integrity of the bridge to comply with the current seismic standards for public safety as mandated by the State and will facilitate traffic flow over the bridge. New architectural barriers and improvements to the bridge approach and new street lighting will be installed. Also, a bikeway underpass at Tampa Avenue Bridge will be constructed as a gap closure of a continuous riverfront bike path between Vanalden Avenue and Mason Avenue that will be constructed under separate contracts.

The project on Winnetka Avenue over the Los Angeles River will retrofit and widen the existing bridge deck by 18 feet on each side to improve the structural integrity of the bridge to comply with the current seismic standards and will facilitate traffic flow over the bridge. New architectural barriers and improvements to the bridge approach and new street lighting will be installed. The contract construction duration is 500 working days.

The project has been reviewed for environmental compliance. It was determined to be categorically exempt from the provisions of the California Environmental Quality Act of 1970, and categorically excluded from the provisions of the National Environmental Policy Act.

The three lowest of the six bids received (Transmittal) compared with the City Engineer's estimate of \$8,621,600 are:

Bid No.	Contractor's Name	Bid Amount	(%) High/Low	(%) Pledged **		
				UDBE	DBE	OBE
Low Bid	C.A. Rasmussen, Inc.	\$7,154,863	17.01% Low	4.66	7.13	26.27
2 nd Bid	Powell Constructors	\$7,196,264	16.53% Low	0	4.20	15.81
3 rd Bid	Sema Construction, Inc.	\$7,480,794*	13.23% Low	0	4.68	24.40

* Corrected bid amount

** The Race Conscious Disadvantaged Business Enterprise (UDBE) participation was calculated using the dollar amounts of the DBE certified Subcontractors from the following four groups: African American, Asian Pacific American, Native American and Women. By definition, the Race Neutral Disadvantaged Business Enterprise (DBE) Participation Level is inclusive of the aforementioned four groups as well as the DBE certified Hispanic Americans and Subcontinent Asian Americans. However, for the purpose of this report, the Race Neutral DBE Participation Level was calculated using the dollar amounts of only the DBE certified subcontractor's that are either Hispanic American or Subcontinent Asian American.

An evaluation of bids indicates that the lowest bid is reasonable and the unit prices submitted by the bidder are reasonably balanced. Staff recommends awarding the contract to C.A. Rasmussen, Inc., first low bidder, subject to verification of all other bidding requirements.

DBE Program

This project is federally funded and is subject to the City's Race-Conscious DBE Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 Code of Federal Regulations (CFR), Part 26 and Caltrans' Race-Conscious DBE Program. The Office of Contract Compliance (OCC), based on the review of the documents submitted by C.A. Rasmussen, Inc., reported that the contractor pledged 4.66 percent UDBE, 7.13 percent DBE and 26.27 percent Other Business Enterprise (OBE) participation. C.A. Rasmussen, Inc., submitted the following UDBE/DBE/OBE subcontractor information:

Gender/Ethnicity Codes:

- | | |
|-----------------------------------|------------------------------|
| AA= African American | HA = Hispanic American |
| SAA = Subcontinent Asian American | APA = Asian Pacific American |
| C = Caucasian | NA = Native American |
| M = Male | F = Female |

Subcontractors	UDBE/ DBE/OBE	Gender/ Ethnicity	(%) of Bid	Dollar (\$) Amount
Super Seal and Stripe	UDBE	F/C	0.95	\$ 68,000.00
V.T. Electric, Inc.	UDBE	M/APA	3.71	\$265,205.00
Integrity Rebar Placers	DBE	M/HA	4.87	\$348,114.94
R-Help Construction Co., Inc.	DBE	M/HA	2.27	\$162,210.00
A.P.W. Construction, Inc., dba, Ace Fence Co.	OBE		0.60	\$ 43,011.00
Coreslab Structures LA, Inc.	OBE		5.24	\$375,000.00
Craneveyor Corp.	OBE		4.49	\$321,204.00
Penhall Co.	OBE		4.95	\$354,181.00
SJA, Inc., dba, Anderson Drilling	OBE		4.27	\$305,499.20
Stroer and Graff, Inc.	OBE		6.71	\$480,324.00

Compliance with the City's Non-Discrimination Policies

C.A. Rasmussen, Inc., has complied with the Affirmative Action and Slavery Disclosure Ordinance requirements of the bid. The contractor's Provisional Compliance status with the Equal Benefits Ordinance (EBO) will expire on June 30, 2011. If the contractor does not come into compliance by that date, payment due the contractor may be withheld, and agreements with the contractor may be subject to termination. Agreements executed, renewed, or amended after this date must be accompanied by a new EBO determination form.

Previous Work Record

C.A. Rasmussen, Inc., has no record of having worked on any previous contracts awarded by the Board of Public works within the last five years. The OCC has checked with various State agencies and none of these agencies reported any labor compliance problems on file concerning the contractor.

The Inspector of Public Works has conducted a First Time Bidder investigation of references provided by the contractor and did not find any evidence of violations of statutes, regulations, ordinances, or wrong doing by the contractor. The report was submitted to the Board on September 30, 2009.

Peak Hour Construction and Right-of-Way Obstruction Regulations

All contractors are to comply with the requirements specified in the Los Angeles Municipal Code Section 62.61 related to peak hour traffic restrictions, unless an Exemption from the Peak Traffic Hours Prohibition is approved.

Contractor Performance Evaluation

In accordance with Article 13, Chapter 1, Division 10, of the City of Los Angeles Administrative Code (L.A.A.C.), the Project Manager and the City Inspector for this construction contract shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration upon completion of this contract.

Contractor Responsibility Ordinance

All contractors participating in this program are subject to compliance with the requirements specified in the City of Los Angeles' Contractor Responsibility Ordinance No. 173677 (Article 14, Chapter 1, Division 10, L.A.A.C.). Failure to comply with all requirements specified in the Ordinance will render this bidder's contract subject to termination pursuant to the conditions expressed therein.

Enhanced Electrical Safety Policy

Because the estimated value of the electrical work for this project exceeds \$100,000, the electrical work will be performed and inspected under the conditions of the most current, amended Board of Public Works' Enhanced Electrical Safety Policy.

Conclusion

In view of the above findings, staff recommends that the Board declare C.A. Rasmussen, Inc., first low bidder, to be the lowest responsive, responsible bidder and award them the contract for this project.

STATUS OF FINANCING

Funding Needed to Award this Project			
Major Work Area	Contract Amount	Contingencies	Total
Tampa Bridge (Bid Items 1-64)	\$2,876,593	\$ 623,407 (21.6%)	\$3,500,000
Tampa Bridge Underpass (Bid Items 65-77)	\$ 846,405	\$ 53,595 (6.3%)	\$ 900,000
Winnetka Bridge (Bid Items 78-130)	\$3,431,865	\$ 768,135 (22.4%)	\$4,200,000
Total	\$7,154,863	\$1,445,137	\$8,600,000

Total funding needed to award this project, including contingency, is as shown in the table above. The Bikeway Underpass work is funded by the Federal RSTP funds (secured through the METRO Call-for-Projects process) that is matched and front funded by the City's Proposition C funds as appropriated in the Transportation Grant Fund. During the progress of work, Los Angeles DOT (LADOT) Office of Accounting will process the payment to the contractor for bikeway work.

The construction cost for the bridge work is reimbursable from the Federal Highway Bridge Program (HBP) and State Bond Proposition 1B Local Bridge Seismic Retrofit Account. The City's Seismic Bond provides local match funding as well as the front funding needed to cash flow this category of work. In addition, a developer's contribution has been designated for the construction of Tampa Avenue Bridge and appropriated in the Public Works Trust Fund. This developer's fee may be used as a supplemental local match towards the federal HBP funds. The Public Works Office of Accounting will process the payment to the contractor for the bridge work. The Public Works Office of Accounting will also be responsible for billing CALTRANS for reimbursement of HBP, Proposition 1B, and RSTP grants upon receipt of necessary payment documents from LADOT. The RSTP reimbursement, when received, will be returned to the project account in the TGF to further cash flow the remainder of the project work.

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In view of the complexity of multiple funding sources involved, the Bureau of Contract Administration will forward a copy of progress payment requests to the Bureau of Engineering (BOE) Project Manager for review while sending them to Public Works and/or LADOT Accounting for processing. The Project Manager shall indicate the funding source(s) for each change order being processed. The staff of the Office of Accounting of both departments, with the assistance of BOE, will support each other to facilitate the reimbursement collection and ensure adequate project cash flow.

The Assistant General Manager, Office of Finance and Administration of the LADOT Office of Accounting and the Director of the Office of Accounting of the Board of Public Works, concur with the funding arrangements described above and have identified and verified the following funding sources currently available for this project:

Funding Sources			
Project Title	Funded Contract Amount	Funded Contingency Amount	Total
Bridge: Tampa Avenue Seismic Fund No. 608/50/S633	\$2,876,5930	\$ 555,407	\$3,432,000
Bridge: Tampa Avenue PWT Fund No. (Developer Fee) 834/50/00DA		\$ 68,000	\$ 68,000
Tampa Bridge Subtotal	\$2,876,593	\$ 623,407	\$3,500,000
Tampa Avenue Bridge Underpass DOT TG Fund No. 655/94/807	\$ 846,405	\$ 53,595	\$ 900,000
Bridge: Winnetka Avenue Seismic Fund No. 608/50/S611	\$3,431,865	\$ 768,135	\$4,200,000
Total	\$7,154,863	\$1,445,137	\$8,600,000

The contract contains a "Financial Liability Clause" which states that "the City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract". This clause is part of the General Conditions that were reviewed by City Attorney. It provides the legal protection for the City in the possible situation that subsequent funds would not be made available for the remaining contract work.


(TSA PLR WFB)


Report reviewed by:
Bridge Improvement Group

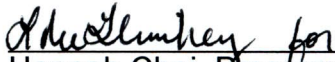
Report prepared by:
Contract Award Section
Ted S. Allen, P.E.
Acting Division Engineer
Phone No. (213) 847-0577

Compliance Review Performed
and Approved by:

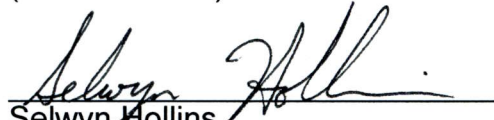
Respectfully submitted,


Gary Lee Moore, P.E.
City Engineer

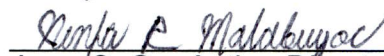

John L. Reamer, Jr.
Inspector of Public Works


Hannah Choi, Program Manager
Office of Contract Compliance
Bureau of Contract Administration

Statement as to Funds Approved by:
(Fund No. 655)


Selwyn Hollins,
Acting Assistant General Manager
Office of Finance and Administration
Department of Transportation
Date: 10-16-09

Statement as to Funds Approved by:
(Fund Nos. 608, 834)


for Jean C. Su, Acting Director
Office of Accounting
Date: 10/16/09

TSA/WC/RS/10-2009-0196.PAC.klc

Questions regarding this report
may be referred to:
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