



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: **PM-3**

February 20, 2003

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

Dear Supervisors:

**FIRE STATION 89 - CITY OF AGOURA HILLS
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
ADOPT, ADVERTISE, AND AWARD
SPECS. 5504; C.P. 70778
SUPERVISORIAL DISTRICT 3
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER AND THE
FIRE CHIEF THAT YOUR BOARD, ACTING AS THE GOVERNING BODY OF THE
CONSOLIDATED FIRE PROTECTION DISTRICT:**

1. Consider the enclosed Mitigated Negative Declaration (Enclosure D) for the proposed Fire Station 89 together with any comments received during the public review process, find that the project with the proposed mitigation measures will not have a significant effect on the environment, find that the Mitigated Negative Declaration reflects the independent judgment of the County, and approve the Mitigated Negative Declaration.
2. Adopt the Mitigation Monitoring and Reporting Program contained in the Mitigated Negative Declaration to ensure compliance with the project changes and conditions to mitigate or avoid significant effects on air quality and biological and cultural resources.

3. Authorize the Director of Public Works to pay the \$1,250 fee to the State Department of Fish and Game as required by the Fish and Game and Public Resources Codes.
4. Approve a net increase of \$198,388 in the project budget to \$5,128,388, to include an upper bid range contingency.
5. Adopt plans and specifications for the construction of Fire Station 89 at an estimated construction contract cost between \$2,059,959 to \$2,832,444 and instruct the Executive Officer to advertise for bids to be received on April 1, 2003, in accordance with the Instruction Sheet for Publishing Legal Advertisements (Enclosure B).
6. Authorize the Director of Public Works to execute a consultant services agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule that conforms to the applicable contract and bid specifications for a not to exceed fee of \$5,000 funded by existing project funds and establish the effective date following determination by the Director of the apparent lowest responsible bidder.
7. Authorize awarding a construction contract to be financed from Fire Department Accumulated Capital Outlay Fund Capital Project 70778 to the apparent lowest responsible bidder meeting the criteria adopted by your Board, subject to the satisfactory and timely completion of a baseline construction schedule for the project by the bidder and receipt by the County of acceptable Performance and Payment Bonds and evidence of required contractor insurance.
8. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the bid of the apparent lowest responsible bidder meets the criteria adopted by your Board and whether the apparent lowest responsible bidder has satisfied the above conditions for contract award, and authorize the Director, if the Director determines that all of the above conditions have been satisfied, to execute the construction contract, in the form previously approved by County Counsel, to the apparent lowest responsible bidder and establish the effective date of the construction contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Population growth and development in the City of Agoura Hills established an urgent need for a new station to provide fire protection and emergency medical services consistent with the Developer Fee Detailed Fire Station Plan for the Consolidated Fire Protection District. We are requesting that your Board authorize the Director of Public Works to award the contract to the lowest responsible bidder meeting the criteria adopted by your Board to expedite the project schedule due to the pressing need caused by the area's population growth and the Fire Department's commitment to local government.

On June 12, 2001, your Board, acting as the governing body of the Consolidated Fire Protection District, approved an amendment to the architectural services agreement for Fire Station 89 with Osborn Architects and delegated authority to the Director of Public Works to manage the construction of Fire Station 89. Osborn Architects completed plans and specifications for the proposed fire station and obtained all jurisdictional approvals. The construction contract consists of a new 11,800-square-foot station which will house an engine company, a paramedic squad, and a Battalion Chief vehicle and will include dormitory quarters for 11 shift personnel, office space, and a training room. The Fire Department will purchase and install the specialty apparatus bay doors through the Internal Services Department procurement process.

The proposed agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specification is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce such a construction schedule. Bid specifications provide that if the apparent lowest bidder fails to complete an acceptable schedule, the Director may return to your Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next lowest bidder, contingent on that bidder completing a baseline schedule which conforms to the County's specifications.

During the design phase, in an effort to reduce construction costs, the building framing system was changed from masonry block to wood and steel. While this change reduced the estimated cost by \$140,000, it extended the design schedule by 2 months. In addition, the final design requires more grading than previously anticipated, and we recommended the construction period be increased from 9 to 12 months.

Additional pre-design delays were incurred when the City of Agoura Hills required street improvements along the frontage of the fire station resulting in another jurisdictional

clearance. Street widening also extends the existing Canwood Street culvert, impacting a natural watercourse, triggering permits from the State Department of Fish and Game, State Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. The original Negative Declaration for the project did not include a discussion on street widening and culvert extension. The Fire Department prepared a subsequent Negative Declaration which evaluated the road improvement impacts and addressed local homeowners' concerns. This process required an additional 3 months.

Because of the fire station's proximity to a natural watercourse, the A/E conducted a comprehensive hydraulic analysis of the stream. In October 2002, the City of Agoura Hills requested that the existing culvert system be redesigned. Additional analysis of the tributary watershed to properly size the new culvert and delineate the flood hazard limits adjacent to the watercourse was performed. The revised culvert design, jurisdictional review, and approval process took an additional 3 months to complete.

In December, the City asserted that grading and building permits for the project would be issued by its Building Department. In response to this position, Public Works met with the City of Agoura Hills and provided them with a set of building plans that had gone through the County approval process. The City reviewed the plans and provided additional code correction comments which were incorporated into the final drawings. Following these meetings, the City of Agoura Hills agreed to assign permitting and code inspection authority to Public Works. These negotiations resulted in a delay of one month. The completion of Fire Station 89 is now scheduled for May 2004.

Implementation of Strategic Plan Goals

These actions are consistent with the County Strategic Plan Goal of Service Excellence. This new fire station will provide additional fire protection and emergency medical services within the City of Agoura Hills.

FISCAL IMPACT/FINANCING

Public Works' fair construction cost estimate without contingency for the base construction is \$2,574,949. If it is determined that the apparent lowest responsible bid received is more than the upper bid range of \$2,832,444, we will return to your Board for approval of either a deduction in scope or additional funding.

The total project cost estimate is increased by \$198,388, which includes an increase of \$257,495 for a bid range contingency, \$19,000 in design fees, and \$110,000 in equipment

for procurement of the apparatus bay doors by ISD. The budget also reflects cost savings of \$149,851 in the estimated construction costs, \$20,000 in consultant services, \$9,000 in miscellaneous expenditures, and \$20,000 in jurisdictional review and plan check fees.

The revised total project cost is \$5,128,388, including design, plan check fees, construction, equipment, furnishings, consultant services, miscellaneous expenditures, County services, and change order contingency fund equal to approximately 10 percent of the expected construction bid amount. The Project Schedule and Budget Summary are included in Enclosure A.

Sufficient funds are available in the Fiscal Year 2002-03 County budget, Fire Department Accumulated Capital Outlay Fund, Capital Project 77078, to fund the requested action within the project bid range and associated cost. Appropriation to complete the project in future fiscal years will be requested through the annual County budget process. The total project cost of Fire Station 89 will be reimbursed with development fee revenue collected from the City of Agoura Hills and within the Malibu/Santa Monica Mountains Developer Fee Area of Benefit (Area 1).

Operational Financing

The District has identified one-time costs in the amount of \$86,150 to open the new fire station. Ongoing operating costs for the new Fire Station 89 are under review. The new station will be staffed with existing personnel to be relocated from various fire stations within the District, and as a result, increases in staff costs are not anticipated at this time. Utility costs cannot be accurately determined due to potential fluctuations in future energy costs; however, any net increases in ongoing costs for the new station will be absorbed by the District's operating budget following occupancy.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Bidders will also be required to show full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigations history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

ENVIRONMENTAL DOCUMENTATION

In accordance with the provisions in the CEQA and the Los Angeles County Environmental Reporting Procedures and Guidelines, a draft mitigated Negative Declaration was prepared and circulated for review on February 25, 2002. Notices were mailed to all property owners and residents within the vicinity of the project. The review period ended on March 26, 2002. Several comments were received during the review period that did not raise any significant environmental issues with the project. However, the initial document did not discuss the potential impacts of the street improvements. Therefore, the Negative Declaration was recirculated.

Prior to recirculating the Negative Declaration, all previous comments received were addressed, and a community meeting with the local homeowners association was held on July 15, 2002, to solicit any additional concerns. The Negative Declaration was recirculated to all appropriate responsible agencies and the public on July 26, 2002. The review period ended on August 26, 2002. All comments and responses were incorporated into the Final Mitigated Negative Declaration.

The mitigation measures included in the Mitigated Negative Declaration for this project specifically address air quality, biological, and cultural resources. Recommended

measures to mitigate impacts on these resources include construction procedures, which are incorporated into the construction bid documents, and the use of specialized consultants by the County to conduct field observations at critical phases of construction. The Mitigated Negative Declaration concluded that the project with the proposed mitigation measures will not have a significant effect on the environment.

We recommend that your Board approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and find that by incorporating the mitigation measures described in the Mitigation Monitoring and Reporting Program, the project will not have a significant effect on the environment.

A fee must be paid to the State Department of Fish and Game when certain notices required by CEQA are filed with the County Clerk. Following approval of the Negative Declaration by your Board, Public Works will submit \$1,250 to the County Clerk to pay this fee. In addition, a \$25 handling fee will be paid to the County Clerk for processing. We will also file a Notice of Determination in accordance with the requirements of Section 21152(a) of the California Public Resources Code.

CONTRACTING PROCESS

Advertising for bids will be in accordance with the County's standard "Instruction Sheet for Publishing Legal Advertisements" (Enclosure B).

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on Public Works contracts.

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with the County" website.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this construction contract as this contract is for non-Proposition A services.

Participation by Community Business Enterprises in the project will be encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to use CBEs.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended services. Fire services will continue to be provided from the existing Fire Station 65 located at 4206 North Cornell Road in the City of Agoura Hills.

CONCLUSION

Please return one adopted copy of this letter to the CAO (Capital Projects Division), Fire Department, and Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

P. MICHAEL FREEMAN
Fire Chief

CRN:amr
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Enc. 3

cc: Auditor-Controller
County Counsel
Department of Public Social Services (GAIN/GROW Program)
Office of Affirmative Action Compliance

February 20, 2003

ENCLOSURE A

**FIRE STATION 89 - CITY OF AGOURA HILLS
 APPROVE MITIGATED NEGATIVE DECLARATION
 ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
 ADOPT, ADVERTISE, AND AWARD
 SPECS. 5504; C.P. 70778**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date Actual
Project Needs Assessment	N/A	N/A
Project Feasibility	N/A	N/A
Project Program	N/A	N/A
Design		
Contract Execution	02/09/00*	
Amendment Execution	06/19/01*	06/14/01*
Construction Document Submittal	02/10/02*	06/06/02*
Jurisdictional Approval	04/09/02	02/13/03*
Construction Bid and Award	07/08/02	04/15/03
Construction		
Substantial Completion	05/19/03	05/26/04
Acceptance	07/31/03	07/28/04
Post Construction		

* Indicates completed activities.

II. PROJECT BUDGET SUMMARY

Budget Category	Original Project Budget	Impact of this Action	Proposed Project Budget
Land Acquisition	\$ 430,000	-0-	\$ 430,000
Construction			
(a) Construction	\$2,724,800	(\$149,851)	\$2,574,949
(b) Bid Range (10 %)	<u>-0-</u>	<u>\$257,495</u>	<u>\$ 257,495</u>
Subtotal	\$2,724,800	\$ 107,644	\$2,832,444
(c) Change Order	<u>\$ 272,500</u>	<u>\$ 10,744</u>	<u>\$ 283,244</u>
Subtotal	\$2,997,300	\$ 118,388	\$3,115,688
Equipment	\$ 83,000	\$110,000	\$ 193,000
Plans and Specifications	\$ 287,900	\$ 19,000	\$ 306,900
Consultant Services	\$ 105,000	(\$20,000)	\$ 85,000
Miscellaneous Expenditures			
(a) Furniture	\$ 75,000		\$ 75,000
(b) Utility Connection Fees	\$ 50,000	(\$ 9,000)	\$ 41,000
(c) Printing/Legal Advertisements	\$ 5,500	-0-	\$ 5,500
(d) Contingency	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Subtotal	\$ 130,500	(\$ 9,000)	\$ 121,500
Jurisdictional Review and Plan Check	\$ 60,000	(\$20,000)	\$ 40,000
County Services	\$ 836,300	-0-	\$ 836,300
TOTAL	\$4,930,000	\$ 198,388	\$5,128,388

February 20, 2003

ENCLOSURE B

**FIRE STATION 89 - CITY OF AGOURA HILLS
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
ADOPT, ADVERTISE, AND AWARD
SPECS. 5504; C.P. 70778**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code, Section 20125, you may publish once a week for two weeks in a weekly newspaper, or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

OFFICIAL NOTICE
INVITING BIDS

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC FEE</u>	<u>DATE OF BID OPENING</u>
3	5504	Fire Station 89 29575 Canwood Street Agoura Hills, CA 91301	\$75	April 1, 2003

Copies of the project manual and drawings may be obtained at the Cashier's Office, Department of Public Works, 1st Floor, 900 South Fremont Avenue, Alhambra, California 91803, for the fee stated above. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's Office before 1:45 p.m. on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 2:00 p.m. on this date in Conference Room D, 1st Floor, 900 South Fremont Avenue, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess a BB license classification at the time of bid. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

PRE-BID CONFERENCE

Public Works/Project Management Team will hold a pre-bid conference at 10:00 a.m. on March 19, 2003, at the project site located at 29575 Canwood Street, Agoura Hills, California 91301, to provide information on the project, bidding process, and answer any questions that the potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory pre-bid conference in its entirety. Bids from bidders who do not attend the pre-bid conference will be rejected as nonresponsive. For further information, please contact Ms. Montessa Duckett with Public Works/Project Management Team at (626) 458-2585.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 S. Fremont Ave.), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.

Enclosure B
February 20, 2003
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Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 S. Ave. Fremont), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de Lunes a Jueves de las 7:00 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated March 4, 2003.

Specs. 5504

VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
OF THE GOVERNING BODY
OF THE CONSOLIDATED FIRE PROTECTION DISTRICT