



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: FEBRUARY 14, 2013

FROM: CONSTRUCTION

**SUBJECT: RESOLUTION NO. _____ -
AWARD AND APPROVAL OF CONSTRUCTION CONTRACT
CONTRACTOR: DAN COPP CRUSHING CORPORATION
ASPHALT AND CONCRETE RECYCLING PROGRAM 2012-2014
SPECIFICATION NO. 2751**

SUMMARY:

The City of Los Angeles Harbor Department's (Harbor Department) Asphalt and Concrete Recycling Program provides for the re-use/recycling of construction debris that otherwise would be disposed of at a landfill. The program consists of crushing salvaged concrete and asphalt concrete rubble into crushed miscellaneous base (CMB) for reuse under new asphalt and concrete pavements throughout the harbor. This contract is part of the Harbor Department's sustainable design and construction policies and practices to recycle and reuse materials to protect the environment. This contract will be used to crush the recycled asphalt from the Berth 200 Rail Yard and China Shipping terminal and/or to provide CMB to these as well as many other Harbor Department projects. The Harbor Department published and received five bids for this contract. The lowest responsive bidder is Dan Copp Crushing Corporation, located in Yorba Linda, California. The contract amount is \$1,800,000 and the contract duration is 730 calendar days.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that in accordance with City Charter Section 1022, work under the subject contract can be performed more feasibly by an independent contractor rather than by City employees;
2. Award and approve Specification No. 2751 for Item Nos. 1 through 10 of the proposal schedule to Dan Copp Crushing Corporation in the amount of \$1,800,000 and authorize payment from the Construction Account. The contract time for performance of the work will be 730 calendar days from the Notice to Proceed;
3. Authorize the Executive Director to execute and the Board Secretary to attest to this contract for and on behalf of the Board;

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4. In accordance with City Charter 655 (g), delegate and authorize the Executive Director to adjust final bid quantities and accept the construction contract upon its completion; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background and Context – The Asphalt and Concrete Recycling Program consists of providing contract services to stockpile salvaged concrete and asphalt concrete rubble, crushing the materials into CMB for reuse under new asphalt pavement, disposing of trash, maintaining the rubble stockpile, and providing a load checker and security services. Ongoing projects provide rubble to the site where it is crushed into CMB for reuse. The program allows the Harbor Department to re-use/recycle construction debris that otherwise would need to be disposed of at a landfill, thereby reducing both disposal and construction costs. Up to approximately 200,000 cubic yards of CMB may be generated during the term of this contract equating to approximately \$800,000 of CMB that will be used on current and future construction projects. In addition, this will save the Harbor Department approximately \$500,000 in hauling and disposal costs. The location of the crusher site can be seen in the Aerial and project site maps (Transmittal 3).

Contract Award Process - City of Los Angeles (City) Charter Section 371(a) – Competitive Bidding sets forth the procedure staff followed to award this contract. For construction contracts such as this one, the Harbor Department generally publishes the Notice Inviting Bids in daily newspapers and trade publications circulated in the City, as well as on the Port of Los Angeles website. The Harbor Department conducts a pre-bid conference and job walk to familiarize prospective bidders with the jobsite and to answer questions related to the construction contract. Following submittal to the Harbor Department, the bids are publicly opened and the lowest apparent bidder is declared. Bid documents, Small Business Enterprise (SBE) participation, and other required documents are reviewed for compliance with Harbor Department requirements. Once all information is verified and the lowest bidder is deemed responsive, recommendation for award of the construction contract is made.

The Notice Inviting Bids concerning Specification No. 2751 was advertised on December 20, 2012, on the Port of Los Angeles website, and in the Los Angeles Watts Times, Chinese Daily News, Eastside Sun, Dodge Construction, and the Metropolitan News Enterprise.

As authorized by the Executive Director on December 20, 2012, the Chief Harbor Engineer received five (5) bids for the subject contract on January 29, 2013. The Analysis of Bids (Transmittal 1) lists the companies that submitted bids and their respective bid amounts. The bids received were opened and Dan Copp Crushing Corporation was declared the apparent lowest responsive bidder with a bid of \$1,800,000.

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Construction staff has verified Dan Copp Crushing Corporation's state license and project references. In conformance with Section 10.8.4 of Ordinance No. 143429, certification is hereby made that Dan Copp Crushing Corporation has executed and filed an Affirmative Action Plan with their bid. A notification letter has been sent to the City Office of Contract Compliance (OCC) as required in the ordinance.

Dan Copp Crushing Corporation has provided the required documents regarding the Small Business Development Program. Since Dan Copp Crushing Corporation is an SBE, this contract qualifies for 100% SBE participation level. The Harbor Department had set a minimum SBE participation level of 15% for this project based on number of available small business contractors in the Harbor Department's contractor database (Transmittal 2). This contract is consistent with State of California prevailing wage.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of a contract with Dan Copp Crushing Corporation for crushing and salvaging of concrete and asphalt rubble for reuse in new pavement projects throughout the Port of Los Angeles in accordance with the Asphalt and Concrete Recycling Program. As an activity involving the crushing of cement concrete and asphalt concrete resulting from demolition work where the crushing on industrial zoned land, is in compliance with L.A.M.C. Secs. 112.04 and 112.05, and includes dust suppression measures sufficient to meet the requirements of the South Coast Air Quality Management District, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article III Class 1(37) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Funds in the amount of \$120,000 for the current fiscal year have been budgeted in Maintenance Improvement Program Budget Account No. 54025, Center No. 0311, and Program No. 309. Upon Board approval, funds for future fiscal years will be requested to be budgeted as part of the annual budget process.

It is anticipated that the funds for this contract will be expended as follows:

Fiscal Year 2012/2013:	\$ 120,000
Fiscal Year 2013/2014:	\$ 600,000
Fiscal Year 2014/2015:	\$1,080,000
Total:	\$1,800,000

Although Dan Copp Crushing Corporation (Contractor) is not obligated to perform any work under the contract in any fiscal year in which no appropriation for the contract has been made, the Contractor agrees to resume performance of the work required by the contract on the same terms and conditions for a period of 60 days after the end of

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the fiscal year if an appropriation therefore is approved within that 60-day period. The Contractor is responsible for maintaining all insurance and bonds during this 60-day period. The time for performance shall be extended during this period until the appropriation is made; however, such extension of time is not compensable. If in any subsequent fiscal year funds are not appropriated for work required by the contract, the contract shall be terminated. However, such termination shall not relieve the parties of liability for any obligation previously incurred.

This project allows the Harbor Department to use CMB on various ongoing construction projects throughout the Port of Los Angeles. Increased construction costs for various projects would result from the inability to use Harbor Department-furnished CMB.

ECONOMIC BENEFITS:

Spending the amount of \$1,800,000 under this contract will result in approximately 14 direct and 13 secondary (indirect and induced) one-year equivalent job impacts for our five-county region.

CITY ATTORNEY:


The Office of the City Attorney reviewed and approved Specification No. 2751 "As to Form" on December 3, 2012.

TRANSMITTALS:


- 1. Analysis of Bids
- 2. Contractor and Subcontractor List
- 3. Aerial & Project Site Maps

FIS Approval: HR (initials)

CA Approval: MC (initials)


 SHAUN SHAHRESTANI
 Chief Harbor Engineer
 Construction Division


 MICHAEL R. CHRISTENSEN
 Deputy Executive Director

APPROVED:

 GERALDINE KNATZ, Ph.D.
 Executive Director