



Executive Director's
Report to the
Board of Harbor Commissioners

DATE: OCTOBER 11, 2022

FROM: CONSTRUCTION

**SUBJECT: RESOLUTION NO. _____ -
AWARD AND APPROVAL OF CONSTRUCTION CONTRACT
CONTRACTOR: GRIFFITH COMPANY
FRONT STREET BEAUTIFICATION
SPECIFICATION NO. 2761A**

SUMMARY:

Staff requests approval of an award of a contract (Contract) to Griffith Company (Griffith) for the Front Street Beautification Project (Project). The Project consists of constructing improvements along a 2,655 linear foot pathway beginning at Regan Street and along Front Street to Pacific Avenue, including, but not limited to, selective site demolition and removals, grading, lighting, landscaping, irrigation, removing and replacing top soil, and installing new fencing along the east side of the Project length. The lowest responsive and responsible bidder is Griffith Company, located at 12200 Bloomfield Ave, Santa Fe Springs, California 90670. The Contract amount of \$5,629,020, plus a 15% contingency, is \$6,473,373 and the Contract duration is 360 calendar days. Payment of expenses incurred under the Contract is the financial responsibility of the Harbor Department.

RECOMMENDATION:

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

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Find that, in accordance with the Los Angeles City Charter Section 1022, work under the subject Contract can be performed more feasibly by an independent contractor rather than by City employees;
3. Award and approve, Specification No. 2761A for Item Nos. 1 through 20 of the Bid Proposal Line Items to Griffith for \$5,629,020; that a 15% contingency not included in the original Contract amount, be applied for a total authorization of \$6,473,373; and authorize payment from the Harbor Department Construction Account. The Contract time for performance of the work shall be 360 calendar days;

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4. Authorize the Executive Director to execute and the Board Secretary to attest to this Contract for and on behalf of the Board;
5. Delegate and authorize the Executive Director to adjust the final bid quantities and accept the construction Contract upon its completion in accordance with City Charter Section 655 (g); and
6. Adopt Resolution No. _____.

DISCUSSION:

Project Description – The Project consists of constructing a twenty-two (22)-foot wide landscaped area with a multi-use path along the north side of Front Street adjacent to the China Shipping Terminal. A landscaped gateway area will be constructed at the northeast corner of Front Street and Pacific Avenue. Project elements include pedestrian lighting, landscaping, and various site amenities. (Transmittal 1)

Construction Award Process - City of Los Angeles 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 publishes the Notice Inviting Bids in daily newspapers and trade publications circulated in the City of Los Angeles, as well as on the Port of Los Angeles website. The Harbor Department conducts a pre-bid conference to answer questions related to the construction contract.

Bidders submit bids through the Port's Construction Division Business Opportunity Network (CDBON) System. The opportunity to submit bids closes once a predetermined time is reached. After bid closing, bid documents, Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE) participation, and other required documents are reviewed for compliance with Harbor Department requirements. Once all information is verified, and if the lowest bidder is deemed responsive, recommendation for award of the construction contract is made. If the apparent low bidder is found non-responsive, the next lowest bidder is reviewed.

In conformance with the City Charter section for competitive bidding, as stated above, on April 28, 2022, the Notice of Inviting Bids for Specification No. 2761A was advertised on the Port of Los Angeles website, in the Daily Breeze, Eastside Journal, Southside Journal, Metropolitan News Company, Chinese Daily News, Los Angeles Times, L.A. Watts Times, Dodge Construction "Green Sheet", Rafu Shimpo, and La Opinion to reach out to as many potential bidders as possible.

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As authorized by the Executive Director on April 21, 2022, the Chief Harbor Engineer received seven bids for the Contract on August 16, 2022. Griffith was declared the apparent lowest bidder with a bid of \$5,629,020. The analysis of bid results with the companies and their respective bid amounts are included in Transmittal 2. Griffith submitted the required documents in Section 00012.09 within the time specified in the specifications. Construction staff has verified Griffith's state license. In conformance with Section 10.8.4 of Ordinance No. 143429, certification is hereby made that Griffith has executed and filed an Affirmative Action Plan with their bid.

The Harbor Department set a minimum SBE participation level of 17%, of which 5% shall be VSBE participation. Griffith has provided the required documents regarding their SBE and VSBE participation. The proposed SBE participation level is 43.42%, and the VSBE participation level by Subcontractors/Suppliers is 5.01% (Transmittal 3).

The Contract is consistent with State of California Prevailing Wage provisions. The Contract is subject to the local business preference ordinance adopted by the Board on April 5, 2012, and Project Labor Agreement Resolution No.17-8164 as approved by the Board on September 7, 2017, and the Los Angeles City Council on December 5, 2017.

The contingency amount of 15% is necessary to address unforeseen requirements and conditions that may be encountered that are beyond the work included in the contract bid items. Unforeseen conditions include, but are not limited to, requirements imposed by other City agencies, unforeseen scope changes, and differing site conditions.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of an award of a contract to Griffith for the Front Street Beautification Project, which is an administrative activity. The proposed action is limited to approval of this contract and any construction projects resulting from the contract will be subject to separate environmental review, as necessary. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed Contract will authorize expenditures of up to \$6,473,373 for construction of the Project. Funds in the amount of \$2,700,000 are budgeted for FY 2022-2023 in Account No. 54510 (Capital Construction Services), Center No. 1167, and Program No. 663. Funds are anticipated to be expended as follows:

FY 2022-2023	\$	2,700,000
FY 2023-2024	\$	3,773,373
TOTAL	\$	6,473,373

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Funds for future fiscal years will be requested and budgeted as part of the annual budget process, upon Board Approval.

Although Griffith 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 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.

CITY ATTORNEY:

The Office of the City Attorney reviewed and approved Specification No. 2761A as to form and legality on September 10, 2021.

TRANSMITTALS:

1. Site Map
2. Analysis of Bids
3. Contractor, Subcontractor, and Supplier List

FIS Approval: MB

CA Approval: SO



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APPROVED:

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EUGENE D. SEROKA
Executive Director

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