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Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

April 8, 2008

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

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: AS-NEEDED UNDERGROUND AND
ABOVEGROUND STORAGE TANK MAINTENANCE AND REPAIR SERVICES
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the contract work is categorically exempt from the provisions of the California Environmental Quality Act.
2. Award the contract for As-Needed Underground and Aboveground Storage Tank Maintenance and Repair Services for an annual sum not to exceed \$460,385 to Redwine-Manley Testing Services, Inc., located in Bakersfield, California. This contract will be for a term of one year commencing on April 28, 2008, with three 1-year renewal options, not to exceed a total contract period of four years.
3. Authorize the Acting Director of Public Works or his designee to increase the contract amount up to an additional 25 percent of the annual contract sum for unforeseen, additional work within the scope of the contract, if required; and to adjust the annual contract sum for each option year over the term of the contract to allow for an annual cost-of-living adjustment in accordance with County policy and the terms of the contract.
4. Authorize the Acting Director of Public Works or his designee to execute the contract; to renew the contract for each additional renewal option if, in the opinion of the Acting Director of Public Works, the contractor has successfully performed during the previous contract period and the

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services are still required; to approve and execute amendments to incorporate necessary changes within the scope of work; and to suspend work if, in the opinion of the Acting Director of Public Works, it is in the best interest of the County to do so.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to provide as-needed and intermittent maintenance and repair services to maintain underground and aboveground storage tanks within the unincorporated County areas and contract cities. The work to be performed will consist of providing maintenance and repair services and parts at approximately 60 Department of Public Works (Public Works) facility locations. Public Works has contracted these services since 1992.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1), Organizational Effectiveness (Goal 3), and Community Services (Goal 6). The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. The contract is for an annual amount not to exceed \$460,385 plus 25 percent for unforeseen, additional work within the scope of the contract. This amount is based on the unit prices quoted by the contractor and Public Works' estimated annual requirements for maintenance and repair.

These services will be financed as needed through various Public Works funds. Total annual expenditures for these services will not exceed the contract amount approved by your Board, and no services will be ordered without the funding authorization of Public Works' Financial Management Branch.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract will be in the form previously reviewed and approved by County Counsel (Attachment A). The recommended contract with Redwine-Manley Testing Services, Inc., located in Bakersfield, California, was solicited on a competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

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The contract contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation is on file with Public Works. The contractor was selected upon final analysis and consideration without regard to race, creed, gender, or color.

The recommended contractor is Redwine-Manley Testing Services, Inc. This contract will commence on April 29, 2008, for a period of one year. With your Board's delegated authority, the Acting Director of Public Works may renew the contract for three 1-year renewal options, not to exceed a total contract period of four years.

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractor before any work is assigned.

Pursuant to the applicable memorandum of understanding, the Request for Proposals (RFP) for this contracted service was submitted on December 6, 2007, to the appropriate union for review. The union has not asked to meet with Public Works regarding this solicitation.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this recommended contract, which is for services required on an as-needed and intermittent basis; hence, this contract is not a Proposition A contract (Los Angeles County Code Chapter 2.121).

This contract includes a cost-of-living adjustment provision in accordance with your Board Policy, which was approved on January 29, 2002.

ENVIRONMENTAL DOCUMENTATION

These services are categorically exempt from the provisions of the California Environmental Quality Act (CEQA). These services are within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15308 of the CEQA Guidelines and Class 8 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

CONTRACTING PROCESS

On December 6, 2007, Public Works solicited proposals from 130 independent contractors and community business enterprises to accomplish this work. Also, a notice of the RFP was placed on the County's bid website (Attachment B), and an advertisement was placed in the *Los Angeles Times*.

On January 14, 2008, two proposals were received. The proposals were first reviewed to ensure they met the minimum requirements in the RFP. Both proposals having met these requirements were then evaluated by an evaluation committee consisting of Public Works staff. The committee's evaluation was based on criteria described in the RFP, which included price, experience, work plan, and references. Based on this evaluation, it is recommended that this contract be awarded to the highest-rated, responsive, responsible, and lowest-cost proposer, Redwine-Manley Testing Services, Inc.

As Public Works' underground and aboveground storage tanks program consists of three separate service requirements (certification, maintenance and repair, and designated operator services), County Counsel instructed that individual service solicitations contain a conflict of interest clause that prevents one contractor from holding contracts for more than one of these service requirements. Redwine-Manley submitted the top-scoring proposals for both the RFP for maintenance and repair and the RFP for certification. As a result of the conflict of interest clause, Redwine-Manley's proposal for the certification contract was not recommended and its proposal for this contract is recommended.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this recommended contract, which is for services required on an as-needed and intermittent basis, hence, this contract is not a Proposition A contract (Los Angeles County Code Chapter 2.121).

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

The award of this contract will not result in the displacement of any County employees as these services are presently contracted with the private sector.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DDE
GZ:dw

Attachments (2)

c: County Counsel
Department of Public Works (Operational Services)