



Legislation Details (With Text)

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On agenda: 5/10/2016 **Final action:** 5/10/2016

Title: Recommendation to rescind the November 10, 2015 action of authorizing award of Contract No. 34145 to Ford E.C., Incorporated, of Los Angeles, CA, for the development of the DeForest Wetlands (per California Public Contracting Code section 5101, the bidder is requesting relief);

Adopt Plans and Specifications No. R-7055 for the DeForest Wetlands Restoration; award a contract to C.W. Crosser Construction, Inc., of Anaheim, CA, in the amount of \$4,971,287, and authorize a 15 percent contingency in the amount of \$745,693, for a total contract amount not to exceed \$5,716,980; authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary amendments thereto; affirm Categorical Exemption No. 115-115 (15301, Class 1);

Authorize City Manager to accept \$623,600 in Los Angeles County Regional Park and Open Space District grant funds for the implementation of Phase 2 of the DeForest Wetlands project; and

Increase appropriations in the Capital Projects Fund (CP) in the Public Works Department (PW) by \$623,600.
(Districts 8,9)

Sponsors: Public Works, Financial Management, Parks, Recreation and Marine

Indexes: Contracts

Code sections:

Attachments: 1. 051016-R-14sr&att.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------------------|--------|
| 5/10/2016 | 1 | City Council | approve recommendation | Pass |

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On November 10, 2015, the City Council awarded a contract to Ford E.C., Incorporated, for the development of the DeForest Wetlands located within the East Basin of the Los Angeles River between Del Amo Boulevard and Osgood Street (map attached). The project was awarded in the amount of \$4,872,567, with a 20 percent contingency of \$974,513, for a total contract amount not to exceed \$5,847,080.

On February 29, 2016, Ford E.C., Incorporated, sent a letter to the City requesting a release from the contract, citing loss of subcontractors and cost escalations while waiting to receive notice to proceed with construction from the City.

After careful consideration of all available options, the Department of Public Works rebid the project on March 29, 2016, and opened bids on April 20, 2016. The Department of Public Works recommends that Contract No. 34145 between the City and Ford E.C., Incorporated, be rescinded and a new contract be awarded to the lowest responsive bidder, C.W. Crosser Construction, Inc., of Anaheim, CA.

The project site is a flood control detention and storage basin owned and operated by the Los Angeles County Flood Control District. The project would, with the existing Dominguez Gap Basin Wetlands south of Del Amo Boulevard, create almost three miles of recreated wetland and related habitat along the Los Angeles River. The DeForest and Dominguez Gap Basin projects together would constitute the largest habitat restoration projects to date along the Los Angeles River, and a very significant step in completing the 52-mile Los Angeles River Greenway.

The proposed project's habitat design focuses on recreating historical floodplain habitats of the lower Los Angeles River watershed. The project would remove non-native trees from DeForest Park in the northern portion of the DeForest Basin. Wetland areas would be created in this area using existing low-flow runoff from local storm drains. These wetland areas act to treat and improve the cleanliness of water before being discharged to the Los Angeles River. Other project elements in this area would consist of trails, including boardwalks, an entrance gate, and interpretive displays focusing on the historical ecology of the region. In the southern portion of the basin, rare historic habitat types such as vernal pools, native grasslands, coastal scrub, and oak-sycamore woodlands would be developed or enhanced. Trails for pedestrians, bicyclists and equestrians would be constructed, as well as a bicycle staging area beneath the Long Beach Boulevard overpass to connect the park with the adjoining Los Angeles River Bikeway (LARIO) on the levee next to the Los Angeles River.

The bid was re-advertised in the Press-Telegram on March 29, 2016, and 4,377 potential bidders specializing in ecological restoration were notified of the bid

opportunity. Of those notified, 125 downloaded the bid via the electronic bid system. The bid document was made available from the Purchasing Division, located on the 7th Floor of City Hall, and the Division's website at <http://www.longbeach.gov/purchasing>. A bid announcement was also included in the Purchasing Division's weekly update of Open Bid Opportunities, which is sent to 22 local, minority and women-owned business groups. Three bids were received on April 20, 2016. Of those three bidders, two were Minority-owned Business Enterprises (MBEs), none were Women-owned Business Enterprises (WBEs), two were certified Small Business Enterprises (SBEs), two were Disadvantaged Business Enterprises (DBEs), and one was a Long Beach-based business (Local). C.W. Crosser Construction, Inc., of Anaheim, CA (an MBE, SBE and DBE), was the lowest responsible bidder.

Local Business Outreach

In an effort to align with the City's outreach goal, Long Beach businesses are encouraged to submit bids for City contracts. The Purchasing Division also assists businesses with registering on the Bids Online database to download bid specifications. Through outreach, 390 Long Beach vendors were notified to submit bids, of which 14 downloaded and one submitted a bid. The Purchasing Division is committed to continuing to perform outreach to local vendors to expanding the bidder pool.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on April 21, 2016 and by Budget Management Officer Victoria Bell on April 26, 2016.

SUSTAINABILITY

Wetlands creation carries with it several sustainable benefits. Wetlands play an important role in recharging of groundwater and in the filtration and breakdown of fertilizers, pesticides, motor oil and other harmful substances that could be contained in runoff that flows downstream to neighboring rivers, lakes, and oceans. Wetlands also reduce the impacts from storm drainage and flooding, store carbon, help stabilize climatic conditions, and control pests. Needed habitat for numerous wildlife species, including endangered birds and mammals is also created. In addition, wetlands support recreational, equestrian and tourist activities.

In accordance with the California Environmental Quality Act (CEQA), this project has been determined to be categorically exempt, pursuant to Title 14, California Code of Regulations Chapter 3, Article 19, Section 15301 (attached).

City Council action to rescind Contract No. 3415 with Ford E.C., Incorporated, adopt Plans and Specifications No. R-7055, and award a contract to C.W. Crosser Construction, Inc., is requested on May 10, 2016, to allow commencement of this Public Works project. It is anticipated that construction will begin in July 2016 and end in May 2017.

The total cost for this project is estimated at \$8,365,492, which includes the construction contract award of \$5,716,980, and the cost for design, project labor agreement compliance, permitting, engineering support and inspections. Of the total project cost, \$7,741,892 was previously appropriated. An appropriations increase for the new grant award from the Los Angeles County Regional Parks and Open Space District is requested in the amount of \$623,600 in the Capital Projects Fund (CP) in the Public Works Department (PW).

Total project costs are supported by the following grants that require no matching funds:

- \$623,600 from the Los Angeles County Regional Park and Open Space District
- \$217,580 from the California State Coastal Conservancy
- \$2,500,000 from the Los Angeles County Proposition A Excess Funds Program
- \$2,500,000 from the California Resources Agency River Parkways Program
- \$1,000,000 from the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy

- \$1,500,000 from the California State Coastal Conservancy

In addition to grant funding, \$24,312 was reallocated from closed projects and is appropriated for project support.

The Parks, Recreation and Marine Department will be responsible for maintenance of the DeForest Wetlands for a period of 20 years, consistent with grant requirements. The annual General Fund cost for grounds maintenance of the 39-acre parcel is estimated at \$180,000 for the first two years and \$144,000 thereafter. Funding for this cost has not been identified, and will be reviewed as part of the FY 17 budget process. Approval of this recommendation will result in a positive local job impact.

Approve recommendation.

[Enter Body Here]

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DIRECTOR OF PUBLIC WORKS

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APPROVED:

PATRICK H. WEST
CITY MANAGER