

Department of Public Works

Bureau of Engineering  
Report No. 2

December 18, 2024  
CD No. 14

**REVISE BUDGET AND ISSUE CHANGE ORDER NOS. 121, 129, 143, AND SUPPLEMENTAL AGREEMENT CHANGE ORDER NO. 161 TO LOS ANGELES ENGINEERING, INC. FOR THE 7<sup>TH</sup> STREET STREETScape IMPROVEMENTS - PACKAGE 1 PROJECT (WORK ORDER NO. E1908262, CONTRACT NO. C-138781)**

**RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):**

1. AUTHORIZE \$1,400,000 in additional contingency and APPROVE a revised construction budget of \$11,498,431 for the 7<sup>th</sup> Street Streetscape Improvements - Package 1 Project (Project).
2. AUTHORIZE the City Engineer to issue Change Order No. 121 to settle all time impacts with the contractor, Los Angeles Engineering, Inc. (LAE), for delays that occurred during Phase 4 (Los Angeles Street to Spring Street) of the Project, between January 1, 2023, and April 5, 2024.
3. AUTHORIZE the City Engineer to issue Change Order No. 129 to compensate LAE for the roadway excavation bid item overrun for work performed in Phase 4B (Main Street to Spring Street) of the Project.
4. AUTHORIZE the City Engineer to issue Change Order No. 143 to compensate LAE for the roadway excavation bid item overrun for work performed in Phase 6 (Broadway to Hill Street) of the Project.
5. AUTHORIZE the City Engineer to issue Supplemental Agreement Change Order No. 161 to construct additional miscellaneous improvements in Phase 5 (Spring Street to Broadway) of the Project.

**TRANSMITTALS**

1. Copy of the Bureau of Engineering (BOE) and the Bureau of Contract Administration Joint Report No. 3, adopted June 25, 2021, awarding the contract for the Project.
2. Copy of the BOE Report No. 5, adopted March 15, 2023, providing authority to increase the Project's budget contingency and issue change orders to LAE.
3. Copy of the BOE Report No. 1, adopted August 16, 2023, providing authority to increase the Project's budget contingency and issue change orders to LAE.
4. Copy of Preliminary Change Order No. 121.
5. Copy of Preliminary Change Order No. 129.
6. Copy of Preliminary Change Order No. 143.
7. Copy of Preliminary Supplemental Agreement Change Order No. 161.

## DISCUSSION

### **Background**

The Project is transforming 7<sup>th</sup> Street, between Figueroa Street and San Pedro Street, into a multi-modal corridor that prioritizes the pedestrian, bicycle, and transit enhancements. Construction is being performed in 11 phases with separate block-to-block full street closures to mitigate traffic circulation impacts and allow the contract work to proceed more efficiently (Figure No. 1). The Project improvements include new curb ramps, transit islands, bus pads, corner islands, new catch basins adjacent to the raised cycle track, striping, and signal upgrades (Figure Nos. 2a and 2b).



Figure No. 1 - Project Map and Proposed Phases for Work

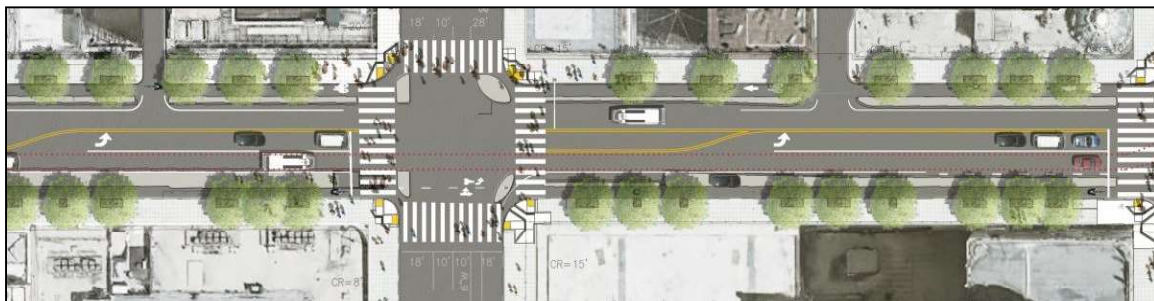


Figure No. 2a - Rendering of the Future 7<sup>th</sup> Street - Plan View



Figure No. 2b - Construction Progress Photos: 7<sup>th</sup> Street (between Broadway and Hill Street)

On June 25, 2021, the Board awarded a contract to LAE in the amount of \$5,701,755 with a contingency amount of \$570,175.50, for a total approved construction budget of \$6,271,930.50, to construct the Project (Transmittal No. 1).

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On March 15, 2023, the Board approved an additional \$850,000 in contingency for a revised construction contingency of \$1,420,175.50, and a total approved construction budget of \$7,121,930.50 (Transmittal No. 2).

On August 16, 2023, the Board approved an additional \$2,976,500.50 in contingency for a revised construction contingency of \$4,396,676, and a total approved construction budget of \$10,098,431 (Transmittal No. 3).

Construction of Phases 1 through 7, which spans from San Pedro Street to Olive Street has been completed. However, the construction of Phases 8 through 11 will be done as part of a future phase due to a funding shortfall.

The following is a narrative of the change orders that are included in this report.

***Change Order No. 121: Time Extension for Delays***

The contractor, LAE, was unable to perform contract work continuously in Phase 4 (Los Angeles Street to Spring Street) due to: 1) impacts from Los Angeles Department of Water and Power (LADWP) waterline relocation work, 2) longer than anticipated review and approval times for the temporary worksite traffic control plans (WTCPs), and 3) additional design revisions to the construction drawings for Phases 5 through 7 (Spring Street to Olive Street), as described in detail below.

The waterline relocation work by LADWP was not identified in the contract documents, since this work was planned to be completed prior to the start of the Project. However, LADWP had to reschedule their relocation work, and then requested coordination and support from LAE, including the exclusive use of LAE's full street closure, to perform their work. LADWP delayed LAE's work by mobilizing later than originally scheduled and taking longer than originally anticipated to complete their work. The impacts from LADWP prevented LAE from working in a continuous, uninterrupted, and productive manner on contract work within Phase 4A, resulting in a City of Los Angeles (City)-caused delay of 28 calendar days.

Due to the urgency to start construction to avoid the loss of grant funding from the Affordable Housing and Sustainable Communities, the as-bid plans in the contract documents contained 90 percent level, unapproved WTCP for one-block full street closures prepared by the City's consultant designer. These plans provided detour routes, signage, and indicated the street closures would be by Type III barricades with flashing arrow boards. LAE was required to develop the plans to 100 percent completion for each block and submit the plans to LADOT for approval. However, once the plans were completed and submitted for LADOT's approval, it was determined that the closure plans needed revisions, including a long-term engineered WTCP consisting of striping plans and temporary signal modification plans, as well as professionally prepared implementation plans. This requirement was not anticipated by LAE based on the

information provided in the contract documents and was determined to be extra work. The City directed LAE to implement the Phase 4 WTCP (Los Angeles Street to Spring Street) in two separate street closures, Phase 4A and Phase 4B, to allow traffic to partially flow through and allow local access to businesses (Figure No. 3).

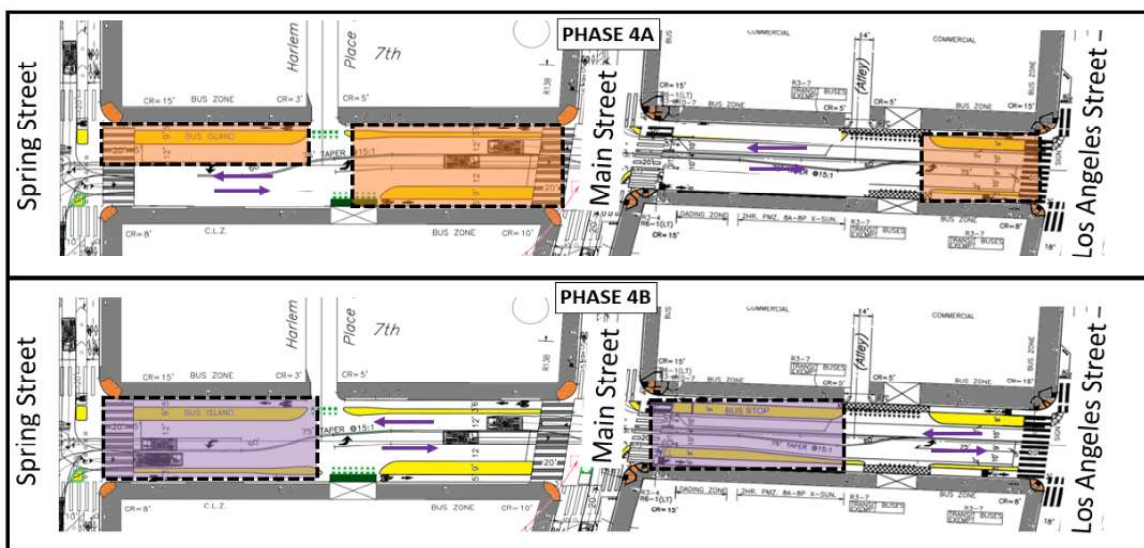


Figure No. 3 - Phases 4A and 4B Street Closures

The technical challenges of designing for a two-block street closure in the Phase 4 WTCP necessitated an extended review and approval process. As a result, Phase 3 (Maple Avenue to Los Angeles Street) traffic control devices had to be left in place for an additional 41 calendar days, until the Phase 4A WTCP was approved and implemented. Similarly, the Phase 4A traffic control devices had to be left in place for an additional 40 calendar days, until the subsequent Phase 4B WTCP was approved and implemented. The complexity of implementing the two-block street closure in the Phase 4 WTCP, as opposed to the one-block street closure shown in the as-bid plans, resulted in the City granting LAE a non-compensable time extension of 81 calendar days for maintaining the temporary traffic control devices during this delay period.

Lastly, the construction drawings for Phases 5 through 7 (Spring Street to Olive Street) were still undergoing design revisions after award of the Project to correct non-compliant accessibility standards for curb ramps, sidewalk, and pedestrian push buttons. As the work for Phase 4 neared completion, the revised plans were not ready for LAE to mobilize to Phase 5 (Spring Street to Broadway) to commence work. This resulted in the Phase 4B street closure needing to be left in place for an additional 88 calendar days, until the City ultimately directed LAE to demobilize from the site during the holiday period. After the revised drawings for Phases 5 through 7 were approved and issued to LAE for construction, the City agreed to provide an additional compensable time extension of 76 calendar days to resolve LAE's demobilization costs and period of construction inactivity.

In summary, Change Order No. 121 (Transmittal No. 4) provides a time extension of 273 calendar days, comprised of 81 non-compensable calendar days and 192 compensable



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calendar days, for a total amount of \$497,422 to settle all compensable delays owed to LAE for City-caused work interruptions in Phase 4, from January 1, 2023, to April 5, 2024, as described above.

***Change Order No. 129: Bid Item Overrun for Phases 1 - 4 (Los Angeles Street to Spring Street)***

During the construction of Phases 1 through 4, LAE encountered differing site conditions than were not anticipated at bid time, including thicker than expected roadway pavement and unsuitable soil beneath the roadway. This required LAE to remove, haul, and dispose of larger quantities of asphalt concrete pavement, crushed miscellaneous base, and unsuitable soil (unclassified fill) material.

The approximate 14 to 18 inches of actual pavement thickness encountered in the field during Phases 1 through 4 have consistently been greater than the 8 to 11.5 inches depicted on the construction drawings. On average, 14 inches is the typical thickness of pavement that has been encountered, and the typical unclassified fill depth removed has been 17 inches.

The Schedule of Work and Prices contains a bid item titled "Roadway Excavation (Varies 8" 10" 11.5" per plan)", which is intended to compensate the contractor for the removal of the asphalt concrete pavement, but there is no separate bid item for the removal of unclassified fill, thus both removals were billed under the same bid item. This caused an overage in the bid item quantity listed in the contract.

Change Order No. 129 (Transmittal No. 5) provides compensation to LAE in the amount of \$192,322 for the Bid Item No. 6 overrun of 569 cubic yards in Phase 4B.

***Change Order No. 143 – Bid Item Overrun for Phase 6 (Broadway to Hill Street)***

During the construction of Phase 6, LAE encountered the same differing site conditions consisting of thicker than expected asphalt concrete pavement and unsuitable soil (unclassified fill) material, as indicated in Change Order No. 121.

Change Order No. 143 (Transmittal No. 6) provides compensation to LAE in the amount of \$206,180 for the Bid Item No. 6 overrun of 610 cubic yards in Phase 6.

***Supplemental Agreement Change Order No. 161***

The construction drawings for Phases 1 through 7 include additional work items not covered in the contract. The added scope includes the removal and replacement of street lighting and traffic signal pull boxes, removal of metal posts, removal and replacement of vent lids, installation of stamped concrete in the new median islands, and surface repair of existing sidewalk. The not-to-exceed amount for this change order is \$44,035. Since the amount for Change Order No. 161 (Transmittal No. 7) will exceed the current approved cost ceiling of 80 percent of the contract bid amount, a Supplemental Agreement Change Order is required.

**Status of Change Orders**

A summary of the current change order status for the Project is presented below:

<b>Summary of Change Orders as of December 2024</b>			
<b>Category</b>	<b>Total No. of Change Orders</b>	<b>Dollar (\$) Amount</b>	<b>Percent (%) Contract Amount</b>
Fully Executed Change Orders	151	\$3,439,242.28	60.32%
Canceled Change Orders	6	\$ 0.00	0.00%
Emergency/Preliminary Change Orders	37	\$1,057,003.93	18.54%
Change Orders per this Board Report	4	\$ 939,959.00	16.48%
<b>Total</b>	<b>198</b>	<b>\$5,436,205.21</b>	<b>95.34%</b>

The BOE forecasts that the existing construction contingency of \$4,396,676 will be exhausted as shown in the table above. Additional contingency in the amount of \$1,400,000 is needed to allow the BOE to execute the change orders in this report plus additional forecasted changes. The BOE requests authority to issue subsequent change orders under this contract, up to the revised construction budget of \$11,498,431, for the Project.

The BOE also requests authority to issue Supplemental Agreement Change Order No. 161, for a not-to-exceed amount of \$44,035 for the additional miscellaneous improvements that were constructed as part of Phase 5 (Spring Street to Broadway). As part of the Supplemental Agreement Change Order, the terms and conditions of the LAE Contract No. C-138781 would be extended from the current ceiling of 80 percent above the contract award amount to a new ceiling of 101.66 percent above the contract award amount.

The total dollar amount of the change orders identified in this report (Change Order Nos. 121, 129, 143, and Supplemental Agreement Change Order No. 161) equates to \$939,959.

**Additional Contingency**

The \$1,400,000 in additional contingency being requested is needed to pay for the four change orders identified in this report, totaling \$939,959, along with other extra work completed for Phases 1 through 7 (San Pedro Street to Olive Street). This extra work which is valued at approximately \$360,470, includes additional changes in scope to comply with various City agency requirements and updated policies, including additional sidewalk repairs for accessibility and regulatory compliance; worksite traffic control plans; traffic striping, signage, and signal modifications; and other bid item quantity overruns. The additional contingency also includes the WTCP implementation and initial remobilization costs for Phase 8 (Olive Street to Grand Avenue) should additional funding be appropriated to continue construction beyond Phase 7. A future report will be prepared to request the full construction costs to complete the improvements for Phases 8 through 11 (Grand Avenue to Figueroa Street).

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Requested Additional Contingency and Revised Budget Authorization				
Original Contract	Approved Contingency	Authorized Budget	Requested Additional Contingency	New Authorized Budget
\$5,701,755	\$4,396,676	\$10,098,431	\$1,400,000	\$11,498,431

#### STATUS OF FUNDING

Funding in the amount of \$1,400,000 for the requested additional contingency is available in the 7<sup>th</sup> Street Streetscape Improvement Account, Fund No. 100, Department No. 54, Appropriation Unit No. 00P294; Fiscal Year 2022-23 Capital and Technology Improvement Expenditure Program (CTIEP) by the Measure R Local Return, Fund No. 51Q, Department No. 94, Appropriation Unit No. 94WM14; FY 2022-23 CTIEP by the Senate Bill 1 (SB1), Fund No. 59V, Department No. 50, Appropriation Unit No. 50WVHS; and Fiscal Year 2024-25 CTIEP by the Senate Bill 1, Fund No. 59V, Department No. 50, Appropriation Unit No. 50AVHS.

The Director of the Office of Accounting and the Assistant General Manager of the LADOT have identified and verified the following funding sources are currently available for the Project.

Fund No.	Appropriation Unit No.	Budget Fiscal Year	Contract	Contingencies	Total
100	00P294	2018	\$4,201,755.00	\$1,420,175.50	\$ 5,621,930.50
100	00V815	2022	\$ 1,500,000	\$ 0.00	
59V	50WVHS	2023	\$ 0.00	\$2,976,500.50	\$ 2,976,500.50
<b>Total Authorized Budget</b>			<b>\$5,701,755.00</b>	<b>\$4,396,676.00</b>	<b>\$10,098,431.00</b>
100	00P294	2018	\$ 0.00	\$ 252,500.50	\$ 252,500.50
51Q	94WVHS	2023	\$ 0.00	\$ 220,891.00	\$ 220,891.00
59V	50WVHS	2023	\$ 0.00	\$ 426,608.50	\$ 426,608.50
59V	50AVHS	2025	\$ 0.00	\$ 500,000.00	\$ 500,000.00
<b>Total Requested Additional Contingency</b>			<b>\$ 0.00</b>	<b>\$1,400,000.00</b>	<b>\$ 1,400,000.00</b>
<b>New Authorized Budget</b>			<b>\$5,701,755.00</b>	<b>\$5,796,676.00</b>	<b>\$11,498,431.00</b>

The City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract.

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( NM VA JF )

Report reviewed by:

BOE (ADM)

Report prepared by:

Street Improvement Division

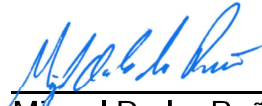
Nur Malhis, PE  
Division Engineer  
Phone No. (213) 485-4737

Respectfully submitted,

The image shows a blue ink electronic signature of Ted Allen. Above the signature is a red rectangular stamp that reads "ENGINEERING" and "Electronically signed by Ted Allen on 12/09/2024 3:16 PM".

Ted Allen, PE  
City Engineer  
Bureau of Engineering

Statement as to funds approved by:

A blue ink signature of Miguel De La Peña.

Miguel De La Peña, Director  
Office of Accounting  
Fund Ref. 100/54/00P294/\$252,500.50  
59V/50/50VVHS/\$426,608.50  
59V/50/50AVHS/\$500,000.00

Date: 12/09/2024

A blue ink signature of Kevin Minne.

Kevin Minne, Assistant General Manager  
Los Angeles Department of Transportation  
Fund Ref. 51Q/94/94WM14/\$220,891.00  
Date: 12/10/2024

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Questions regarding this report  
may be referred to:  
Kayla Peji, Project Manager  
Phone No. (213) 485-1629  
Email: [kayla.peji@lacity.org](mailto:kayla.peji@lacity.org)



BPW-2021-0460

Department of Public Works

Bureau of Engineering  
Bureau of Contract Administration  
Joint Report No. 3

June 25, 2021  
CD No. 14

ADOPTED BY THE BOARD  
PUBLIC WORKS OF THE CITY  
of Los Angeles California

JUN 25 2021

  
Executive Officer  
Board of Public Works

**CONTRACT AWARD TO LOS ANGELES ENGINEERING, INC. FOR THE 7<sup>TH</sup> STREET STREETSCAPE IMPROVEMENTS - PACKAGE 1 (WORK ORDER NO. E1908262)**

**RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):**

1. FIND Sully-Miller Contracting Co. (Sully-Miller), apparent second low bidder, to be non-responsive as discussed in this report.
2. DECLARE Los Angeles Engineering, Inc. (LA Engineering), apparent first low bidder, to be the lowest responsive, responsible bidder, and AWARD LA Engineering a contract for the Total Base Bid Amount of \$5,701,755.00.
3. AUTHORIZE the President or two members of the Board to execute the contract after approval as-to-form has been obtained from the City Attorney.

**TRANSMITTAL**

1. Summary of bids received on March 9, 2021.
2. Copy of letter dated April 7, 2021 from Mr. Kevin Ta, Senior Estimator, Sully-Miller, to Bureau of Contracting Administration (BCA).

**DISCUSSION**

***Background***

The 7<sup>th</sup> Street Streetscape project will transform 7th Street between Figueroa Street and San Pedro Street into a multi-modal corridor that prioritizes the pedestrian, bicycle, and transit enhancements (Figure 1). The Project would either upgrade existing or construct new eastbound and westbound bicycle lanes between Figueroa Street and San Pedro Street with a protected cycle track (Figure 2). The bike lanes will be positioned adjacent to the curb with protection from raised medians and transit platforms. The construction includes new curb ramps, transit islands, bus pads, corner islands, new catch basin adjacent to raised cycle track, striping and signal upgrades. The contract duration is 548 calendar days.

The Bureau of Engineering (BOE) hosted community meeting on January 21, 2021. The community and Council District 14 is excited and supportive of the project.

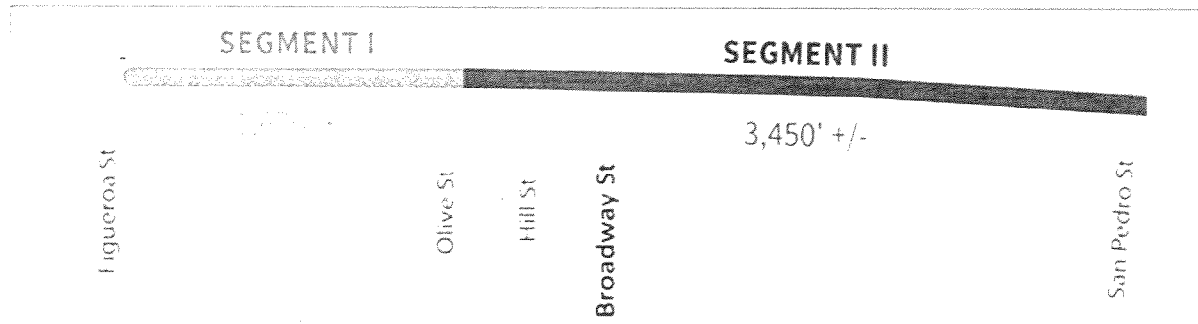


Figure 1 – Map of the Project Scope – Plan View

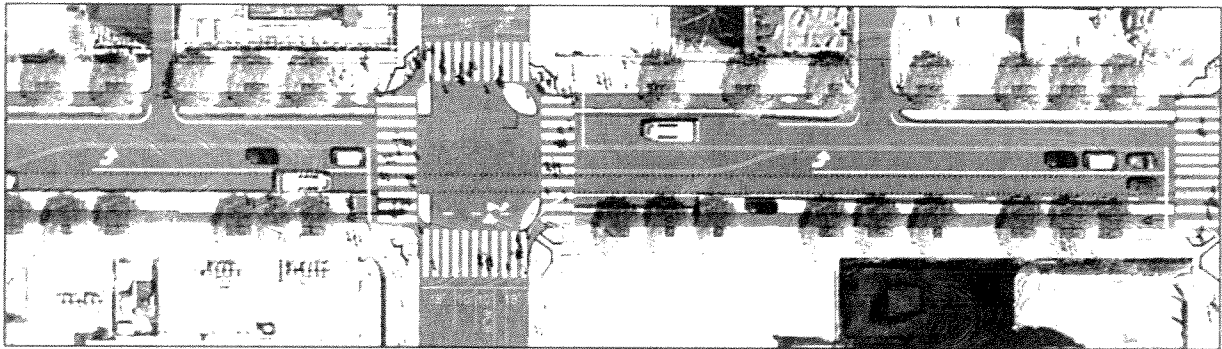


Figure 2 - Rendering of the Future 7<sup>th</sup> Street – Plan View

The project has been reviewed for environmental considerations. It was determined to be categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970 under Article III of the City's CEQA Guidelines.

### ***Bid Review***

This project was bid with two categories of bid items. The first category included the Total Base Bid Item Nos. 1-50. The subtotal of the bid amounts for Bid Item Nos. 1-50 is referred to as the "Total Base Bid Amount" which included scope to construct protected cycle track, raised medians, transit platforms, and curb ramps. The second category of bid items was additive bid alternatives which were included to add the resurfacing of the entire asphalt roadway. The subtotal of costs for the Additive Alternate Bid Item Nos. 51-54 is referred to as the bid amount for the "Additive Alternative Bid Section." The Bid Package stated that the award of the contract would be based on the "Total Base Bid Amount," without considering the bid amounts for the Additive Alternative Bid Section. These alternate bid items' prices shall be added to the Total Base Bid Amount at the discretion of the City of Los Angeles (City). On March 24, 2021, the City's Bureau of Engineering (BOE) confirmed that they will not be looking to award Additive Alternate Bid Item Nos. 51-54. The summary of the Total Base Bid Amounts received for the project is included as the Transmittal to this report. The City Engineer's estimate for the Total Base Bid Amount is \$5,986,170.

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The two lowest Total Base Bid Amounts are as follows.

Business Codes:

MBE = Minority Business Enterprise  
WBE = Women Business Enterprise  
SBE = Small Business Enterprise  
LBE = Local Business Enterprise  
EBE = Emerging Business Enterprise  
DVBE = Disabled Veteran Business Enterprise  
OBE = Other Business Enterprise  
LGBTBE = Lesbian, Gay, Bisexual, Transgender Business Enterprise

Bid No.	Contractor Name	Bid Amount	% High/Low	% Pledged			
				MBE	WBE	SBE	LGBTBE
Low Bid	LA Engineering (OBE)	\$5,701,755.00 <sup>1</sup>	4.75% Low	0.00%	0.00%	0.81%	0.00%
				EBE	DVBE	OBE	
				0.81%	0.00%	27.37%	
2 <sup>nd</sup> Bid	Sully-Miller (OBE, LBE)	\$6,125,000.00 <sup>1</sup>	2.32% High	MBE	WBE	SBE	LGBTBE
				5.03%	0.86%	5.89%	0.00%
				EBE	DVBE	OBE	
				0.00%	0.00%	21.50%	

<sup>1</sup>Total Base Bid Amount

Sully-Miller, apparent second low bidder, listed their Total Bid Amount incorrectly. Staff corrected Sully-Miller's Total Bid Amount in accordance with the procedures set forth in the General Instructions and Information for Bidders. Sully-Miller was contacted and notified of corrections. The corrections did not change the order of the bids.

Based on the range of bids submitted for this project, staff believes this bid is reasonable. The contract may be awarded to LA Engineering, first low bidder, subject to verification of all other bidding requirements.

**Local Business Preference (LBP) Program**

City Ordinance No. 181910 adopted the LBP program. This program is designed to increase local employment and expenditures in the local private sector. Bidders that qualify as a LBE may be granted an 8 percent reduction of their bid amount solely for bid evaluation purposes. Additionally, all non-LBE bidders may be granted a 1 percent reduction, up to a maximum of 5 percent, of their bid amount for bid evaluation purposes, for every 10 percent of their bid that is to be performed by an LBE subcontractor. The program also includes a provision which states that an Awarding Authority has the right to

determine, at any time before the award of a contract, that it is not in the City's best interest to grant a bid reduction to a qualifying LBE.

For this project, the Bureau of Contract Administration (BCA) verified that the apparent first low bidder, LA Engineering, is not a certified LBE, and that the apparent second low bidder, Sully-Miller, is a certified LBE.

Staff calculated the bids as follows:

Prime Contractor	Certification	Bid Amount	LBP Percentage	LBP Adjusted Bid Amount
LA Engineering	Non-LBE	\$5,701,755.00	0%	\$5,701,755.00
Sully-Miller	LBE	\$6,125,000.00	8%	\$5,635,000.00

Based on these findings, Sully-Miller becomes the first low bidder for bid evaluation purposes after the LBP Percentage was applied.

***Business Inclusion Program (BIP)***

On January 12, 2011, the Mayor issued Executive Directive No. 14 which created the BIP. This program provides MBE, WBE, SBE, EBE, DVBE, and OBE firms an equal opportunity to compete for and participate in City contracts. Additionally, the BIP requires bidders to perform and document BIP Outreach via the internet utilizing the Los Angeles Business Assistance Virtual Network service.

This project was advertised with anticipated participation levels of 4.00 percent MBE, 2.00 percent WBE, 25.00 percent SBE, 8.00 percent EBE, and 3.00 percent DVBE, and with mandatory BIP documentation requirements. Currently, the LGBTBE certification is not required as a part of the BIP Outreach, but is tracked for statistical tracking purposes. The Mandatory Subcontracting Minimum (MSM) requirement for this project is 25.00 percent. The bidders' MSM percentage were calculated after subtracting the fixed cost items of \$180,000.00 from the total bid amount. The Office of Contract Compliance, based on a review of the documents submitted, reported the following:

1. LA Engineering, apparent first low bidder, pledged participation levels of 0.00 percent MBE, 0.00 percent WBE, 0.81 percent SBE, 0.81 percent EBE, 0.00 percent DVBE, 0.00 percent LGBTBE, 27.37 percent OBE, and 29.09 percent MSM.
2. Sully-Miller, apparent second low bidder, who became first low after LBP is applied, pledged participation levels of 5.03 percent MBE, 0.86 percent WBE, 5.89 percent SBE, 0.00 percent EBE, 0.00 percent DVBE, 21.50 percent OBE, and 28.22 percent MSM. However, Sully-Miller failed to pass their BIP Outreach



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Evaluation, which was conducted utilizing Los Angeles Business Virtual Network (BAVN) service. Specifically, they did not meet the BIP Indicator 2: Attended Pre-bid Meeting Requirement; therefore, it is recommended that their bid be deemed non-responsive.

LA Engineering pledged the following subcontractor utilization:

Gender/Ethnicity Codes:

AA = African American	HA = Hispanic American
APA = Asian Pacific American	SAA = Subcontinent Asian American
NA = Native American	C = Caucasian
M = Male	F = Female

Subcontractors	MBE/WBE/ SBE/EBE/ DVBE/OBE/ LGBTBE	Gender/ Ethnicity	% of Bid	Dollar Amount
Harris Consulting Group	SBE, EBE		0.81%	\$ 45,900.00
CMB Structures, Inc.	OBE		0.80%	\$ 45,525.00
Cal Stripe, Inc.	OBE		8.84%	\$504,100.00
Hardy & Harper, Inc.	OBE		4.61%	\$262,824.00
KDC, Inc. dba Dynalectric	OBE		8.49%	\$484,250.00
Holiday Rock	OBE		4.30%	\$245,000.00
West Coast Sand & Gravel, Inc. <sup>1</sup>	OBE		0.33%	\$ 18,720.00

<sup>1</sup>This firm is a material supplier as per correspondence received from the subcontractor; therefore, its bid-listed amount of \$31,200.00 was credited at sixty (60) percent.

Note: Subcontractors may be certified in multiple certification categories; therefore, per the requirements of Executive Directive No. 14, the dollar amounts were credited toward multiple pledged participation categories.

Sully-Miller pledged the following subcontractor utilization:

Gender/Ethnicity Codes:

AA = African American	HA = Hispanic American
APA = Asian Pacific American	SAA = Subcontinent Asian American
NA = Native American	C = Caucasian
M = Male	F = Female

Subcontractors	MBE/WBE/ SBE/EBE/ DVBE/OBE/ LGBTBE	Gender/ Ethnicity	% of Bid	Dollar Amount
Global Transloading, LLC	MBE, SBE	F/NA	5.03%	\$308,000.00
Rupert Construction Supply, LP <sup>1</sup>	WBE, SBE	F/C	0.86%	\$ 52,858.80
CMB Structures, Inc.	OBE		0.74%	\$ 45,525.00
Chrisp Co.	OBE		4.09%	\$250,675.00
KDC, Inc. dba Dynalectric	OBE		7.99%	\$489,142.00
Blue Diamond Materials <sup>2</sup>	OBE		1.98%	\$121,500.00
National Ready Mixed Concrete Co.	OBE		5.89%	\$361,000.00
LBIW, Inc. <sup>3</sup>	OBE		0.80%	\$ 49,218.00

<sup>1</sup>This firm is a material supplier as per correspondence received from the subcontractor; therefore, its bid-listed amount of \$202,500.00 was credited at sixty (60) percent.

<sup>2</sup>This firm is a material supplier as per correspondence received from the subcontractor; therefore, its bid-listed amount of \$82,030.00 was credited at sixty (60) percent.

Note: Subcontractors may be certified in multiple certification categories; therefore, per the requirements of Executive Directive No. 14, the dollar amounts were credited toward multiple pledged participation categories.

### ***Communication Received***

In a letter dated April 7, 2021, Sully-Miller responded to the OCC's BIP fail letter (Transmittal No. 2). In their letter, Sully-Miller requested a reconsideration of Staff's recommendation that its bid be deemed non-responsive. Sully-Miller acknowledge missing the Pre-bid meeting. However, Sully-Miller would like to be considered due to their SBE participation levels and that they attended another pre-bid meeting within 12 months prior.

### ***Staff Response***

Sully-Miller's response failed to provide any information that would change the OCC's non-responsive recommendation. The Bid Proposal Part III language is clear, stating for BIP Indicator 2: Attended Pre-bid Meeting, "Required Documentation: An employee of the bidder's company must attend the pre-bid meeting scheduled for this project. This requirement may be waived if the bidder certifies in writing that it is informed as to the BIP Outreach requirements for the project and has participated in a City-sponsored or City-approved matchmaking event in the prior 12 months." Sully-Miller neither attended the pre-bid meeting nor participated in a City-sponsored or approved matchmaking event in the past 12 months; therefore, Staff recommends that the Board find Transmittal No. 2 to be unmerited.

### ***Compliance with the City's Non-Discrimination Policies***

LA Engineering shall comply with the Affirmative Action, Non-Discrimination, and Equal Employment Practices Provisions, Equal Benefits Ordinance, Contractor's Use of Criminal History for Consideration of Employment Applications Ordinance, Living Wage Ordinance, Worker Retention Ordinance, First Source Hiring Ordinance, Slavery Disclosure Ordinance, and Disclosure of Border Wall Contracting Ordinance requirements of the bid.

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Bureau of Engineering  
Bureau of Contract Administration  
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Page 7

***Previous Work Record***

Los Angeles Engineering, Inc. has been awarded two contracts issued by the Board of Public Works within the last five years. Los Angeles Engineering has compiled the following record of violation while performing construction contracts for the City:

	Infraction	Fine Amount	Date	Contract No.
1	Project: Temescal Canyon Park Stormwater Best Management Practices Project Phase I (Work Order No. EW40017F)			
	Unauthorized Subcontractor Substitution	\$3,000.00	01/30/2017	C-119253

Other than the aforementioned, no significant or unresolved problems in inspection or contract compliance have been experienced by the Bureau of Contract Administration.

In the past five years, LA Engineering has not been awarded any contracts issued by the Board under the BIP or the Race-Conscious DBE Program.

***Contractor Performance Evaluation***

In accordance with Article 13, Chapter 1, Division 10, of the City of Los Angeles Administrative Code (L.A.A.C.), the Project Manager and the City Inspector for this construction contract shall submit Contractor Performance Evaluation Reports to the BCA (Department of Public Works) upon completion of this contract.

***Peak Hour Construction and Right-of-Way Obstruction Regulations***

All contractors must comply with the requirements specified in the Los Angeles Municipal Code Section 62.61 related to peak hour traffic restrictions unless an exemption from the Peak Traffic Hours Prohibition is approved.

***Contractor Responsibility Ordinance***

All contractors participating in this program are subject to compliance with the requirements specified in the City of Los Angeles Contractor Responsibility Ordinance No. 173677 (Article 14, Chapter 1, Division 10, L.A.A.C.). Failure to comply with all the requirements specified in the ordinance may render this bidder's contract subject to termination pursuant to the conditions expressed therein.

**Bid Bond Extension**

LA Engineering was requested to extend their Bid Bond. The bid bond was set to expire on June 7th and has been extended to July 9, 2021.

**Conclusion**

In view of the above findings, staff recommends that the Board declare LA Engineering, first low bidder, to be the lowest responsive, responsible bidder, and award LA Engineering the contract for this project.

**STATUS OF FUNDING**

There is no impact to the General Fund. The funding for this Project is front-funded through the 7<sup>th</sup> St Streetscape Improvement Account, Fund No. 100, Department No. 54, Appropriation Unit No. 00P294 (CF 17-1226). Additional funding from the FY2021-22 Capital and Technology Improvement Expenditure Program (CTIEP) Funding, line item "Curb Ramps with Signal Construction and Other Citywide Curb Ramp Projects" will become available in early fiscal year 21/22 (CF 21-0600). Housing and Community Investment Department (HCID) will assist the project in obtaining reimbursements from the project's eligible construction expenditures in Segment II (see Figure 1 above) with the Affordable Housing Sustainability Community Grant Round 2 (CF 17-1226).

The contract contains a "Financial Liability Clause" which states that "the City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract."

The following funding has been verified and approved by the Director of the Office of Accounting subject to the conditions described above:

Fund No.	Appropriation Unit No.	Budget Fiscal Year	Contract	Contingencies	Total
<b>Local Funding</b>					
100	00P294*	2018	\$2,730,755.00	\$570,175.50	\$3,300,930.50
TBD	TBD**	2022	\$1,500,000.00	\$ 0.00	\$1,500,000.00
<b>Funding Eligible for Reimbursement</b>					
TBD	TBD***	TBD	\$1,471,000.00	\$ 0.00	\$1,471,000.00
<b>Total</b>			<b>\$5,701,755.00</b>	<b>\$570,175.50</b>	<b>\$6,271,930.50</b>

\* 7<sup>th</sup> St Streetscape Improvements

\*\* FY2021-22 Capital and Technology Improvement Expenditure Program (CTIEP), line item "Curb Ramps with Signal Construction and Other Citywide Curb Ramp Projects"

\*\*\* Affordable Housing Sustainability Community Grant Round 2



Department of Public Works  
Bureau of Engineering  
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( SJC GV RMK JKS CLS )

Report reviewed by:

BOE (ADM and SID)

Report prepared by:

Project Award and Control Division

Gregg Vandergriff, PE  
Division Engineer  
Phone No. (213) 847-0577

Compliance review performed  
and approved by:

*Lynda McGlinchey*

Lynda McGlinchey, Program Manager II  
Office of Contract Compliance  
Bureau of Contract Administration

Statement as to funds approved by:

*Miguel De La Peña*

Miguel De La Peña, Director  
Office of Accounting  
Fund Ref. 100/54/00P294/\$3,300,930.50  
Date: 6/14/2021

GV/WL/05-2021-0068\_PAC.gva

Questions regarding this  
report may be referred to:  
Winnie Lam, Project Manager  
Phone No. (213) 485-5179  
E-mail: winnie.lam@lacity.org

Respectfully submitted,

*Gary Lee Moore*  
Electronically signed by 21866

Gary Lee Moore, PE, ENV SP  
City Engineer  
Bureau of Engineering

*John L. Reamer, Jr.*

John L. Reamer, Jr.  
Inspector of Public Works  
Bureau of Contract Administration

Department of Public Works

Bureau of Engineering

Report No. 5

March 15, 2023

CD No. 14

ADOPTED BY THE BOARD  
PUBLIC WORKS OF THE CITY  
of Los Angeles California

MAR 15 2023

  
Executive Officer  
Board of Public Works

**REVISE BUDGET AND ISSUE CHANGE ORDER NO. 023 TO LOS ANGELES ENGINEERING, INC. FOR THE 7<sup>TH</sup> STREET STREETSCAPE IMPROVEMENTS - PACKAGE 1 (WORK ORDER NO. E1908262, CONTRACT NO. C-138781)**

**RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):**

1. AUTHORIZE \$850,000.00 in additional contingency and APPROVE a revised construction budget of \$7,121,930.50 for the 7<sup>th</sup> Street Streetscape Improvements - Package 1 (Project).
2. AUTHORIZE the City Engineer to issue Change Order No. 023 for a not-to-exceed amount of \$161,000.00 to construct the additional traffic signal modifications along 7<sup>th</sup> Street, between San Pedro Street to Los Angeles Street, as approved by the Los Angeles Department of Transportation (LADOT).

**TRANSMITTALS**

1. Copy of the Bureau of Engineering (BOE) and the Bureau of Contract Administration Joint Report No. 3, adopted June 25, 2021, awarding the contract for the Project.
2. Copy of Preliminary Change Order No. 023.

**DISCUSSION**

***Background***

On June 25, 2021, the Board awarded a contract to Los Angeles Engineering, Inc. (LAE) in the amount of \$5,701,755.00 with a contingency amount of \$570,175.50 for a total approved construction budget of \$6,271,930.50 to construct the Project (Transmittal No. 1). The Project will transform 7<sup>th</sup> Street, between Figueroa Street and San Pedro Street, into a multi-modal corridor that prioritizes the pedestrian, bicycle, and transit enhancements (Figure No. 1) transit platforms. The construction includes new curb ramps, transit islands, bus pads, corner islands, new catch basins adjacent to the raised cycle track, striping, and signal upgrades (Figure No. 2).

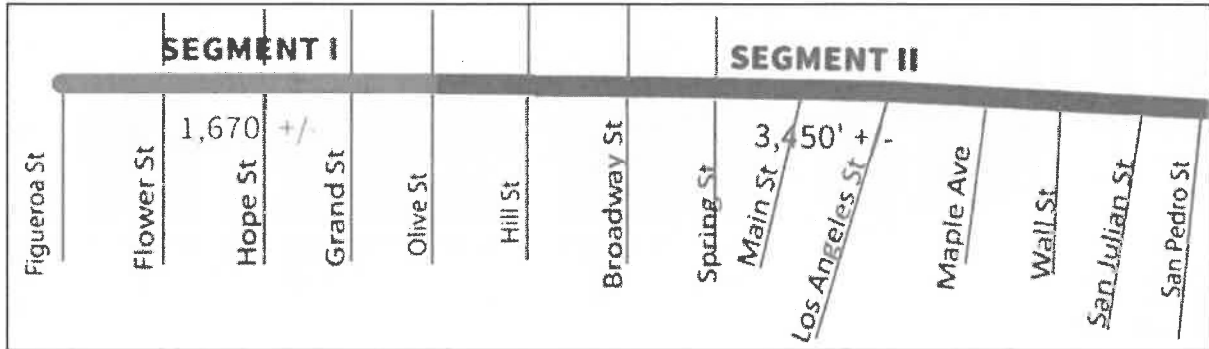


Figure No. 1 - Map of the Project Scope - Plan View

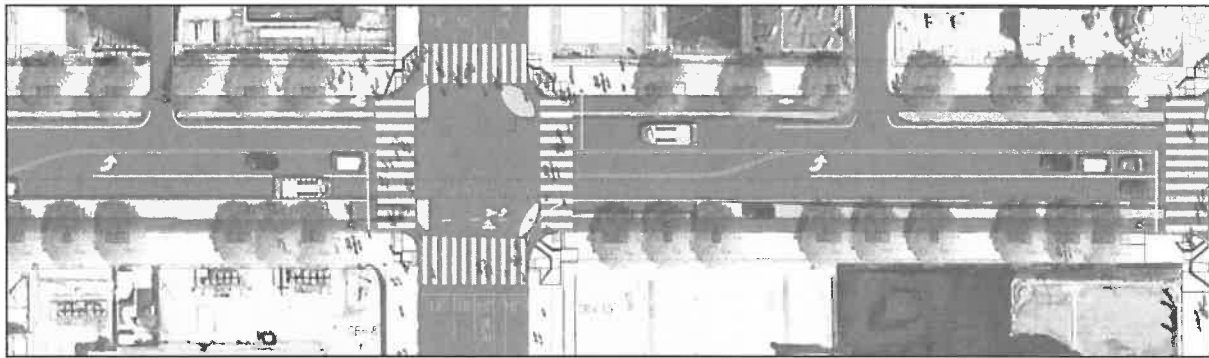


Figure No. 2 - Rendering of the Future 7<sup>th</sup> Street - Plan View

***Change Order No. 023 - Extra Work for Revised Traffic Signal Modifications Plans as Approved by LADOT Along 7<sup>th</sup> Street between San Pedro Street and Los Angeles Street***

After the Project was advertised, LADOT requested a revision to the traffic signal modification construction drawings which included additional traffic safety design elements along 7<sup>th</sup> Street, between San Pedro Street and Los Angeles Street, outside of the original contract scope of work. The LADOT approved the revised final traffic signal modification plans which included extra labor, material, equipment for excavation, backfill, slurry, traffic striping and delineators, conduit/cables, accessible pedestrian signals, and other traffic signal incidentals. As a result, the Preliminary Change Order No. 023 was issued for the revised scope of work above (Transmittal No. 2). The BOE requests authority to issue Change Order No. 023 for a not to exceed amount of \$161,000.00 to complete this work.

***Additional Contingency***

The \$850,000.00 in additional contingency is to cover extra work costs to the contractor based on previous agreed change orders and projected unforeseen conditions and scope changes from San Pedro Street to Spring Street. A summary of the projected additional contingency costs for unforeseen conditions and scope changes is presented below.

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<b>Projected Scope Changes and Unforeseen Conditions Summary From San Pedro Street to Spring Street</b>		
<b>Additional Contingencies Category</b>	<b>Dollar (\$) Amount</b>	<b>Percent (%) Contract Amount</b>
Los Angeles Department of Water and Power (LADWP) Relocations	\$135,000.00	2.37 %
On-site Security	\$180,000.00	3.16 %
Tree Wells	\$ 10,000.00	0.18 %
Temporary Traffic Control	\$255,000.00	4.47 %
Permanent Striping and Signage	\$145,000.00	2.54 %
Permanent Traffic Signal Modifications	\$125,000.00	2.19 %
<b>Total Projected Additional Contingencies</b>	<b>\$850,000.00</b>	<b>14.91 %</b>

The additional permanent striping and signal modifications requested by LADOT included extra work not included in the construction drawings of the original bid package advertisement. In addition, the coordination between LAE and the LADWP to relocate the water main line around the transit islands and upgrading power utility vaults is anticipated to require changes and adjustments to LAE's construction schedule and work sequence. Lastly, the additional contingency would be reserved for continued on-site security for worker's safety, clearing and removal of excessive trash and debris, and other potential unforeseen conditions during construction.

**Status of Change Orders**

A summary of the current change order status is presented below.

<b>Summary of Change Orders as of January 2023</b>			
<b>Category</b>	<b>Total No. of Change Orders</b>	<b>Dollar (\$) Amount</b>	<b>Percent (%) Contract Amount</b>
Fully Executed Change Orders	24	\$496,279.26	8.70%
Unilateral Change Orders	0	\$ 0.00	0.00 %
Emergency/Preliminary Change Orders	3	\$222,556.70	3.90 %
Change Orders per this Board Report	1	\$161,000.00	2.82 %
<b>Total</b>	<b>28</b>	<b>\$879,835.96</b>	<b>15.42 %</b>

<b>Requested Contingency and Budget Authorization</b>				
<b>Original Contract</b>	<b>Original Contingency</b>	<b>Original Authorized Budget</b>	<b>Requested Additional Contingency</b>	<b>New Authorized Budget</b>
\$5,701,755.00	\$570,175.50	\$6,271,930.50	\$850,000.00	\$7,121,930.50



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#### STATUS OF FUNDING

Funding in the amount of \$850,000 for the requested additional contingency is available in the 7<sup>th</sup> Street Streetscape Improvement Account, Fund No. 100, Department No. 54, Appropriation Unit No. 00P294 (Council File Nos. 17-1226 and 21-1028-S1).

The contract contains a "Financial Liability Clause" which states that "the City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract."

( AV RMK JKS )

Report reviewed by:

Respectfully submitted,

BOE (ADM)



Report prepared by:

Ted Allen, PE  
City Engineer

Street Improvement Division

Arsen Voskerchyan, PE  
Division Manager  
Phone No. (213) 485-4516

Statement as to Funds Approved by:



Miguel De La Peña, Director  
Office of Accounting  
Fund Ref. 100/54/00P294/\$850,000.00  
Date: 3/01/2023

AV/WL/02-2023-0016\_SID.gva

Questions regarding this report  
may be referred to:  
Winnie Lam, PE, Project Manager  
Phone No. (213) 921-0431  
E-mail: winnie.lam@lacity.org

Department of Public Works

Bureau of Engineering  
Report No. 1

AUG 16 2023

August 16, 2023  
CD No. 14  
Executive Officer  
Board of Public Works

**REVISE BUDGET AND ISSUE SUPPLEMENTAL AGREEMENT CHANGE ORDER NO. 52 TO LOS ANGELES ENGINEERING, INC. FOR THE 7<sup>TH</sup> STREET STREETScape IMPROVEMENTS - PACKAGE 1 PROJECT (WORK ORDER NO. E1908262, CONTRACT NO. C-138781)**

**RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):**

1. AUTHORIZE \$2,976,500.50 in additional contingency and APPROVE a revised construction budget of \$10,098,431 for the 7<sup>th</sup> Street Streetscape Improvements - Package 1 Project (Project).
2. AUTHORIZE the City Engineer to issue Supplemental Agreement Change Order No. 52 to Los Angeles Engineering, Inc. (LAE), for a not-to-exceed amount of \$85,000, for the Project to construct the additional traffic signal modifications along 7<sup>th</sup> Street, between Los Angeles Street and Main Street, as approved by the Los Angeles Department of Transportation (LADOT), and extend the terms and conditions of the LAE Contract No. C-138781 from the current ceiling of 25 percent above the contract award amount to a new ceiling of 80 percent above the contract award amount.
3. AUTHORIZE two members of the Board to sign the Supplemental Agreement Change Order No. 52.
4. AUTHORIZE the City Engineer to issue subsequent change orders under Contract No. C-138781 up to the revised construction budget of \$10,098,431.

**TRANSMITTALS**

1. Copy of the Bureau of Engineering (BOE) and the Bureau of Contract Administration Joint Report No. 3, adopted June 25, 2021, awarding the contract for the Project.
2. Copy of the BOE Report No. 5, adopted March 15, 2023, providing authority to increase the budget contingency and issue change orders to the contractor for the Project.
3. Copy of Preliminary Supplemental Agreement Change Order No. 52.

**DISCUSSION**

***Background***

On June 25, 2021, the Board awarded a contract to LAE in the amount of \$5,701,755 with a contingency amount of \$570,175.50 for a total approved construction budget of \$6,271,930.50 to construct the Project (Transmittal No. 1).

On March 15, 2023, the Board approved an additional \$850,000 in contingency for a revised construction contingency of \$1,420,175.50 and a total approved construction budget of \$7,121,930.50 (Transmittal No. 2).

The Project will transform 7<sup>th</sup> Street, between Figueroa Street and San Pedro Street, into a multi-modal corridor that prioritizes the pedestrian, bicycle, and transit enhancements (Figure No. 1). The construction includes new curb ramps, transit islands, bus pads, corner islands, new catch basins adjacent to the raised cycle track, striping, and signal upgrades (Figure No. 2).

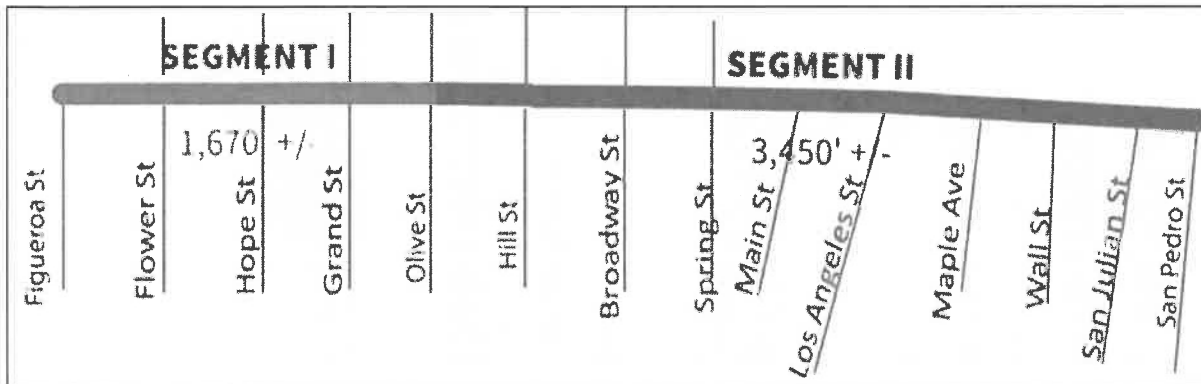


Figure No. 1 - Map of the Project Scope - Plan View

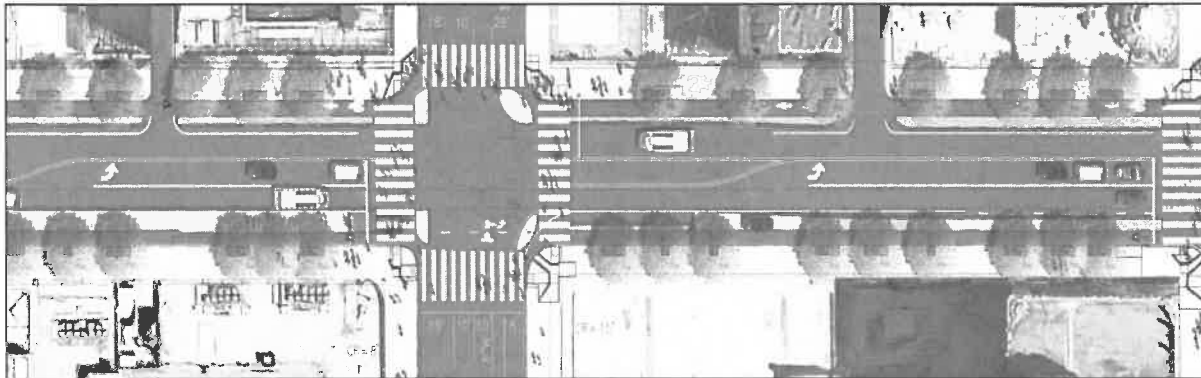


Figure No. 2 - Rendering of the Future 7<sup>th</sup> Street - Plan View

### **Supplemental Agreement Change Order No. 52**

After the Project was advertised, the LADOT requested revisions to the traffic signal work which included additional traffic safety design elements along 7<sup>th</sup> Street, between Los Angeles Street and Main Street, increasing the scope of work. The revisions resulted in extra labor, material and equipment to be performed by LAE for excavation, backfill, slurry, traffic striping and delineators, conduit/cables, accessible pedestrian signals, and other traffic signal incidentals. The final traffic signal plans were approved by the LADOT on April 15, 2023. The not-to-exceed amount for this extra work is \$85,000. As the amount for Change Order No. 52 will exceed 25 percent of the awarded contract amount, a Supplemental Agreement Change Order is required.

August 16, 2023  
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### ***Status of Change Orders***

A summary of the current change order status is presented below:

<b>Summary of Change Orders as of June 2023</b>			
<b>Category</b>	<b>Total No. of Change Orders</b>	<b>Dollar (\$) Amount</b>	<b>Percent (%) Contract Amount</b>
Fully Executed Change Orders	55	\$1,286,137.98	22.56%
Emergency/Preliminary Change Orders	11	\$ 179,445.83	3.15%
Canceled Change Orders	5	\$ 0.00	0.00%
Change Order per this Board Report	1	\$ 85,000.00	1.49%
<b>Total</b>	<b>72</b>	<b>\$1,550,583.81</b>	<b>27.19%</b>

The BOE forecasts that the existing construction contingency will be exhausted as shown above. Additional contingency in the amount of \$2,976,500.50 is needed to allow the BOE to execute additional forecasted changes. The BOE requests authority to issue subsequent change orders under this contract up to the revised construction budget of \$10,098,431 for the Project.

The BOE also requests authority to issue Supplemental Agreement Change Order No. 52 (Transmittal No. 3), for a not-to-exceed amount of \$85,000 to construct the additional traffic signal improvements requested by the LADOT. As part of the Supplemental Agreement Change Order, the terms and conditions of the LAE Contract No. C-138781 would be extended from the current ceiling of 25 percent above the contract award amount to a new ceiling of 80 percent above the contract award amount.

### ***Additional Contingency***

The \$2,976,500.50 in additional contingency is projected for unforeseen conditions, scope changes, and extra work beyond the current change orders, as shown above. Additional changes in scope are projected due to various City of Los Angeles (City) agency requirements and updated policies, including additional sidewalk repairs for accessibility and regulatory compliance, on-site security, tree wells, worksite traffic control plans, striping, signage, and signal modifications. Additional costs for unforeseen conditions and extra work include those that have already been discovered and those that are yet to be encountered in the remainder of the Project. The additional amount is being requested at this time to allow for addressing future changes without delay.

<b>Requested Contingency and Budget Authorization</b>				
<b>Original Contract</b>	<b>Current Contingency</b>	<b>Current Authorized Budget</b>	<b>Requested Additional Contingency</b>	<b>New Authorized Budget</b>
\$5,701,755.00	\$1,420,175.50	\$7,121,930.50	\$2,976,500.50	\$10,098,431.00

Report No. 1

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**STATUS OF FUNDING**

Funding in the amount of \$2,976,500.50 for the requested additional contingency will be available in the SB1 Road Maintenance and Rehabilitation Fund, Fund No. 59V, Department No. 50, Appropriation Unit No. 50WVHS, subject to City Council approval of the Fiscal Year 2023-24 Capital and Technology Improvement Expenditure Plan Reappropriation.

The City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract.

( AV RMK KM )

Report reviewed by:

BOE (ADM)

Report prepared by:

Street Improvement Division

Arsen Voskerchyan, PE  
Division Engineer  
Phone No. (213) 485-4516

Respectfully submitted,



Ted Allen, PE  
City Engineer

Statement as to funds approved by:



Miguel De La Peña, Director  
Office of Accounting  
Fund Ref. 59V/50/50WVHS/\$2,976,500.50  
Date: 8/03/2023

AV/WL/06-2023-0090\_SID.gva

Questions regarding this report  
may be referred to:  
Winnie Lam, PE, Project Manager  
Phone No. (213) 485-5179  
E-mail: winnie.lam@lacity.org

**BOARD OF PUBLIC WORKS  
MEMBERS****AURA GARCIA**  
PRESIDENT**M. TERESA VILLEGAS**  
VICE PRESIDENT**DR. MICHAEL R. DAVIS**  
PRESIDENT PRO TEMPORE**VAHID KHORSAND**  
COMMISSIONER**SUSANA REYES**  
COMMISSIONER**TJ KNIGHT**  
ACTING EXECUTIVE OFFICER**CITY OF LOS ANGELES**  
CALIFORNIA**KAREN BASS**  
MAYOR**DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF  
ENGINEERING****TED ALLEN, PE**  
CITY ENGINEER1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213<http://eng.lacity.org>

April 30, 2024

Jessica Geer, Project Manager  
Los Angeles Engineering  
633 N. Barranca Ave.  
Covina, CA 91723**Project: 7th Street Streetscape**  
**Subject: Preliminary CO No. 121****W.O. E1908262**  
**CLA Ltr. No.121**

Dear Jessica Geer:

Please see the attached Preliminary CO No. 121 and submit a Lump Sum proposal for the extra work with a complete itemized cost breakdown of all labor, materials and equipment necessary to accomplish this work. Please submit your written cost proposal within two weeks from the date of this letter. This office will review your proposal and, if necessary, it will be negotiated for final resolution to the satisfaction of both parties.

In addition, please provide a CPM schedule analysis for any impact to the critical path of the construction schedule as a result of this change. If applicable, provide an estimate in terms of calendar days, supported by the analysis, to be added or deducted from the critical path of the current project schedule.

No work shall be performed on this change unless a directive to proceed is forwarded from this office.

For all correspondence regarding this change, please reference Preliminary CO No.121. If you have any questions, please contact me at [peter.blikian@lacity.org](mailto:peter.blikian@lacity.org).

Sincerely,

**Peter Blikian**  
Construction Manager  
Street Improvement Divisioncc: [oscar.franco@lacity.org](mailto:oscar.franco@lacity.org),  
[johnny.brewer@lacity.org](mailto:johnny.brewer@lacity.org),  
[curtis.moss@lacity.org](mailto:curtis.moss@lacity.org)



## PRELIMINARY CHANGE ORDER

<b>Project Title</b> 7th Street Streetscape			<b>Project No</b> M915	<b>PCO No</b> 121	<b>File No</b> 8.6.4	<b>Page No</b>
<b>W.O. No</b> E1908262	<b>Contract No</b> C-138781	<b>Bid Item No</b>	<b>Subject</b> Time Extension for Phase 4 Delays between 1/1/2023 and 4/5/2024			
<b>Contractor</b> Los Angeles Engineering		<b>COR No</b> 087,090,106,107,128,129,153,155	<b>Plan Reference</b> N/A			
<b>Category</b> Change In Scope		<b>Schedule Activity</b>	<b>Specification Reference</b> GR 01254			

### 1. Reason for Change

On June 6, 2023, the Contractor submitted Time Impact Analysis (TIA) No. 5 for the time period covering March 7, 2023 to April 14, 2022. On September 8, 2023, the Contractor submitted TIA No. 6 for the time period covering May 15, 2023 to June 9, 2023. On October 19, 2023, the Contractor submitted TIA No. 7 for the time period covering July 12, 2023 to August 18, 2023. On April 18, 2024, the Contractor submitted TIA No. 8 for the time period covering July 31, 2023 to April 5, 2024.

As described in the TIAs, the Contractor (LAE) was unable to perform contract work in Phase 4 due to impacts from the Los Angeles Department of Water and Power (LADWP) work, lack of approved worksite traffic control plans (WTCP) resulting from the multiple rounds of comments from the Los Angeles Department of Transportation (LADOT), and delayed issuance of Approved-for-Construction plans for Phases 5-7 (Spring Street to Olive Street) which prevented the Contractor from proceeding to the next phase of work and resulted in the City directing the Contractor to demobilize from the site for 3 months. These impacts have resulted in a negative impact to the Project's critical path and have delayed the Contract Completion Date.

This change order compensates the Contractor for all City-caused delays to the work in Phase 4 from January 1, 2023 to April 5, 2024.

### 2. Description of Change

The Contract duration shall be extended by 273 calendar days. The new Contract Completion Date is November 5, 2024. The 273 calendar day time extension includes 81 non-compensable calendar days and 192 compensable calendar days.

The time impacts for change orders issued for extra work during this period are considered to run concurrent with this change order and their time impacts are resolved through execution of this change order.

The Contractor shall reflect the above mentioned time extension into its next schedule update in accordance with General Requirements Section 01254. This change order covers all the time delays associated with any issues, disputes, extra work, and/or change orders that occurred in the specified time frame (January 1, 2023 to April 5, 2024) and any forthcoming change orders that may be executed for work during this period.

This is not an authorization to proceed with the proposed change order. Do not perform any work that may conflict with the proposed change order without further authorization by the City.





**Submitted By:** \_\_\_\_\_ **Date:** 04/30/2024  
Peter Blikian  
Construction Manager



**Approved By:** \_\_\_\_\_ **Date:** 05/02/2024  
Natalie Moore  
Sr.Engineer / Division Manager

**Uploaded Files**  
**File Name**

**Size(Bytes)**

**Uploaded By**

**Document links**

- [Time Impact Analysis \(TIAs\)](#) 04/18/2024 08:51 AM:
- [Time Impact Analysis \(TIAs\)](#) 06/06/2023 01:02 PM:
- [Time Impact Analysis \(TIAs\)](#) 09/08/2023 08:08 AM:
- [Time Impact Analysis \(TIAs\)](#) 10/19/2023 02:51 PM:

**CITY OF LOS ANGELES**  
CALIFORNIA**KAREN BASS**  
MAYOR**BOARD OF PUBLIC WORKS  
MEMBERS****AURA GARCIA**  
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VICE PRESIDENT**DR. MICHAEL R. DAVIS**  
PRESIDENT PRO TEMPORE**VAHID KHORSAND**  
COMMISSIONER**SUSANA REYES**  
COMMISSIONER**TJ KNIGHT**  
ACTING EXECUTIVE OFFICER**DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF  
ENGINEERING****TED ALLEN, PE**  
CITY ENGINEER1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213<http://eng.lacity.org>

June 18, 2024

Jessica Geer, Project Manager  
Los Angeles Engineering  
633 N. Barranca Ave.  
Covina, CA 91723

**Project: 7th Street Streetscape**  
**Subject: Preliminary CO No. 129**

**W.O. E1908262**  
**CLA Ltr. No.129**

Dear Jessica Geer:

Please see the attached Preliminary CO No. 129 and submit a Lump Sum proposal for the extra work with a complete itemized cost breakdown of all labor, materials and equipment necessary to accomplish this work. Please submit your written cost proposal within two weeks from the date of this letter. This office will review your proposal and, if necessary, it will be negotiated for final resolution to the satisfaction of both parties.

In addition, please provide a CPM schedule analysis for any impact to the critical path of the construction schedule as a result of this change. If applicable, provide an estimate in terms of calendar days, supported by the analysis, to be added or deducted from the critical path of the current project schedule.

No work shall be performed on this change unless a directive to proceed is forwarded from this office.

For all correspondence regarding this change, please reference Preliminary CO No.129. If you have any questions, please contact me at [peter.blikian@lacity.org](mailto:peter.blikian@lacity.org).

Sincerely,

**Peter Blikian**  
Construction Manager  
Street Improvement Division

cc: [oscar.franco@lacity.org](mailto:oscar.franco@lacity.org),  
[johnny.brewer@lacity.org](mailto:johnny.brewer@lacity.org),  
[curtis.moss@lacity.org](mailto:curtis.moss@lacity.org)





## PRELIMINARY CHANGE ORDER

<b>Project Title</b> 7th Street Streetscape			<b>Project No</b> M915	<b>PCO No</b> 129	<b>File No</b> 8.6.4	<b>Page No</b>
<b>W.O. No</b> E1908262	<b>Contract No</b> C-138781	<b>Bid Item No</b>	<b>Subject</b> Bid Item No. 6 Overrun from Los Angeles Street to Spring Street (Phase 4B)			
<b>Contractor</b> Los Angeles Engineering		<b>COR No</b> 184-R1	<b>Plan Reference</b> CP108 & CP109			
<b>Category</b> Error & Omissions		<b>Schedule Activity</b>	<b>Specification Reference</b> GR 01254			

### 1. Reason for Change

Per the Contractor's submitted RFI No. 0055, there is no bid item for unclassified excavation removal per construction note no. 64 on the contract plans. Therefore, the City directed the Contractor to utilize Bid Item No. 6: Roadway Excavation (Varies 8", 10", and 11.5" Per Plan) for the above mentioned work. Furthermore, the contractor needs to excavate all of the existing asphalt until the existing CMB is reached; the existing asphalt ranges from 8"-16" in depth with an average of 14"-16", which is deeper than called for on the plans (8"-11.5").

Based on the Contractor's submitted Change Order Request No. 184-R1, the project has exceeded 100% of bid item quantities for Bid Item No. 6 by an additional 569 cubic yards (CY) along 7th Street from Los Angeles Street to Spring Street (Phase 4B). The additional quantity has been confirmed by the BCA Lead Inspector.

The quantity overrun of Bid Item No. 6 shall be paid at the new negotiated unit price of \$338/CY (see Correspondence to GC No. 0019).

### 2. Description of Change

This change order is for Bid Item No. 6: Roadway Excavation (Varies 8", 10" & 11.5" Per Plan) quantity overrun in the amount of 569 cubic yards along 7th Street from Los Angeles Street to Spring Street (Phase 4B).

Additional Bid Item No. 6 quantity overruns in subsequent blocks shall be captured through a separate change order at the new negotiated unit price (if applicable), and issued on a per block basis for the remainder of the project.

This is not an authorization to proceed with the proposed change order. Do not perform any work that may conflict with the proposed change order without further authorization by the City.

Submitted By:

Peter Blikian  
Construction Manager

Date: 06/18/2024

Approved By:

Natalie Moore

Date: 06/20/2024

**Uploaded Files**

File Name	Size(Bytes)	Uploaded By
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**Document links**

CO Request	COR 184 -R1-Bid Item #6 over-run Phase 4B
Correspondence to GC	0019 - New Bid Unit Prices (Bid Item Nos. 6, 7, 11, 14, 15) Agreed on 8/30/2023
Requests for Information (RFIs)	0055 - Unclassified excavation & sidewalk, ramps & driveways

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CALIFORNIA**KAREN BASS**  
MAYOR**DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF  
ENGINEERING****TED ALLEN, PE**  
CITY ENGINEER1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213<http://eng.lacity.org>

July 19, 2024

Jessica Geer, Project Manager  
Los Angeles Engineering  
633 N. Barranca Ave.  
Covina, CA 91723**Project: 7th Street Streetscape**  
**Subject: Preliminary CO No. 143****W.O. E1908262**  
**CLA Ltr. No.143**

Dear Jessica Geer:

Please see the attached Preliminary CO No. 143 and submit a Lump Sum proposal for the extra work with a complete itemized cost breakdown of all labor, materials and equipment necessary to accomplish this work. Please submit your written cost proposal within two weeks from the date of this letter. This office will review your proposal and, if necessary, it will be negotiated for final resolution to the satisfaction of both parties.

In addition, please provide a CPM schedule analysis for any impact to the critical path of the construction schedule as a result of this change. If applicable, provide an estimate in terms of calendar days, supported by the analysis, to be added or deducted from the critical path of the current project schedule.

No work shall be performed on this change unless a directive to proceed is forwarded from this office.

For all correspondence regarding this change, please reference Preliminary CO No.143. If you have any questions, please contact me at [peter.blikian@lacity.org](mailto:peter.blikian@lacity.org).

Sincerely,

Peter Blikian  
Construction Manager  
Street Improvement Division

cc: [oscar.franco@lacity.org](mailto:oscar.franco@lacity.org),  
[johnny.brewer@lacity.org](mailto:johnny.brewer@lacity.org),  
[curtis.moss@lacity.org](mailto:curtis.moss@lacity.org)

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**PRELIMINARY CHANGE ORDER**

<b>Project Title</b> 7th Street Streetscape		<b>Project No</b> M915	<b>PCO No</b> 143	<b>File No</b> 8.6.4	<b>Page No</b>
<b>W.O. No</b> E1908262	<b>Contract No</b> C-138781	<b>Bid Item No</b>	<b>Subject</b> Bid Item No. 6 Overrun from Broadway to Hill Street (Phase 6)		
<b>Contractor</b> Los Angeles Engineering		<b>COR No</b> 202	<b>Plan Reference</b> CP106		
<b>Category</b> Error & Omissions		<b>Schedule Activity</b>	<b>Specification Reference</b> GR 01254		

**1. Reason for Change**

Per the Contractor's submitted RFI No. 0055, there is no bid item for unclassified excavation removal per construction note no. 64 on the contract plans. Therefore, the City directed the Contractor to utilize Bid Item No. 6: Roadway Excavation (Varies 8", 10", and 11.5" Per Plan) for the above mentioned work. Furthermore, the contractor needs to excavate all of the existing asphalt until the existing CMB is reached; the existing asphalt ranges from 13"-24", which is deeper than called for on the plans (10") as shown in the Contractor's submitted RFI No. 0178.

Based on the Contractor's submitted Change Order Request No. 202, the project has exceeded 100% of bid item quantities for Bid Item No. 6 by an additional 610 cubic yards (CY) along 7th Street from Broadway to Hill Street (Phase 6). The additional quantity has been confirmed by the BCA Lead Inspector.

The quantity overrun of Bid Item No. 6 shall be paid at the new negotiated unit price of \$338/CY (see Correspondence to GC No. 0019).

**2. Description of Change**

This change order is for Bid Item No. 6: Roadway Excavation (Varies 8", 10" & 11.5" Per Plan) quantity overrun in the amount of 610 cubic yards along 7th Street from Broadway to Hill Street (Phase 6).

Additional Bid Item No. 6 quantity overruns in subsequent blocks shall be captured through a separate change order at the new negotiated unit price (if applicable), and issued on a per block basis for the remainder of the project.

This is not an authorization to proceed with the proposed change order. Do not perform any work that may conflict with the proposed change order without further authorization by the City.

**Submitted By:**

Peter Blikian  
Construction Manager

**Date:** 07/19/2024**Approved By:**

Natalie Moore  
Sr.Engineer / Division Manager

**Date:** 07/19/2024**Uploaded Files**

File Name	Size(Bytes)	Uploaded By
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**Document links**

Correspondence to GC	0019 - New Bid Unit Prices (Bid Item Nos. 6, 7, 11, 14, 15) Agreed on 8/30/2023
Requests for Information (RFIs)	0055 - Unclassified excavation & sidewalk, ramps & driveways
Requests for Information (RFIs)	0178 - Phase 6 existing hardscape thickness

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CALIFORNIA****KAREN BASS**  
MAYOR**DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF  
ENGINEERING****TED ALLEN, PE**  
CITY ENGINEER1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213<http://eng.lacity.org>

August 23, 2024

Jessica Geer, Project Manager  
Los Angeles Engineering  
633 N. Barranca Ave.  
Covina, CA 91723**Project: 7th Street Streetscape**  
**Subject: Preliminary Supplemental Agreement CO No. 161****.O. E1908262**  
**CLA Ltr. No.161**

Dear Jessica Geer:

Please see the attached Preliminary Supplemental Agreement CO No. 161 and submit a Lump Sum proposal for the extra work with a complete itemized cost breakdown of all labor, materials and equipment necessary to accomplish this work. Please submit your written cost proposal within two weeks from the date of this letter. This office will review your proposal and, if necessary, it will be negotiated for final resolution to the satisfaction of both parties.

In addition, please provide a CPM schedule analysis for any impact to the critical path of the construction schedule as a result of this change. If applicable, provide an estimate in terms of calendar days, supported by the analysis, to be added or deducted from the critical path of the current project schedule.

No work shall be performed on this change unless a directive to proceed is forwarded from this office.

For all correspondence regarding this change, please reference Preliminary Supplemental Agreement CO No.161. If you have any questions, please contact me at [peter.blikian@lacity.org](mailto:peter.blikian@lacity.org).

Sincerely,

Peter Blikian  
Construction Manager  
Street Improvement Divisioncc: [oscar.franco@lacity.org](mailto:oscar.franco@lacity.org),  
[johnny.brewer@lacity.org](mailto:johnny.brewer@lacity.org),  
[curtis.moss@lacity.org](mailto:curtis.moss@lacity.org)





City of Los Angeles - Department of Public Works - Bureau of Engineering

**PRELIMINARY SUPPLEMENTAL AGREEMENT CHANGE ORDER**

<b>Project Title</b> 7th Street Streetscape		<b>Project No</b> M915	<b>SACO No</b> 161	<b>File No</b> 8.6.12	<b>Page No</b>
<b>W.O. No</b> E1908262	<b>Contract No</b> C-138781	<b>Bid Item No</b>	<b>Subject</b> Added Civil Scope between Spring & Broadway (Phase 5)		
<b>Contractor</b> Los Angeles Engineering		<b>COR No</b> 160-R2	<b>Plan Reference</b> CP107		
<b>Category</b> Change In Scope		<b>Schedule Activity</b>	<b>Specification Reference</b> GR 01254		

**1. Reason for Change**

The City's issued Plan Clarification No. 012-R3 had civil work on 7th Street between Spring Street and Broadway (Phase 5) that was not included in the original contract scope and thus, did not have any associated bid items. Therefore, the City is issuing this Change Order to compensate the Contractor for the aforementioned civil work scope addition.

**2. Description of Change**

Added scope of civil work on 7th Street between Spring Street and Broadway on Sheet CP107 in accordance with Plan Clarification No. 013-R2 as follows:

- Remove and replace five (5) street lighting pull boxes per Construction Note No. 38.
- Remove and replace three (3) traffic signal pull boxes per Construction Note No. 39.
- Remove five (5) metal posts per Construction Note No. 153.
- Remove and replace three (3) vent lids per Construction Note No. 158.
- Install 870 SF of stamped concrete (8" thick) per Construction Note No. 201.
- Repair 26 SF of sidewalk per Construction Note No. 205B.

This is not an authorization to proceed with the proposed change order. Do not perform any work that may conflict with the proposed change order without further authorization by the City.

**Submitted By:**

Peter Blikian  
Construction Manager

**Date:** 08/23/2024

**Approved By:**

Natalie Moore  
Sr.Engineer / Division Manager

**Date:** 08/27/2024

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**Document links**

[Plan Clarification 012-R3 - Civil Plans for Construction - Spring Street to Olive Street](#)