

Department of Public Works

Bureau of Engineering
Report No. 2

November 6, 2024

CD No. 3

AWARD OF THE MULHOLLAND DRIVE (22423-22569) SLOUGH WALL PROJECT TO A CONTRACTOR ON THE EMERGENCY PRE-QUALIFIED ON-CALL GEOTECHNICAL/STRUCTURAL CONSTRUCTION SERVICES LIST (WORK ORDER No. E1909164)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. APPROVE a Construction Order for the Mulholland Drive (22423-22569) Slough Wall Project (Project) to Mike Prlich and Sons, Inc. (Mike Prlich), in the amount of \$577,447, with a not-to-exceed limit of \$654,772, including contingency.
2. AUTHORIZE the President or two members of the Board to execute the Construction Order after approval as-to-form has been obtained from the City Attorney.

TRANSMITTALS

1. Copy of Bureau of Engineering and Bureau of Contract Administration Joint Report No. 2, adopted on December 13, 2023, approving the list of six qualified contractors to provide emergency on-call geotechnical/structural construction services for various public works projects.
2. Summary of bids received on September 11, 2024.

DISCUSSION

Background

The Bureau of Engineering (BOE) administers the Emergency Pre-Qualified On-Call (PQOC) Geotechnical/Structural Contractors List to provide urgent necessity and emergency geotechnical/structural construction services for repair, replacement, and/or construction of retaining walls, bulkheads, and slopes; placement of engineered fill and erosion control; debris removal and other emergency geotechnical/structural services on public works projects; and the preservation of public safety.

On December 13, 2023, the Board approved the 2024-2029 Emergency PQOC List of six qualified contractors based on the evaluation criteria set forth in the Request for Qualifications and

authorized the City Engineer to transmit and execute contract agreements (Transmittal No. 1). The current term of the contracts is set for five years, and they will expire on January 2, 2029.

Scope of Work

There is an urgent need to replace failed and excessively deteriorated portions of an existing timber retaining structure with a new slough wall and to also replace deteriorated timber lagging panels of the existing timber retaining structure along a section of Mulholland Drive (near 22423-22569 Mulholland Drive). At this location, ongoing erosion from the ascending slope is resulting in the accumulation of soil and debris along the base of the slope and onto the sidewalk and roadway. The proposed Project will benefit the public by increasing safety and facilitating travel on the sidewalk and roadway.

The scope of work will consist of removing accumulated slough material at the toe of slope, constructing a 130 linear foot slough wall consisting of 17 cast-in-drilled-hole piles with steel I-beams encased in concrete and 79 precast concrete lagging panels, replacing 48 timber lagging panels, and installing handrail behind the new slough wall (see Figure No. 1, below). The new slough wall will not be backfilled as it is meant to retain future debris and slough from the slope.

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
MULHOLLAND DRIVE (22423-22569) SLOUGH WALL

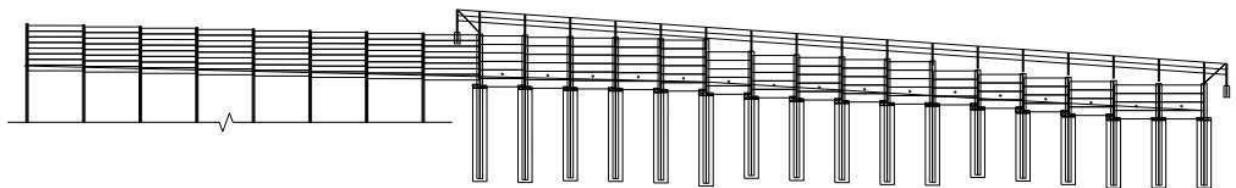


Figure No. 1 - Mulholland Drive (22423-22569) Slough Wall Elevation View.

Bid Review

On August 21, 2024, bids for the Project were solicited from the contractors on the Emergency PQOC List in accordance with the executed contracts.

On September 11, 2024, four bids were received at the Board, of which Mike Prlich, was the low bidder.

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The four bids received (Transmittal No. 2) compared with the City Engineer's estimate of \$583,050 are:

Contractor Name	Bid Amount	% High/Low
Mike Prlich	\$577,447	-0.96% Low
Mladen Buntich Construction Company, Inc.	\$614,155	5.33% High
Jilk Heavy Construction, Inc.	\$629,257	7.93% High
Clarke Contracting Corporation (Clarke)	\$631,652	8.34% High

Mike Prlich, first low bidder, listed their Item Total for a bid item incorrectly. Staff corrected Mike Prlich's Item Total in accordance with the procedures set forth in the General Instructions and Information for Bidders. Mike Prlich was contacted and notified of corrections. The corrections did not change the order of the bids.

Clarke listed their Total Bid Amount incorrectly. Staff corrected Clarke's Total Bid Amount in accordance with the procedures set forth in the General Instructions and Information for Bidders. Clarke was contacted and notified of corrections. The corrections did not change the order of the bids.

Conclusion

Staff recommends that the Board execute a Construction Order for the Project with Mike Prlich, in the amount of \$577,447, with a not-to-exceed limit of \$654,772, including contingency.

STATUS OF FUNDING

Funding for the Project, in the amount of \$654,772, is available in the SB1 Road Maintenance & Rehabilitation Program Special Fund, Fund No. 59V, Department No. 50, Appropriation Unit No. 50YZAO.

The City of Los Angeles (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 additional funds, 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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(PJS GSM AV JF)

Report reviewed by:

BOE (ADM and PAC)

Report prepared by:

Geotechnical Engineering Division

Patrick J. Schmidt, PE, GE

Division Engineer

Phone No. (213) 923-5984

Statement as to funds approved by:



Miguel De La Peña, Director

Office of Accounting

Fund Ref. 59V/50/50YZAO/\$654,772

Date: 10/07/2024

PJS/MS/09-2024-0132_GED

Questions regarding this
report may be referred to:

Marjan Shenasi, Structural Engineering Associate III

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Respectfully submitted,


ENGINEERING
Electronically signed by Ted Allen
10/07/2024 5:07 PM
City of Los Angeles

Ted Allen, PE

City Engineer

Department of Public Works

Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 2

December 13, 2023
CD Nos. All

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

DEC 13 2023


Executive Officer
Board of Public Works

APPROVE THE SELECTION OF SIX QUALIFIED CONTRACTORS TO PROVIDE EMERGENCY ON-CALL GEOTECHNICAL/STRUCTURAL CONSTRUCTION SERVICES FOR VARIOUS PUBLIC WORKS PROJECTS

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. APPROVE the list of six qualified contractors to provide emergency geotechnical/structural construction services for repair, replacement and/or construction of retaining walls, bulkheads, and slopes; placement of engineered fill and erosion control; debris removal and other emergency geotechnical/structural services on Public Works projects.
2. AUTHORIZE the City Engineer to transmit contracts to the six qualified contractors for expeditious signature.
3. AUTHORIZE the President or two members of the Board to:
 - a. Execute the signed contracts received from the approved contractors.
 - b. Forward the executed contracts to the City Clerk to attest.
4. DETERMINE the initial order of the Emergency On-Call Geotechnical/Structural Construction Services List by a random drawing.

TRANSMITTALS

1. Copy of the Bureau of Engineering (BOE) and the Bureau of Contract Administration (BCA) Joint Report No. 1, adopted on April 26, 2023.
2. Copy of the Statement of Qualifications (SOQ) Review Summary.
3. Copy of the draft contract to be transmitted to each of the qualified contractors.

DISCUSSION

Background

The Board is responsible for and has jurisdiction over the design, construction, maintenance and repair of retaining walls, bulkheads, slopes and erosion control measures within the City of Los Angeles (City). A failure or problem with any of these structures could present an unsafe condition and expose the City to potential liability. All such failures require immediate attention to protect the public health, welfare and safety. The City is obligated to quickly respond to these failures to avoid unacceptable environmental and social

consequences, avoid the possibility of potential disaster, and to comply with court orders or settlements negotiated by the City Attorney with property owners or the court.

The current Emergency On-Call Geotechnical/Structural Contractors List consists of nine active contractors providing geotechnical/structural construction services for Public Works projects. The current contracts, administered by the City Engineer, have five-year durations and will expire on March 28, 2024. These contracts have been successful in resolving problems that mandate immediate attention and have helped the City avoid unnecessary delays that threaten public health, safety, and the environment and cause property damage.

On April 26, 2023, the Board authorized the City Engineer to advertise a Request for Qualifications (RFQ) to establish a new Emergency On-Call Geotechnical/Structural Construction Services List (Transmittal No. 1). The Board further authorized the City Engineer to evaluate the contractor submittals and to prepare and return a proposed list of qualified contractors to the Board for adoption and the execution of contracts. The RFQ was advertised on the City's Regional Alliance Marketplace for Procurement (RAMP) on May 8, 2023. A non-mandatory pre-submittal (pre-bid) meeting was held on May 18, 2023, with advanced notification via the RAMP.

The contractors' SOQ packages were required to be submitted to the BOE by June 28, 2023 at 2:00 PM. The SOQ packages were received from the following six contractors listed below in alphabetical order:

1. Calnex Engineering Company [Other Business Enterprise (OBE)]
2. Clarke Contracting Corporation [Small Business Enterprise (SBE), Local Business Enterprise (LBE)]
3. Jilk Heavy Construction, Inc. (OBE)
4. Mike Prlich & Sons, Inc. (OBE, LBE)
5. Mladen Buntich Construction Company, Inc. (OBE, LBE)
6. Wright Construction Engineering Corporation (SBE), Emerging Business Enterprise (EBE)

All SOQ packages were submitted by the required date and time.

SOQ Review

The SOQ review was performed by an evaluation team consisting of members from the BOE. Each team member independently scored the contractor submittals in accordance with the selection criteria set forth in the RFQ. The submitted packages were evaluated for completeness, compliance with the mandatory submittal requirements, such as: appropriate State Contractor licenses, bonding and insurance capacity, experience with geotechnical/structural construction, ability to respond to an emergency, contracting experience with the City, and compliance with City standards. In accordance with the RFQ,

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contractors with a qualifying score of 70 points or greater out of a total of 100 points, are recommended for the list.

Local Business Preference Program (LBPP)

The Los Angeles Administrative Code (L.A.A.C.), Division 10, Chapter 1, Article 4, Section 10.25, adopted the LBPP which was designed to increase local employment and expenditures in the local private sector. Contractors that qualified as a LBE were granted an additional 8.00 percent of the total possible evaluation points added to their evaluation score. The preference allowed by the ordinance for the utilization of LBE, Local Small Business (LSB) and/or Local Transitional Employer subcontractors was not applied to the Emergency On-Call Contractor evaluation process because actual subcontractor utilization could not be pledged until after the contracts are executed and construction orders are assigned for specific work. The contractors' LBE certification statuses were verified by the BCA.

All six SOQ packages received a score above the minimum qualifying score. Maintaining an Emergency On-Call Geotechnical/Structural Construction Services List of six contractors should provide the necessary emergency response support required by the City. The SOQ Review Summary (Transmittal No. 2) which reflects the scoring of the contractors' SOQ by the BOE panel, along with the application of the LBPP preference, is presented in the table below. The firms that are being recommended and their qualifying scores are listed in alphabetical order.

Contractor	Certification	Raw Score	LBPP Preference	LBPP Adjusted
Calex Engineering Company	NON-LBE	75.7	0	75.7
Clarke Contracting Corporation	LBE	84.7	8	92.7
Jilk Heavy Construction, Inc.	NON-LBE	83.0	0	83.0
Mike Prlich & Sons, Inc.	LBE	77.6	8	85.6
Mladen Buntich Construction Company	LBE	75.3	8	83.3
Wright Construction Engineering Corporation	NON-LBE	70.0	0	70.0

Each of the above contractors submitted a complete SOQ package indicating their technical qualifications and ability to respond to geotechnical/structural emergencies. Each contractor has submitted a Contractor Responsibility Questionnaire accompanied by the Pledge of Compliance Signature Sheet, in accordance with the Board's Bidder Responsibility Policy.

Business Inclusion Program (BIP)

On January 12, 2011, the Mayor issued Executive Directive No. 14 which created the BIP. On February 22, 2023, the BOE received a BIP Outreach requirements exemption from the Office of the City Administrative Officer, Office of Procurement, as the emergency nature of the work does not lend itself easily to subcontracting. However, the emergency

geotechnical/structural contractors will be encouraged to solicit Minority Business Enterprise (MBE), Women Business Enterprise (WBE), SBE, EBE, Disabled Veteran Business Enterprise (DVBE), and OBE sub-bids whenever subcontracting opportunities and time permit.

Community-Level Contracting (CLC) Program

This Emergency On-Call Geotechnical/Structural Construction Services project has been evaluated per the CLC Motion issued on May 19, 2021. Based on that assessment, this project was determined to not be a candidate for CLC due to the emergency nature of the work, including a contractor's ability to quickly respond to failures that could negatively impact public health, welfare, and safety.

Compliance with the City's Non-Discrimination Policies

All six contractors have complied with the Affirmative Action, Non-Discrimination and Equal Employment Practices Provisions, Equal Benefits Ordinance, First Source Hiring Ordinance, Slavery Disclosure Ordinance, Disclosure of Border Wall Contracting Ordinance, Living Wage Ordinance, Worker Retention Ordinance, and Contractors' Use of Criminal History for Consideration of Employment Applications Ordinance.

Previous Work Record

Wright Construction Engineering Corporation has no record of having worked on any previous contracts awarded by the Board within the last five years. The Office of Contract Compliance has checked with various State agencies and none of these agencies reported any labor compliance problems on file concerning this contractor.

The Inspector of Public Works has conducted a First Time Bidder investigation of references provided by the contractor and did not find any evidence of violations of statutes, regulations, ordinances, or wrongdoing.

Calex Engineering Company, Clarke Contracting Corporation, Jilk Heavy Construction, Inc., Mike Prlich & Sons, Inc., and Mladen Buntich Construction Company, Inc. have worked on numerous contracts issued by the Board. No significant or unresolved problems in inspection, contract compliance, or bidder responsibility have been experienced by the BCA.

Contractor Performance Evaluation

In accordance with Article 13, Chapter 1, Division 10, of the L.A.A.C., the Project Manager and the City Inspector for this construction contract shall submit Contractor Performance Evaluation Reports to the BCA 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

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requirements specified in the City 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 the bidder's contract subject to termination pursuant to the conditions expressed therein.

California State Senate Bill 854 (SB854) SOQ Review

SB854 requires all contractors and subcontractors who bid or work on a Public Works project to register with the State of California, Department of Industrial Relations (DIR). No contractor or subcontractor may be awarded or work on a contract on a Public Works project unless they are registered with the DIR pursuant to Labor Code Section 1725.5. Additionally, an awarding body may not enter into a contract for Public Works with an unregistered contractor.

The BOE has verified that all six of the selected contractors are in compliance with the registration requirements of SB854.

City Attorney Approval

The City Attorney's office has reviewed and approved the contract as-to-form (Transmittal No. 3). The new five-year contracts will take effect on the date of full execution, as defined in the contract, and will expire five years from that date.

Conclusion

In view of the above findings, staff recommends that the Board declare the six herein-listed contractors to be responsive, and award those six contractors a Contract for this RFQ; and authorize the President or two members of the Board to execute all contracts. It is further recommended that the initial order of the resultant Emergency On-Call Geotechnical/Structural Construction Services List be determined by a random drawing by the Board at the time of their meeting.

STATUS OF FUNDING

The contracts to be entered into with the selected emergency geotechnical/structural contractors will not reference specific sources of funds. Alternatively, City authorized funds will be encumbered on a project-by-project basis, from various sources, at the time emergency work is identified, prior to award of any specific construction orders.

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 to the extent of such appropriation, subject to the terms and conditions of the contract.

(PJS RMK RS JF)

Report reviewed by:


BOE (ADM and PAC)

Report prepared by:

Geotechnical Engineering Division

Patrick J. Schmidt, PE, GE
Division Engineer
Phone No. (213) 923-5984

Compliance Review performed
and approved by:


Lynda McGlinchey (Dec 1, 2023 16:31 PST)

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


PJS/KL/10-2023-0146_GED.gva

Questions regarding this report
may be referred to:
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Phone No. (213) 847-0492
E-mail: kristen.ly@lacity.org

Respectfully submitted,



Ted Allen, PE
City Engineer
Bureau of Engineering


Raoul Mendoza (Dec 1, 2023 18:26 PST)

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

DRAWING RESULTS

Established Order of Consultants

1. Wright Construction Engineering Corporation (SBE), Emerging Business Enterprise (EBE)
2. Jilk Heavy Construction, Inc. (OBE)
3. Mike Prlich & Sons, Inc. (OBE, LBE)
4. Clarke Contracting Corporation [Small Business Enterprise (SBE), Local Business Enterprise (LBE)]
5. Mladen Buntich Construction Company, Inc. (OBE, LBE)
6. Calex Engineering Company [Other Business Enterprise [(OBE)]

Bid Results

City of Los Angeles - Department of Public Works - Bureau of Engineering
Mulholland Drive (22423-22569) Slough Wall
W.O. Number E1909164

Bid Date: September 11, 2024
Council District: 3
Bids Received: 4



SUMMARY				
COMPANY	BID AMOUNT	PERCENTAGE	HIGH/LOW	
CITY ENGINEER'S ESTIMATE	\$ 583,050.00			
1 MIKE PRILICH AND SONS, INC.	\$ 577,447.00 *	-0.96%	LOW	
2 MLADEN BUNTICH CONSTRUCTION COMPANY, INC.	\$ 614,155.00	5.33%	HIGH	
3 JILK HEAVY CONSTRUCTION, INC.	\$ 629,257.00	7.93%	HIGH	
4 CLARKE CONTRACTING CORPORATION	\$ 631,652.00 *	8.34%	HIGH	
* Corrected Bid Amount				
AVERAGE (MEAN)	\$ 613,127.75	5.16%	HIGH	
MEDIAN	\$ 621,706.00			