

(5)

BPW-2024-0530

CONTRACT AWARD – MURRAY PLUMBING & HEATING CORP. DBA MURRAY CO.
(MURRAY)

Recommending the Board:

1. DECLARE Murray, to be the most responsive, responsible bidder with the highest Direct Value Residual, and award Murray a contract for the Construction Services Contract (CiSCo13) [Capital Improvement Project 9913] with a cost ceiling of \$25,000,000.00 for a period not-to-exceed three years, unless mutually agreed otherwise; and
2. 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.

(W.O. SZH12247)

Department of Public Works

Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024
CD Nos. ALL

CONTRACT AWARD TO MURRAY PLUMBING & HEATING CORP. DBA MURRAY CO. FOR THE CONSTRUCTION SERVICES CONTRACT (CiSCo13) (CIP 9913) (WORK ORDER NO. SZH12247)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. DECLARE Murray Plumbing & Heating Corporation dba Murray Company (Murray), to be the most responsive, responsible bidder with the highest Direct Value Residual (DVR), and AWARD Murray a contract for the Construction Services Contract (CiSCo13) [Capital Improvement Project (CIP) 9913] (Project) with a cost ceiling of \$25,000,000.00 for a period not-to-exceed three years, unless mutually agreed otherwise.
2. 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

Summary of bids received on January 24, 2024.

DISCUSSION

Background

This contract provides for design support, project optimization, and construction support services for work at the various wastewater facilities, pumping plants, collection systems, and other field locations within the City of Los Angeles (City).

Design support and project optimization services under this contract may include, but are not necessarily limited to, small-scale field constructions, performance of minor modifications, procurement of materials and equipment, retrofit of design changes to existing equipment, field assistance in resolving safety issues, startup and commissioning support, testing of equipment, and related tasks as may be required by the City Engineer. Construction support services under this contract may include, but are not necessarily limited to, subsurface utility/structure location, field inspections, excavation, trenching, grading, resurfacing, soil testing, environmental reports, and related tasks, as may be required by the City Engineer. See Figure No. 1 on the next page as an example of work from a current project.



Figure No. 1: Ammonia Injection System completed under CIP 5125
Terminal Island Wastewater Reclamation Plant Advanced Water Purification Facility
Advanced Oxidation Process Ammonia Injection System

It is not the intent of this contract to supplant or replace any current or future construction contracts in the Wastewater Program. All work to be issued under this contract shall be determined by the City Engineer and is at the discretion of the City Engineer. There is no guarantee as to the amount or quantity of work which will be issued under this contract. However, the financial liability shall be limited to Article 00300 of the General Conditions and a maximum spending limit of \$25,000,000.00. The contractor shall be aware that no guarantee can be given that this total amount will be reached.

All bidders were required to submit their markup percentages in five categories (labor, material, permanent equipment, construction equipment, and subcontractor support services) and their cost for performance and payment bonds. The Bureau of Engineering (BOE) used this information to calculate the DVR. This contract is to be awarded to the most responsive and responsible bidder with the highest DVR, providing all other bidding requirements are satisfied.

As with all previous CiSCo, work will be issued to the CiSCo 13 contractors through a series of Task Work Orders (TWO). Projects greater than or equal to \$150,000.00 will require prior approval by the Board. All work to be issued under this contract shall be approved by the Program Review Committee (PRC).

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024
Page 3

The project has been reviewed for environmental considerations. Under the CiSCo, CIPs of various scopes and complexity will be awarded to the CiSCo contractor on an as-needed basis. Given the varied nature of CiSCo projects, reviews for environmental considerations will be conducted prior to award for each individual project.

The contract duration is not to exceed three years unless mutually agreed otherwise.

Bid Review

The bid with the highest DVR of the two bids received (Transmittal) is as follows:

Business Codes:

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

Order of Bid	Contractor Name	Bid Amount
Highest DVR	Murray (OBE; LBE)	\$22,322,465.39

Staff recommends awarding this contract to Murray, the highest DVR bidder, subject to verification of all other bidding requirements.

Local Business Preference (LBP) Program

Los Angeles Administrative Code (L.A.A.C.), Division 10, Chapter 1, Article 4, Section 10.25 adopted the LBP Program which was designed to increase local employment and expenditures in the local private sector. At the time of project advertisement, businesses that qualified as a LBE may be granted an 8.00 percent reduction of their bid amount solely for bid evaluation purposes. If the LBE is also a Local Small Business (LSB) and/or a Local Transitional Employer (LTE), they may be granted an additional 2.00 percent reduction for each of those certifications, up to a total of 12.00 percent. Businesses that qualify as an LBE, but neither as a LSB and/or an LTE, may be granted a 1.00 percent reduction, up to a maximum of 2.00 percent for each of those certifications, for every 10.00 percent of their bid that is to be performed by a LSB and/or an LTE subcontractor. Additionally, all non-LBE businesses may be granted a 1.00 percent reduction, up to a maximum of 5.00 percent, of their bid amount solely for bid evaluation purposes, for every 10.00 percent of their bid that is to be performed by a LBE, an LSB, and/or an LTE subcontractor.

For this project, the Bureau of Contract Administration (BCA) verified that the highest DVR bidder, Murray, is a certified LBE.

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 Regional Alliance Marketplace for Procurement service.

It is recognized that it is not possible at the time of bidding to accurately predict the amount of work that can be subcontracted for each of the TWOs) issued. Notwithstanding this difficulty, it is the intent of the City to apportion the work under this contract between the contractor and eligible subcontractors. The Board expects the contractor to subcontract a minimum of 20.00 percent of the contract price (i.e. a total amount of all TWOs) to qualified available potential subcontractors. The Board also expects the contractor to demonstrate a sincere effort in achieving the overall anticipated participation levels of 8.00 percent MBE, 2.00 percent WBE, 20.00 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 part of the BIP Outreach but is tracked for statistical purposes.

If the City determines that the contractor has not made a sincere effort to achieve the Mandatory Subcontracting Minimum, the City may terminate the contract in accordance with Article 00405 of the General Conditions.

Additionally, the contractor will be required to comply with the mandatory BIP documentation requirements. By listing companies on their Schedule A, the contractor is obligated itself to solicit bids only from those companies when bidding on specific TWOs. In the event that the contractor needs to solicit subcontractors that are not on their Schedule A, the contractor will be expected to perform a supplemental BIP outreach. The outreach documentation, along with a revised Schedule A, must be submitted to and approved either by the BOE and the BCA, or the Office of Contract Compliance (OCC) prior to the Contractor submitting a TWO in which they plan to utilize the newly added potential subcontractors.

The OCC, based on a review of the submitted documents, reported the following:

The highest DVR bidder, Murray, complied with the mandatory BIP Outreach Requirements of the bid.

Murray submitted the following potential subcontractors for this contract:

Gender/Ethnicity Codes:

AA = African American
APA = Asian Pacific American
NA = Native American
M = Male

HA = Hispanic American
SAA = Subcontinent Asian American
C = Caucasian
F = Female

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024

Page 5

Subcontractors	MBE/WBE/ SBE/EBE/ DVBE/OBE/LGBTBE	Gender/ Ethnicity
Alameda Construction Services, Inc.	MBE, SBE	M/AA
Acosta & Sons Sewer Contractor	MBE/WBE, SBE, EBE	F/HA
AKP Technology, Inc. dba AKP Boiler Tech	SBE, EBE	
All in One Electric	MBE, SBE, EBE	M/APA
Better Way Plumbing & Repairs, Inc. dba Better Way Mechanical Plumbing	SBE, EBE, DVBE	
BudLong & Associates, Inc. ¹	MBE, SBE	M/SAA
Carbon Activated Corporation	MBE	F/APA
CMZ Excavation, Inc.	WBE, SBE, EBE	F/C
Connor Concrete Cutting & Coring	WBE	F/C
Cowelco ¹	WBE, SBE	F/C
Crane Rental Service, Inc.	WBE	F/C
Custom Modular Service Corporation	SBE, EBE	
D&W Trucking, Inc.	MBE, SBE, EBE	M/AA
D2 (Squared) Industrial Services, LLC	MBE	M/NA
Daniel Mechanical	SBE	
DC Traffic Control	MBE, SBE, EBE	M/HA
Down Under Inc dba UTIL-LOCATE	SBE, EBE	
Faith Electric and General Building Contractors, LLC dba Faith Electric, LLC	MBE	M/AA
G2 Construction, Inc.	MBE	M/HA
George Jue Manufacturing Company dba Paramount Metals & Supply Company	MBE	M/APA
Gual and Gual dba Craftsman Concrete Cutting	SBE, EBE	
Guzman Grading and Paving Corporation	MBE	M/HA
J&H Drilling Company, Inc. dba M R Drilling	SBE	
Jorge Resendiz	MBE	M/HA
Koppl Pipeline Services, Inc. dba Koppl Services	WBE	F/C
Leed Electric, Inc.	SBE	
Lucas Builders, Inc. dba L.B.I.	MBE	M/APA
Major Scaffold	MBE	M/AA
Marne Construction, Inc.	MBE, SBE, DVBE	M/HA
Maverick Supply	WBE	F/C
Miron Electric Construction Corporation ¹	SBE, EBE	
Moran Consulting Corporation ¹	MBE, SBE, EBE	M/HA
Murphy Industrial Coatings, Inc.	SBE	
Myers Marine Division, LLC	SBE, EBE	
OC Vacuum, Inc. ¹	MBE, WBE	F/HA
On Target Electric, Inc.	MBE, SBE, DVBE	M/HA
Penn Air Control, Inc.	SBE, DVBE	
Perimeter Security Group, LLC	WBE	F/C
Power-Tech Engineers, Inc.	MBE, SBE, EBE	M/HA
Pro-Cal Lighting, Inc.	MBE, SBE	M/HA

Soffa Electric, Inc.	SBE	
Sterndahl Enterprises, Inc.	SBE	
Techno Coatings, Inc.	SBE	
Traffic Management, Inc.	MBE	M/HA
Vobecky Enterprises, Inc. ¹	MBE/WBE, SBE, EBE	F/AA
W.C. Drilling, Inc. dba West Coast Drilling	MBE/WBE, SBE, EBE	F/NA
West Coast Cable, Inc.	SBE	
ACME Construction Supply, Inc.	OBE	
ACS Engineering, Inc. ¹	OBE	
Advanced Alarm & Fire, Inc.	OBE	
Ancon Marine dba Ancon	OBE	
Applied Liquid Polymer Systems, Inc.	OBE	
Big Sky Electric	OBE	
Cano Architecture Concrete Repair	OBE	
CB&I, Inc.	OBE	
CL Industrial Coatings	OBE	
Clean Harbors Environmental Services, Inc.	OBE	
Coast Diving Service, Inc.	OBE	
Commercial Scaffolding of California, Inc.	OBE	
Computrols	OBE	
Corpro Companies, Inc.	OBE	
Cosco Fire Protection, Inc. dba Cosco Fire Protection	OBE	
Curtis Hole Drilling Services	OBE	
Digifier, Inc.	OBE	
DVBE Mechanical, Inc.	OBE	
Eaton Corporation	OBE	
Farwest Insulation Contracting	OBE	
Feffer Geological Consulting	OBE	
Gates Fiberglass Installer, Inc.	OBE	
National Plant Services, Inc.	OBE	
Penhall Company	OBE	
R.F. MacDonald Company	OBE	
R.J. Lalonde, Inc.	OBE	
RJL Communications	OBE	
Simpson Gumpertz & Heger, Inc.	OBE	
Socal Pacific Construction Corp. dba National Coating & Lining Company	OBE	
Stefan Merli Plastering Company, Inc. dba Merli Concrete Pumping, Inc.	OBE	
Sunbelt Rentals	OBE	
United Rentals (North America), Inc. ¹	OBE	
United Riggers and Erectors, Inc.	OBE	

Note: Subcontractors may be certified in multiple certification categories. Therefore, per the requirements of Executive Directive No. 14, their dollar amounts pledged in the TWOs will be credited toward multiple pledged participation categories (with the exception of MBE/WBE-certified subcontractors). The MBE/WBE-certified subcontractors' participation will be credited based on their listing on the Schedule B, TWO List of Subcontractors.

¹Certified LBE

September 29, 2024

Page 7

Compliance with the City's Non-Discrimination Policies

Murray 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.

Previous Work Record

Murray has been awarded numerous contracts issued by the Board within the last five years. No significant or unresolved problems in inspection, contract compliance, or bidder responsibility have been experienced by the BCA.

The following table summarizes the previous MBE/WBE/SBE/EBE/DVBE and OBE participation levels pledged by Murray in the past five years under the BIP:

MBE/WBE/SBE/EBE/DVBE/OBE Pledged Utilization Table					
No. of Contracts	3	Total \$ Amount of Contracts		\$47,841,232.00	
Pledged MBE \$ Amount	Pledged WBE \$ Amount	Pledged SBE \$ Amount	Pledged EBE \$ Amount	Pledged DVBE \$ Amount	Pledged OBE \$ Amount
\$3,125,477	\$1,218,334	\$3,363,299	\$3,023,058	\$160,000	\$10,490,066
Total MBE %	Total WBE %	Total SBE %	Total EBE %	Total DVBE %	Total OBE %
6.53%	2.55%	7.03%	6.32%	0.33%	21.93%

Contractor Performance Evaluation Ordinance

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 (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 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.

Project Labor Agreement (PLA)

The project incorporates a PLA. The PLA will facilitate an orderly settlement of labor disputes and grievances without strikes, work stoppages, or lockouts to assure the timely and economical completion of the project. The PLA will also promote employment opportunities for local residents and will provide apprenticeship training for the duration of the construction. The contractor will be bound on all the provisions of the PLA.

Bid Bond Extension

Murray was requested to extend their Bid Bonds which expired on April 23, 2024. The contractor has agreed to extend their Bid Bonds until October 11, 2024.

Conclusion

In view of the above findings, staff recommends that the Board declare Murray, the highest DVR bidder, to be the most responsive, responsible bidder, and award Murray the contract for this project.

Program Review Committee (PRC) Approval

The PRC will authorize the use of the CiSCo 13 contract on a project-by-project basis.

STATUS OF FUNDING

There is no impact to the General Fund. The total funding for this contract is not-to-exceed \$25,000,000.00. Funding will be budgeted within the Sewer Construction and Maintenance Fund.

Existing appropriations may change based on available cash balances. Therefore, funds and appropriations will be determined by the Director and General Manager of LA Sanitation and Environment.

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."

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024
Page 9

(EW RMK AV AM)

Report reviewed by:


BOE (ADM and EED) and BOS (FMD)

Report prepared by:

Project Award and Control Division

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


Compliance review performed
and approved by:



Lynda McGlinchey (Aug 30, 2024 14:59 PDT)
Lynda McGlinchey, Program Manager II
Office of Contract Compliance
Bureau of Contract Administration

AV/AC/08-2024-0117_PAC.gva

Questions regarding this
report may be referred to:
Ashley Coakley
Phone No. (310) 648-6124
Email: ashley.coakley@lacity.org

Respectfully submitted,


For Ted Allen, PE
City Engineer
Bureau of Engineering


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

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

Construction Services Contract (CiSCo13) (CIP 9913)
W. O. No. SZH12247



Bid Date: 01/24/2024
Council Districts: All
Bids Received: 2

SUMMARY			
<u>COMPANY</u>	<u>BID AMOUNT</u>	<u>PERCENTAGE</u>	<u>HIGH/LOW</u>
1 MURRAY PLUMBING & HEATING CORPORATION DBA: MURRAY COMPANY	\$ 22,322,465.39		
2 METRO BUILDERS & ENGINEERS GROUP, LTD.	\$ 22,269,210.01	-0.24%	LOW
AVERAGE (MEAN)	\$ 22,295,837.70	-0.24%	LOW
MEDIAN	\$ 22,295,837.70		

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

Department of Public Works

SEP 20 2024

Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1


Executive Officer
Board of Public Works

September 29, 2024
CD Nos. ALL

CONTRACT AWARD TO MURRAY PLUMBING & HEATING CORP. DBA MURRAY CO. FOR THE CONSTRUCTION SERVICES CONTRACT (CiSCo13) (CIP 9913) (WORK ORDER No. SZH12247)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. DECLARE Murray Plumbing & Heating Corporation dba Murray Company (Murray), to be the most responsive, responsible bidder with the highest Direct Value Residual (DVR), and AWARD Murray a contract for the Construction Services Contract (CiSCo13) [Capital Improvement Project (CIP) 9913] (Project) with a cost ceiling of \$25,000,000.00 for a period not-to-exceed three years, unless mutually agreed otherwise.
2. 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

Summary of bids received on January 24, 2024.

DISCUSSION

Background

This contract provides for design support, project optimization, and construction support services for work at the various wastewater facilities, pumping plants, collection systems, and other field locations within the City of Los Angeles (City).

Design support and project optimization services under this contract may include, but are not necessarily limited to, small-scale field constructions, performance of minor modifications, procurement of materials and equipment, retrofit of design changes to existing equipment, field assistance in resolving safety issues, startup and commissioning support, testing of equipment, and related tasks as may be required by the City Engineer. Construction support services under this contract may include, but are not necessarily limited to, subsurface utility/structure location, field inspections, excavation, trenching, grading, resurfacing, soil testing, environmental reports, and related tasks, as may be required by the City Engineer. See Figure No. 1 on the next page as an example of work from a current project.

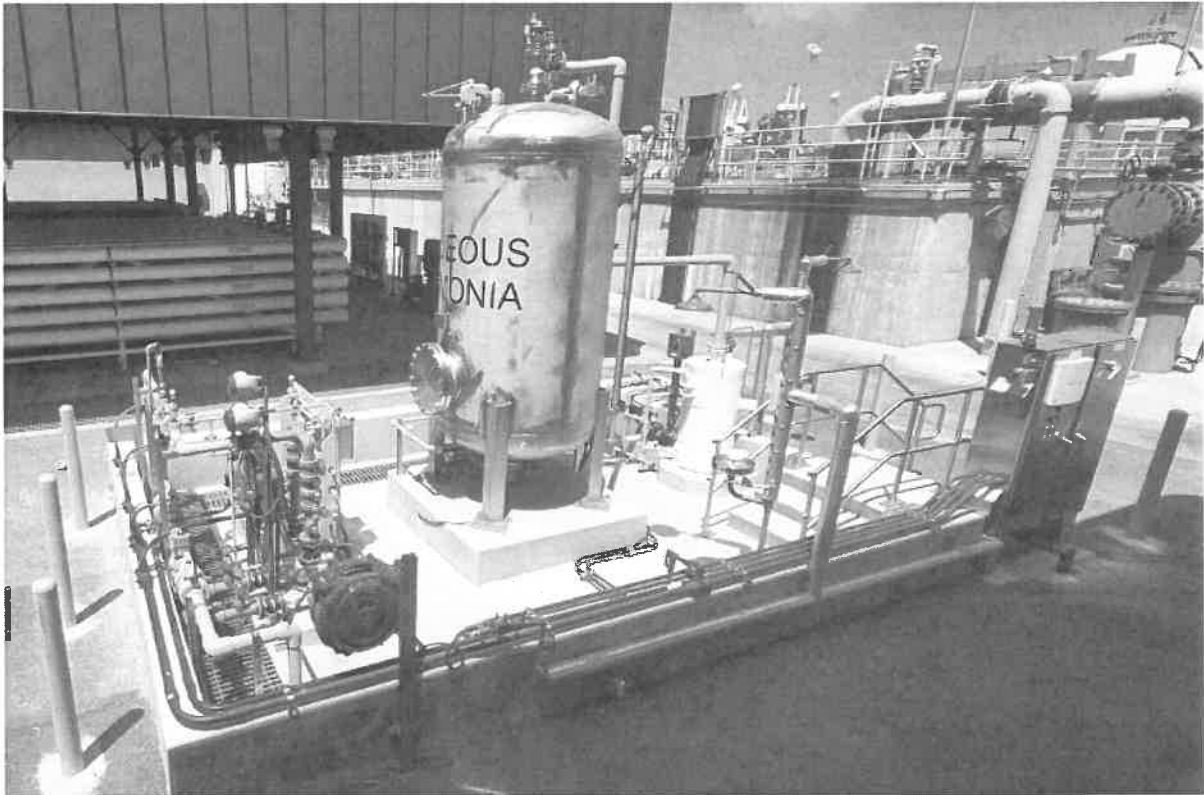


Figure No. 1: Ammonia Injection System completed under CIP 5125
Terminal Island Wastewater Reclamation Plant Advanced Water Purification Facility
Advanced Oxidation Process Ammonia Injection System

It is not the intent of this contract to supplant or replace any current or future construction contracts in the Wastewater Program. All work to be issued under this contract shall be determined by the City Engineer and is at the discretion of the City Engineer. There is no guarantee as to the amount or quantity of work which will be issued under this contract. However, the financial liability shall be limited to Article 00300 of the General Conditions and a maximum spending limit of \$25,000,000.00. The contractor shall be aware that no guarantee can be given that this total amount will be reached.

All bidders were required to submit their markup percentages in five categories (labor, material, permanent equipment, construction equipment, and subcontractor support services) and their cost for performance and payment bonds. The Bureau of Engineering (BOE) used this information to calculate the DVR. This contract is to be awarded to the most responsive and responsible bidder with the highest DVR, providing all other bidding requirements are satisfied.

As with all previous CiSCo, work will be issued to the CiSCo 13 contractors through a series of Task Work Orders (TWO). Projects greater than or equal to \$150,000.00 will require prior approval by the Board. All work to be issued under this contract shall be approved by the Program Review Committee (PRC).

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024
Page 3

The project has been reviewed for environmental considerations. Under the CiSCo, CIPs of various scopes and complexity will be awarded to the CiSCo contractor on an as-needed basis. Given the varied nature of CiSCo projects, reviews for environmental considerations will be conducted prior to award for each individual project.

The contract duration is not to exceed three years unless mutually agreed otherwise.

Bid Review

The bid with the highest DVR of the two bids received (Transmittal) is as follows:

Business Codes:

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

Order of Bid	Contractor Name	Bid Amount
Highest DVR	Murray (OBE; LBE)	\$22,322,465.39

Staff recommends awarding this contract to Murray, the highest DVR bidder, subject to verification of all other bidding requirements.

Local Business Preference (LBP) Program

Los Angeles Administrative Code (L.A.A.C.), Division 10, Chapter 1, Article 4, Section 10.25 adopted the LBP Program which was designed to increase local employment and expenditures in the local private sector. At the time of project advertisement, businesses that qualified as a LBE may be granted an 8.00 percent reduction of their bid amount solely for bid evaluation purposes. If the LBE is also a Local Small Business (LSB) and/or a Local Transitional Employer (LTE), they may be granted an additional 2.00 percent reduction for each of those certifications, up to a total of 12.00 percent. Businesses that qualify as an LBE, but neither as a LSB and/or an LTE, may be granted a 1.00 percent reduction, up to a maximum of 2.00 percent for each of those certifications, for every 10.00 percent of their bid that is to be performed by a LSB and/or an LTE subcontractor. Additionally, all non-LBE businesses may be granted a 1.00 percent reduction, up to a maximum of 5.00 percent, of their bid amount solely for bid evaluation purposes, for every 10.00 percent of their bid that is to be performed by a LBE, an LSB, and/or an LTE subcontractor.

For this project, the Bureau of Contract Administration (BCA) verified that the highest DVR bidder, Murray, is a certified LBE.

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 Regional Alliance Marketplace for Procurement service.

It is recognized that it is not possible at the time of bidding to accurately predict the amount of work that can be subcontracted for each of the TWOs) issued. Notwithstanding this difficulty, it is the intent of the City to apportion the work under this contract between the contractor and eligible subcontractors. The Board expects the contractor to subcontract a minimum of 20.00 percent of the contract price (i.e. a total amount of all TWOs) to qualified available potential subcontractors. The Board also expects the contractor to demonstrate a sincere effort in achieving the overall anticipated participation levels of 8.00 percent MBE, 2.00 percent WBE, 20.00 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 part of the BIP Outreach but is tracked for statistical purposes.

If the City determines that the contractor has not made a sincere effort to achieve the Mandatory Subcontracting Minimum, the City may terminate the contract in accordance with Article 00405 of the General Conditions.

Additionally, the contractor will be required to comply with the mandatory BIP documentation requirements. By listing companies on their Schedule A, the contractor is obligated itself to solicit bids only from those companies when bidding on specific TWOs. In the event that the contractor needs to solicit subcontractors that are not on their Schedule A, the contractor will be expected to perform a supplemental BIP outreach. The outreach documentation, along with a revised Schedule A, must be submitted to and approved either by the BOE and the BCA, or the Office of Contract Compliance (OCC) prior to the Contractor submitting a TWO in which they plan to utilize the newly added potential subcontractors.

The OCC, based on a review of the submitted documents, reported the following:

The highest DVR bidder, Murray, complied with the mandatory BIP Outreach Requirements of the bid.

Murray submitted the following potential subcontractors for this contract:

Gender/Ethnicity Codes:

AA = African American
APA = Asian Pacific American
NA = Native American
M = Male

HA = Hispanic American
SAA = Subcontinent Asian American
C = Caucasian
F = Female

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024

Page 5

Subcontractors	MBE/WBE/ SBE/EBE/ DVBE/OBE/LGBTBE	Gender/ Ethnicity
Alameda Construction Services, Inc.	MBE, SBE	M/AA
Acosta & Sons Sewer Contractor	MBE/WBE, SBE, EBE	F/HA
AKP Technology, Inc. dba AKP Boiler Tech	SBE, EBE	
All in One Electric	MBE, SBE, EBE	M/APA
Better Way Plumbing & Repairs, Inc. dba Better Way Mechanical Plumbing	SBE, EBE, DVBE	
BudLong & Associates, Inc. ¹	MBE, SBE	M/SAA
Carbon Activated Corporation	MBE	F/APA
CMZ Excavation, Inc.	WBE, SBE, EBE	F/C
Connor Concrete Cutting & Coring	WBE	F/C
Cowelco ¹	WBE, SBE	F/C
Crane Rental Service, Inc.	WBE	F/C
Custom Modular Service Corporation	SBE, EBE	
D&W Trucking, Inc.	MBE, SBE, EBE	M/AA
D2 (Squared) Industrial Services, LLC	MBE	M/NA
Daniel Mechanical	SBE	
DC Traffic Control	MBE, SBE, EBE	M/HA
Down Under Inc dba UTIL-LOCATE	SBE, EBE	
Faith Electric and General Building Contractors, LLC dba Faith Electric, LLC	MBE	M/AA
G2 Construction, Inc.	MBE	M/HA
George Jue Manufacturing Company dba Paramount Metals & Supply Company	MBE	M/APA
Gual and Gual dba Craftsman Concrete Cutting	SBE, EBE	
Guzman Grading and Paving Corporation	MBE	M/HA
J&H Drilling Company, Inc. dba M R Drilling	SBE	
Jorge Resendiz	MBE	M/HA
Koppl Pipeline Services, Inc. dba Koppl Services	WBE	F/C
Leed Electric, Inc.	SBE	
Lucas Builders, Inc. dba L.B.I.	MBE	M/APA
Major Scaffold	MBE	M/AA
Marne Construction, Inc.	MBE, SBE, DVBE	M/HA
Maverick Supply	WBE	F/C
Miron Electric Construction Corporation ¹	SBE, EBE	
Moran Consulting Corporation ¹	MBE, SBE, EBE	M/HA
Murphy Industrial Coatings, Inc.	SBE	
Myers Marine Division, LLC	SBE, EBE	
OC Vacuum, Inc. ¹	MBE, WBE	F/HA
On Target Electric, Inc.	MBE, SBE, DVBE	M/HA
Penn Air Control, Inc.	SBE, DVBE	
Perimeter Security Group, LLC	WBE	F/C
Power-Tech Engineers, Inc.	MBE, SBE, EBE	M/HA
Pro-Cal Lighting, Inc.	MBE, SBE	M/HA

Joint Report No. 1

Page 6

Soffa Electric, Inc.	SBE	
Sterndahl Enterprises, Inc.	SBE	
Techno Coatings, Inc.	SBE	
Traffic Management, Inc.	MBE	M/HA
Vobecky Enterprises, Inc. ¹	MBE/WBE, SBE, EBE	F/AA
W.C. Drilling, Inc. dba West Coast Drilling	MBE/WBE, SBE, EBE	F/NA
West Coast Cable, Inc.	SBE	
ACME Construction Supply, Inc.	OBE	
ACS Engineering, Inc. ¹	OBE	
Advanced Alarm & Fire, Inc.	OBE	
Ancon Marine dba Ancon	OBE	
Applied Liquid Polymer Systems, Inc.	OBE	
Big Sky Electric	OBE	
Cano Architecture Concrete Repair	OBE	
CB&I, Inc.	OBE	
CL Industrial Coatings	OBE	
Clean Harbors Environmental Services, Inc.	OBE	
Coast Diving Service, Inc.	OBE	
Commercial Scaffolding of California, Inc.	OBE	
Computrols	OBE	
Corpro Companies, Inc.	OBE	
Cosco Fire Protection, Inc. dba Cosco Fire Protection	OBE	
Curtis Hole Drilling Services	OBE	
Digifier, Inc.	OBE	
DVBE Mechanical, Inc.	OBE	
Eaton Corporation	OBE	
Farwest Insulation Contracting	OBE	
Feffer Geological Consulting	OBE	
Gates Fiberglass Installer, Inc.	OBE	
National Plant Services, Inc.	OBE	
Penhall Company	OBE	
R.F. MacDonald Company	OBE	
R.J. Lalonde, Inc.	OBE	
RJL Communications	OBE	
Simpson Gumpertz & Heger, Inc.	OBE	
Socal Pacific Construction Corp. dba National Coating & Lining Company	OBE	
Stefan Merli Plastering Company, Inc. dba Merli Concrete Pumping, Inc.	OBE	
Sunbelt Rentals	OBE	
United Rentals (North America), Inc. ¹	OBE	
United Riggers and Erectors, Inc.	OBE	

Note: Subcontractors may be certified in multiple certification categories. Therefore, per the requirements of Executive Directive No. 14, their dollar amounts pledged in the TWOs will be credited toward multiple pledged participation categories (with the exception of MBE/WBE-certified subcontractors). The MBE/WBE-certified subcontractors' participation will be credited based on their listing on the Schedule B, TWO List of Subcontractors.

¹Certified LBE

September 29, 2024

Page 7

Compliance with the City's Non-Discrimination Policies

Murray 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.

Previous Work Record

Murray has been awarded numerous contracts issued by the Board within the last five years. No significant or unresolved problems in inspection, contract compliance, or bidder responsibility have been experienced by the BCA.

The following table summarizes the previous MBE/WBE/SBE/EBE/DVBE and OBE participation levels pledged by Murray in the past five years under the BIP:

MBE/WBE/SBE/EBE/DVBE/OBE Pledged Utilization Table					
No. of Contracts	3	Total \$ Amount of Contracts		\$47,841,232.00	
Pledged MBE \$ Amount	Pledged WBE \$ Amount	Pledged SBE \$ Amount	Pledged EBE \$ Amount	Pledged DVBE \$ Amount	Pledged OBE \$ Amount
\$3,125,477	\$1,218,334	\$3,363,299	\$3,023,058	\$160,000	\$10,490,066
Total MBE %	Total WBE %	Total SBE %	Total EBE %	Total DVBE %	Total OBE %
6.53%	2.55%	7.03%	6.32%	0.33%	21.93%

Contractor Performance Evaluation Ordinance

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 (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 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.

Project Labor Agreement (PLA)

The project incorporates a PLA. The PLA will facilitate an orderly settlement of labor disputes and grievances without strikes, work stoppages, or lockouts to assure the timely and economical completion of the project. The PLA will also promote employment opportunities for local residents and will provide apprenticeship training for the duration of the construction. The contractor will be bound on all the provisions of the PLA.

Bid Bond Extension

Murray was requested to extend their Bid Bonds which expired on April 23, 2024. The contractor has agreed to extend their Bid Bonds until October 11, 2024.

Conclusion

In view of the above findings, staff recommends that the Board declare Murray, the highest DVR bidder, to be the most responsive, responsible bidder, and award Murray the contract for this project.

Program Review Committee (PRC) Approval

The PRC will authorize the use of the CiSCo 13 contract on a project-by-project basis.

STATUS OF FUNDING

There is no impact to the General Fund. The total funding for this contract is not-to-exceed \$25,000,000.00. Funding will be budgeted within the Sewer Construction and Maintenance Fund.

Existing appropriations may change based on available cash balances. Therefore, funds and appropriations will be determined by the Director and General Manager of LA Sanitation and Environment.

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."

Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 1

September 29, 2024
Page 9

(EW RMK AV AM)

Report reviewed by:


BOE (ADM and EED) and BOS (FMD)

Report prepared by:

Project Award and Control Division

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


Compliance review performed
and approved by:



Lynda McGlinchey (Aug 30, 2024 4:14:59 PDT)
Lynda McGlinchey, Program Manager II
Office of Contract Compliance
Bureau of Contract Administration

AV/AC/08-2024-0117_PAC.gva

Questions regarding this
report may be referred to:
Ashley Coakley
Phone No. (310) 648-6124
Email: ashley.coakley@lacity.org

Respectfully submitted,


For Ted Allen, PE
City Engineer
Bureau of Engineering


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

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

Construction Services Contract (CiSCo13) (CIP 9913)

W. O. No. SZH12247

Bid Date: 01/24/2024
Council Districts: All
Bids Received: 2



SUMMARY			
<u>COMPANY</u>	<u>BID AMOUNT</u>	<u>PERCENTAGE</u>	<u>HIGH/LOW</u>
1 MURRAY PLUMBING & HEATING CORPORATION DBA: MURRAY COMPANY	\$ 22,322,465.39		
2 METRO BUILDERS & ENGINEERS GROUP, LTD.	\$ 22,269,210.01	-0.24%	LOW
AVERAGE (MEAN)	\$ 22,295,837.70	-0.24%	LOW
MEDIAN	\$ 22,295,837.70		