AGENDA
BOARD OF PUBLIC WORKS
FRIDAY, JUNE 3, 2022
10:00 AM

Edward R. Roybal BPW Session Room
Room 350 City Hall
200 North Spring Street
Los Angeles, California 90012

Members: Aura Garcia, President
M. Teresa Villegas, Vice President
Dr. Michael R. Davis, President, Pro-Tem
Vahid Khorsand
Susana Reyes

(Dr. Fernando Campos, Executive Officer 213-978-0261)

Click here for the entire agenda packet / documents

Agenda, related board reports and attachments are available on-line at the BPW website at: http://bpw.lacity.org/ or via link below.

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310-471-CITY (Westside), 310-547-CITY (San Pedro Area); or
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INTERPRETATION AND TRANSLATION REQUESTS

Language translation and interpretation may be provided upon requests. To ensure
availability, requests need to be submitted to the BPW Secretariat Office at least three working days before the meeting by dialing (213) 978-0262 or emailing: bpw-ram@lacity.org.

La traducción del lenguaje puede ser proporcionada bajo solicitud. Para asegurar la disponibilidad, la solicitud puede ser sometida al BPW Oficina del Secretario por lo menos tres días laborables antes del día de sesión llamada al (213) 978-0262 o enviando un correo electrónico a: bpw-ram@lacity.org.

Written material supporting agenda items can be reviewed prior to each Board meeting at the public counter, 200 North Spring Street Room 355, between the hours of 8:00 a.m. and 4:00 p.m.

PUBLIC INPUT AT BOARD MEETINGS:

An opportunity for the public to address the Board on public interest items will be provided for up to two (2) minutes per person for a cumulative total of twenty (20) minutes. Testimony shall be limited in content to matters which are within the subject matter jurisdiction of the Board. The Board may not take any action on matters discussed during the Public Comment period.

The Board will also provide an opportunity for the public to address the Board on agenda items before or during consideration of the item for up to two (2) minutes per person for a cumulative total of up to ten (10) minutes.

In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Board meeting will be conducted entirely telephonically.

Members of the public who wish to offer public comment to the Board should submit written comments via Google form at https://bit.ly/DPWCommentForm or call +1 669 254 5252 and use Meeting ID No. 161 637 1032. Press # again when prompted for participant ID.

Please click the link below to join the webinar:
https://www.zoomgov.com/j/1616371032

VOTING AND DISPOSITION OF ITEMS - Items require a majority vote of the entire membership of the Board (3 votes) for approval.

Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the
prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number, meeting date and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

The Board rules provide that all items adopted by the Board will not be distributed or presented to the Mayor, or other designated office, until the adjournment of the regular Board meeting following the date of the Board action. A motion to send an item "forthwith", if adopted by three (3) votes, suspends these rules and requires the Board Secretariat to forward the matter to the Mayor, or other office, without delay.

NOTICE TO PAID REPRESENTATIVES:

If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code 48.01 et seq. More information is available at ethics.lacity.org/lobbying. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org.

PUBLIC COMMENTS: Board will hear public testimony on non-agenda items under the Board's Jurisdiction

NEIGHBORHOOD COUNCIL COMMENTS

Discussion with Neighborhood Council representatives on Neighborhood Council Resolutions or Community Impact Statements filed with the City Clerk which relate to any agenda item listed or being considered on this agenda for the Board of Public Works (LAAC 22.819, Ordinance 184243).

APPROVAL OF THE MINUTES FROM

FRIDAY, MAY 20, 2022

COMMENDATORY RESOLUTIONS, INTRODUCTIONS AND PRESENTATIONS

AGENDA ITEMS

BUREAU OF ENGINEERING

BPW-2022-0361 (1)

CD 11 BID REJECTION - ASILOMAR BOULEVARD STABILIZATION PROJECT
Recommending the Board:

1. REJECT all bids received for the Asilomar Boulevard Stabilization Project and notify all bidders of the Board's action; and

2. AUTHORIZE the Bureau of Engineering to immediately re-advertise this project.

(W.O. E1907673)

BPW-2022-0362  (2)

CD 14  ABOVE GROUND FACILITY VARIANCE - 423 EAST 16TH STREET

Recommending the Board:

1. APPROVE the request for a variance from the height requirement of the Above Ground Facility Ordinance, per the Los Angeles Municipal Code Section 62.08.V.B., for the wood monopole; and

2. AUTHORIZE Synergy Engineering Services on behalf of AT&T Mobility to install a 41 foot-high wood monopole in the public right-of-way, adjacent to 423 East 16th Street.

BUREAU OF STREET SERVICES

BPW-2022-0363  (3)

CD 1  TREE REMOVAL - 596 NORTH QUAIL DRIVE

Recommending the Board:

1. FIND that this project is categorically exempt under Section 15303, Class 3a, and Section 15332, Class 32 of the State Environmental Quality Act Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with the California Environmental Quality Act (CEQA);

2. FIND that none of the exceptions to the use of categorical exemption as set forth in Section 15300.2 of State CEQA Guidelines apply;

3. SPECIFY South Broadway, is custodian of the documents or other
material that constitute the record of proceedings upon which the Board's decision is based; and

4. REVIEW and APPROVE the request for a fee permit to remove 7 protected trees and shrub which include 5 Southern California Black Walnut (Juglans Californica) trees and 2 Mexican Elderberry (Sambucus Mexicana) shrubs. Tree replacements are required.

BPW-2022-0364 (4)

CD ALL SOLE SOURCE OFFER OF WORK AGREEMENTS & ONE YEAR RENEWAL OPTION - AS-NEEDED HAUL TRUCK PROGRAM FISCAL YEAR 2021-22

Recommending the Board:

1. AUTHORIZE the President or two Board Members to approve and execute up to 19 additional sole-source Offer of Work Agreements for the Bureau of Street Services As-Needed Haul Truck Program for Fiscal Year 2021-22;

2. AUTHORIZE the Bureau of Street Services to exercise the one-year renewal option for Fiscal Year 2022-23 for up to 97 independent truck Owner-Operators, consisting of the existing 78 plus 19 additions; and

3. APPROVE and EXECUTE a Fiscal Year 2022-23 Authority for Expenditure in the amount of $15 million to cover Fiscal Year 2022-23 expenses for the As-Needed Haul Truck Program.

(W.O. M0010011)

EXECUTIVE OFFICES

BPW-2022-0365 (5)

CD ALL SOLE SOURCE MEMORANDUM OF AGREEMENT - LOS ANGELES BLACK WORKER CENTER - LOS ANGELES WORKFORCE EQUITY DEMONSTRATION PROJECT

Recommending the Board, subject to approval by the Mayor:
1. APPROVE the proposed sole source Memorandum of Agreement (MOA), in substantial form, for two years with one, one-year renewal option, to create and implement the Los Angeles Workforce Equity Demonstration Project, subject to approval by the City Attorney;

2. AUTHORIZE the President or two commissioners to execute the proposed MOA; and

3. AUTHORIZE the Board of Public Works, Executive Officer to make technical corrections, if any.

JOINT REPORT(S)

BPW-2022-0366 (6)
BCA + BOE
CD ALL CONTRACT_ACCEPTANCE_-_EMERGENCY_SEWER/STORM DRAIN REPAIR_-_QUARTERLY_ACCEPTANCE REPORT

Recommending the Board:

1. ACCEPT the 176 sewer and 14 storm drain projects of the Emergency Sewer and Storm Drain Repair Program as indicated in the attached Project Summaries Tables.

(C-130413, C-130414, C-130415, C-130416, C-130417, C-130418, C-130419, C-130420, C-130421, C-130422, C-130423, C-130424, C-130425, C-130426, C-130427, C-130428, C-130429, C-130430, C-130431, C-130432, C-130433, C-130434, C-130594)

BPW-2022-0367 (7)
BCA + BOE
CD 1, 4, CONTRACT_ACCEPTANCE_-_SIDEWALK_REPAIR_PROGRAM PACKAGE NO. 46
8, 13, 14, PACKAGE NO. 46
15

Recommending the Board:

1. ACCEPT this contract.

(W.O. E1908523, C-133000)
CD 7  **CONTRACT ACCEPTANCE - COLLECTION SYSTEMS SIERRA BONITA CARBON FACILITY UPGRADE CIP 7193**

   Recommending the Board:

   1. ACCEPT this contract.

   (W.O. SZC13275, C-130183)

CD 3  **CONTRACT AWARD - ADJUL CORPORATION DBA LEE CONSTRUCTION CO. - COLLIER STREET AT WINNETKA AVENUE STORM DRAIN**

   Recommending the Board:

   1. DECLARE the Adjul Corporation dba Lee Construction Co. (Lee), first low bidder, to be the lowest responsive, responsible bidder, and award Lee a contract for this project for $993,529; 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. SZS11743)

CD 8  **REVISED TASK ORDER SOLICITATION (TOS) NO. 701 AND BUDGET INCREASE - KIMLEY-HORN AND ASSOCIATES, INC. - BROADWAY-MANCHESTER ACTIVE TRANSPORTATION EQUITY PROJECT**

   Recommending the Board:
1. AUTHORIZE the City Engineer to issue a revision of TOS No. 701 to Kimley-Horn and Associates, Inc., increasing the budget authority from $5,317,802 to $6,665,062, including contingency, to provide additional design services for the Broadway-Manchester Active Transportation Equity Project.

(W.O. M0015817, M0016440, M0016441, C-134466)

BPW-2022-0371  (11)
BOE + BCA + DOT

CD 7 CONTRACT AWARD - COMET ELECTRIC, INC. - 2017 EARMARK - NORTHEAST VALLEY TRAFFIC AND MOBILITY IMPROVEMENT FEDERAL PROJECT NO. DEMO-5006-(897)

Recommending the Board:

1. DECLARE Comet Electric, Inc. (Comet) first low bidder, to be the lowest responsive, responsible bidder, and award Comet a contract for this project for $2,995,440; 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. E1908769)

MOTION(S)

BPW-2022-0372  (12)

CD 1 CORRECTION OF WORK ORDER NUMBERS - TAYLOR YARD PASEO DEL RIO AND PROPOSITION O WATER QUALITY IMPROVEMENT PROJECTS

Recommending the Board:

1. REQUEST to correct the project Work Order Nos. from E1908532 and EW40087A to Work Order Nos. E1908532, EW40087D and EW40087F in the board report for this Project that was adopted on April 1, 2022.
ORAL REPORT(S)
BPW-2022-0373 (13)
Status Update on Major Upcoming Street Improvement Projects
- Bureau of Street Services

BPW-2022-0374 (14)
Specialized On-Call Maintenance Services Update
- Bureau of Sanitation

BPW-2022-0339 (15)
ADVISEMENT #1
Report on Policy No. 813 - Public Right-of-Way Project Planning and Delivery

(CONTINUED FROM FRIDAY, MAY 20, 2022)

BPW - June 3, 2022

*** END ***
BPW Meeting - Item

FRIDAY, MAY 20, 2022
BPW Meeting - Item (1)

BPW-2022-0361

CD 11

**BID REJECTION - ASILOMAR BOULEVARD STABILIZATION PROJECT**

Recommending the Board:

1. REJECT all bids received for the Asilomar Boulevard Stabilization Project and notify all bidders of the Board's action; and

2. AUTHORIZE the Bureau of Engineering to immediately re-advertise this project.

(W.O. E1907673)

**ATTACHMENTS:**

- Description
  - BOE 1
  - BOE 1 TR 1
Department of Public Works

Bureau of Engineering
Report No. 1

June 3, 2022
CD No. 11

REJECT ALL BIDS FOR THE ASILOMAR BOULEVARD STABILIZATION PROJECT (WORK ORDER NO. E1907673)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. REJECT all bids received for the Asilomar Boulevard Stabilization Project (Project) and notify all bidders of the Board’s action.

2. AUTHORIZE the Bureau of Engineering to immediately re-advertise this Project.

TRANSMITTAL

Summary of bids received on March 30, 2022.

DISCUSSION

On March 30, 2022, the Board received two bids (Transmittal) for the Project.

The purpose of the Project is to stabilize a portion of Asilomar Boulevard that is being impacted by an existing landslide. The Project will consist of: 1) the removal of existing pavement, curb and gutter, 2) the installation of 346 deep soil cement columns (4-1/2 feet in diameter and 90 feet deep), and 3) the construction of new pavement, curb and gutter.

The City Engineer recommends that all bids received for this Project be rejected and the Project be immediately re-advertised. The bids are being rejected due to the fact that both bidders failed to pass their Business Inclusion Program evaluation.

STATUS OF FUNDING

Funding for the Project is provided in the Mayor’s Fiscal Year 2022-23 proposed budget and is expected to be provided in the Fiscal Year 2022-23 approved budget.
Report No. 1
Page 2

( PJS GV RMK JF )

Report reviewed by: BOE (ADM and PAC)

Report prepared by: Geotechnical Engineering Division
Patrick J. Schmidt
Division Engineer
Phone No. (213) 847-0535

PJS/MW/05-2022-0068_GED.gva

Questions regarding this report may be referred to:
Michael Womack, Civil Engineering Associate II
Phone No. (213) 847-0494
E-mail: michael.womack@lacity.org

Respectfully submitted,

Gary Lee Moore, PE, ENV SP
City Engineer

for

Gary Lee Moore, PE, ENV SP
City Engineer

Respectfully submitted,

for

Gary Lee Moore, PE, ENV SP
City Engineer
Bid Results
City of Los Angeles - Department of Public Works - Bureau of Engineering
Asilomar Boulevard Stabilization Project
W.O. E1907673
Bid Date: March 30, 2022
Council District: 11
Bids Received: 2

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>BID AMOUNT</th>
<th>PERCENTAGE</th>
<th>HIGH/LOW</th>
</tr>
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<tbody>
<tr>
<td>CITY ENGINEER'S ESTIMATE</td>
<td>$ 8,506,919.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 KELLER</td>
<td>$ 6,402,441.88 *</td>
<td>-24.74%</td>
<td>LOW</td>
</tr>
<tr>
<td>2 ACCESS PACIFIC, INC.</td>
<td>$ 8,282,163.75 *</td>
<td>-2.64%</td>
<td>LOW</td>
</tr>
</tbody>
</table>

* Corrected Bid Amount

AVERAGE (MEAN) $ 7,342,302.82 -13.69% LOW
MEDIAN $ 7,342,302.82
ABOVE GROUND FACILITY VARIANCE - 423 EAST 16TH STREET

Recommending the Board:

1. APPROVE the request for a variance from the height requirement of the Above Ground Facility Ordinance, per the Los Angeles Municipal Code Section 62.08.V.B., for the wood monopole; and

2. AUTHORIZE Synergy Engineering Services on behalf of AT&T Mobility to install a 41 foot-high wood monopole in the public right-of-way, adjacent to 423 East 16th Street.

ATTACHMENTS:

Description
- BOE 2
- BOE 2 TR 1
- BOE 2 TR 2
- BOE 2 TR 3
REQUEST FOR A VARIANCE FROM THE ABOVE GROUND FACILITY ORDINANCE REQUIREMENT FOR
HEIGHT LIMITATION - 423 EAST 16TH STREET

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. APPROVE the request for a variance from the height requirement of the Above
   Ground Facility (AGF) Ordinance, per the Los Angeles Municipal Code (LAMC)
   Section 62.08.V.B., for the wood monopole.

2. AUTHORIZE Synergy Engineering Services on behalf of AT&T Mobility to install a 41-
   foot-high wood monopole in the public right-of-way, adjacent to 423 East 16th Street.

TRANSMITTALS

1. Variance request, dated September 14, 2021, from Synergy Engineering Services
   (SES), 858 South Oak Park Road, Suite 200, Covina, CA 91724.

2. Site plan that shows the proposed monopole with an antenna and other electronic
   equipment attached.

3. Letter dated October 29, 2021, from the Bureau of Street Lighting (BSL) affirming that
   collocation is not possible.

DISCUSSION

Background
On September 14, 2021, SES, on behalf of AT&T Mobility, requested permission to install
a 41-foot-high wood monopole in the sidewalk area adjacent to 423 East 16th Street
(Transmittal No. 1). The purpose of this installation is to mount a wireless
telecommunication antenna on the pole. As part of the application, SES is requesting a
variance from the allowable height limitation of 5 feet 6 inches of the AGF Ordinance for the
proposed pole (Transmittal No. 2).

On September 14, 2021 and November 9, 2021, SES sent notification letters for the
proposed installation to Council District No. 14, Downtown Los Angeles Neighborhood
Council, and the adjoining, abutting, and across the street property owners.
**Variance Request**

LAMC Section 62.08.V.B. lists three conditions that must be met for the Board to grant a variance from the height limitation:

1. The applicant needs to provide suitable measures consistent with the aesthetic guidelines of the AGF Ordinance and the formal aesthetic requirements adopted by the Board on April 3, 2019, to mitigate for the excessive AGF height.

2. The applicant needs to demonstrate that no financially or technically acceptable alternative exists that complies with LAMC Section 62.08.V.B. and the col location requirements adopted by the Board on November 20, 2019.

3. The applicant needs to provide an approval from the Cultural Affairs Commission (CAC) for the design of the AGF.

The Bureau of Engineering (BOE) has determined that all the variance conditions should be granted for the following reasons:

1. The proposed wood monopole will be placed in line with existing utility poles, and the design of the monopole is consistent with the surrounding wood utility poles in height and appearance. The design of the proposed monopole fully complies with the Board’s Formal Aesthetic Requirements. Therefore, Condition No. 1 has been satisfied.

2. The additional pole height above the maximum height of 5 feet 6 inches is necessary for the facility to transmit a signal on a line-of-sight technology. The applicant has claimed that no other financially or technically acceptable alternative exists that would meet the requirement of the AGF ordinance. The existing utility poles in the area are not suitable for collocation. In addition to that, the BSL conducted an analysis to identify collocation opportunities and affirmed that collocation was not possible (Transmittal No. 3). Consequently, Condition No. 2 has been satisfied.

3. The CAC approved the proposed installation for the site on September 8, 2021. As such, Condition No. 3 is satisfied.

**BOE Determination**

The site location was determined by SES to be the best technical location with respect to their coverage needs for the area. The BOE’s review of the AGF application found the site to be compliant with the AGF Ordinance.

On December 7, 2021, SES sent second notification letters to the adjoining, abutting, and across the street property owners notifying them of BOE’s determination that the proposed AGF installation has met the requirements of the AGF Ordinance. The notification informed them that they had 14 calendar days to appeal the determination. Council District
No. 14 and the Downtown Los Angeles Neighborhood Council, were also notified.

The results of the second notification are shown below:

<table>
<thead>
<tr>
<th>Site Address</th>
<th>Request</th>
<th>No. of Properties Involved</th>
<th>Yes</th>
<th>Opposed</th>
<th>No Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>423 East 16th Street</td>
<td>Variance</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
</tbody>
</table>

The BOE did not receive any appeals from the notified parties. Council District No. 14 has not taken a position with respect to this proposal.

The following photos are before and after photo simulations of the proposed installation:
SES has met all the conditions required for the variance request of the AGF Ordinance.
RE: AT&T / FASHN_004 - PROPOSED ABOVE GROUND FACILITY (AGF)
Adjacent to 5133021028 (Pole: North on 16th St., 85’ West of Wall St.)
City of Los Angeles BOE Log #2021008752

Mr. Satidkit,

The enclosed documentation has been compiled according to the AGF Specifications and Procedures per Los Angeles Municipal Code Section 62.08. Said documentation and materials are presented as elements of an application for the installation of AGF’s adjacent to APN 5133021028, on behalf of AT&T.

AT&T mobility is requesting Board of Public Works approval of a variance from the AGF volume threshold (top of pole 34’) (top of antenna 41’).

Following are the documents included in the package and the corresponding AGFSP item:

III.A Utility Permit Application

III.C.1
   a) Site Plan
   b) Photo Simulations

III.C.2 AGF structure includes: (1) Monopole. The structure is identified on the site plan and photo simulations.

III.C.3 Mailing label copies for all adjoining lots, abutting lots, and lots across the right-of-way from adjoining and abutting lots. Also included are mailing label copies for the representative council office, neighborhood council and homeowner’s associations, where applicable.

III.C.4 Zoning map printout, as determined by City Planning Department. Zoning of adjoining lots is M2-2D (Light Manufacturing). The total numbers of existing AGF’s on the city block is 0.

III.C.5 Cultural Affairs Commission (CAC) approval was received on 9/8/2021 (see stamped approval on application).

III.C.6 AGF Owner: New Cingular Wireless PCS, LLC, a Delaware limited liability company
   Contact / Phone #: Samuel Cha / 562.547.7648
   AGF Location: Adjacent to 2528020900
IV.A  
Treatment and Graffiti Mitigation  
Vandalism related damages should be reported by calling 1-888-662-4662 and a maintenance crew will be dispatched within forty eight (48) hours to repair or restore the facilities. The facility will also be inspected four (4) times annually to ensure compliance with graffiti mitigation.

III.C.7  
Deposit  
One check is enclosed. This includes $1000 deposit for AGF application.

If you should have any additional questions or concerns, please don’t hesitate to contact me directly.

Respectfully,

Colt Waterbury | Permit assistant  
Synergy Engineering Services, Inc.  
858S. Oak Park Road, Suite 200 | Covina, CA 91724  
c: 626.537.0184 | e: cwaterbury@synergy.cc
AT&T Small Cell
Site ID: FASHN_004
Alternative Sites Analysis

Public Right of Way near 423 E. 16th St., Los Angeles

September 23, 2021
Map of Small Cell Node FASHN_004 and Alternative Sites

On this aerial map, AT&T’s proposed Small Cell FASHN_004 is designated by a green pin and the alternative sites are identified by yellow pins.
Proposed Small Cell – FASHN_004

• AT&T is committed to providing and improving wireless telecommunications services and faster data rates throughout the City of Los Angeles.

• Rather than construct traditional macro facilities, AT&T is choosing to deploy very small facilities, called “small cells,” that can be installed on utility infrastructure in the public right-of-way.

• A small cell is a low-powered cell site, which, when grouped with other small cells, can provide coverage in areas where traditional macro wireless facilities are discouraged.

• Small cells are effective tools to provide and improve critical wireless services with a minimal impact. By placing small cells in areas where AT&T’s existing facilities are constrained and where AT&T experiences high network traffic, AT&T can address existing and forecasted demands.

• Node FASHN_004 will improve signal quality and capacity within AT&T’s wireless network.
FASHN_004 - Proposed Location
Public right-of-way near 423 E. 16th St.

- AT&T proposes to place Small Cell FASHN_004 on a new pole in the public right of way, near 423 E. 16th St. (Lat/Long 34.0314440, -118.258644).
- AT&T determined that this location is viable in that necessary utilities are available and this location is feasible from a radio frequency perspective. The location is free of obstructions and has good line of site to meet coverage objectives. AT&T will need to install a new pole to accommodate Small Cell FASHN_004.
- AT&T has determined this location is viable.
Alternative Site 1, is an existing JPA owned wood utility pole located in the public right-of-way near a industrial zoned property. The site is located approximately 72 feet of the proposed site.

Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
Alternative Site 2 is an existing JPA owned wood utility pole located 67 feet of the proposed node in an industrial zoned area.

Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
FASHN_004 – Alternative Site 3
Public right-of-way near 423 E. 16th St.

• Alternative Site 3 is another existing JPA owned wood utility pole located 141 feet of the proposed node in an industrial zoned area.

• Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
FASHN_004 – Alternative Site 4
Public right-of-way near 423 E. 16th St.

- Alternative Site 4 is an existing JPA owned wood utility pole located 245 feet of the proposed node in an industrial zoned area.

- Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
FASHN_004 – Alternative Site 5

Public right-of-way near 423 E. 16th St.

- Alternative Site 4 is an existing JPA owned wood utility pole located 172 feet of the proposed node in an industrial zoned area.

- Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
FASHN_004 – Alternative Site 6
Public right-of-way near 423 E. 16th St.

- Alternative Site 4 is an existing JPA owned wood utility pole located 288 feet of the proposed node in a industrial zoned area.

- Due to the pole configuration, this alternative would not allow for the placement of our antenna and radios due to the GO-95 requirements.
Proposed Small Cell FASHN_004

Conclusion

- Small Cell FASHN_004 is an integral part of an overall small cell solution to help close AT&T’s significant service coverage gap in this portion of Los Angeles.

- Small Cell FASHN_004 will provide wireless telecommunications service and faster data rates to the area schools, businesses, residents & visitors.

- Small Cell FASHN_004 is the best available means to help AT&T provide and improve critical wireless services in the surrounding areas, adding low-power, low-profile equipment to utility infrastructure in the public right-of-way.
COMM12-STAND ALONE IP12 INTEGRATED POLE WITH 5G

COMM12, Stand Alone

IP 2, INTEGRATED POLE WITH 5G

COMMSCOPE®
October 29, 2021

Tanat Satidkit  
Central District, Civil Engineer  
Bureau of Engineering  
201 N Figueroa St., Ste. 300  
Los Angeles, CA 90012

Mr. Satidkit,

In accordance with the Board of Public Works’ direction, the Bureau of Street Lighting has conducted an analysis to identify co-location opportunities for the site below.

At this time there are no co-location sites available for the following monopole:

<table>
<thead>
<tr>
<th>AT&amp;T Site</th>
<th>Location</th>
<th>U-Permit</th>
<th>Pole Type</th>
<th>BSL Recommendation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>FASHN_004</td>
<td>423 E 16th St</td>
<td>2021008752</td>
<td>Wood</td>
<td>No Co-Location Option</td>
<td>No suitable street light pole or circuit</td>
</tr>
</tbody>
</table>

Los Angeles, CA 90015

Should you have any questions about the Bureau’s analysis or recommendation, please contact Victor Turcios, Division Manager, at 213-847-1818 or victor.turcios@lacity.org.

Sincerely,

Miguel S. Sangalang, Executive Director  
Bureau of Street Lighting
BPW Meeting - Item (3)

BPW-2022-0363

CD 1

TREE REMOVAL - 596 NORTH QUAIL DRIVE

Recommending the Board:

1. FIND that this project is categorically exempt under Section 15303, Class 3a, and Section 15332, Class 32 of the State Environmental Quality Act Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with the California Environmental Quality Act (CEQA);

2. FIND that none of the exceptions to the use of categorical exemption as set forth in Section 15300.2 of State CEQA Guidelines apply;

3. SPECIFY South Broadway, is custodian of the documents or other material that constitute the record of proceedings upon which the Board’s decision is based; and

4. REVIEW and APPROVE the request for a fee permit to remove 7 protected trees and shrub which include 5 Southern California Black Walnut (Juglans Californica) trees and 2 Mexican Elderberry (Sambucus Mexicana) shrubs. Tree replacements are required.

ATTACHMENTS:

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Council District No. 1

Honorable Board of Public Works
of the City of Los Angeles

Commissioners:

596 N. QUAIL DRIVE – REQUEST BOARD AUTHORIZATION FOR A FEE PERMIT TO REMOVE SEVEN PROTECTED TREES AND SHRUBS WHICH INCLUDE FIVE SOUTHERN CALIFORNIA BLACK WALNUT (JUGLANS CALIFORNICA) TREES AND TWO MEXICAN ELDERBERRY (SAMBUCUS MEXICANA) SHRUBS FOR CONSTRUCTION OF A NEW SINGLE - FAMILY DWELLING ON A VACANT LOT. TREE REPLACEMENTS ARE REQUIRED.

RECOMMENDATION:

That the Board of Public Works (Board):

1. Find that this project is categorically exempt under Section 15303, Class 3a, and Section 15332, Class 32 of the State Environmental Quality Act Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with the California Environmental Quality Act (CEQA).

2. Find that none of the exceptions to the use of categorical exemption as set forth in Section 15300.2 of State CEQA Guidelines apply.

3. Specify that the Bureau of Street Services (StreetsLA), Urban Forestry Division, located at 1149 South Broadway, is custodian of the documents or other material that constitute the record of proceedings upon which the Board’s decision is based.

4. Review and approve the request for a fee permit to remove 7 protected trees and shrub which include 5 Southern California Black Walnut (Juglans californica) trees and 2 Mexican Elderberry (Sambucus Mexicana) shrubs. Tree replacements are required.

TRANSMITTALS:

1. Tree removal request notification sheet
2. Application for a tree removal permit
3. Protected Tree Report from Arsen Margossian, dated August 16, 2021
4. Service Request No. 1-2168870841
5. Photographs of protected trees/shrubs onsite
6. Grading plans
7. Tree location and planting maps
10. Case No. ZA-2016-3222-ZAD-SPP Determination letter
11. Notice of Exemption, date filed October 21, 2019
12. Justification for Project Exemption Case No. ENV-2016-3223-CE

CONDITION:

If approved, the applicant shall plant 20, 15-gallon size or largest available container of Southern California Black Walnut (Juglans californica) trees; and 8, 15-gallon size or largest available container size of Mexican Elderberry (Sambucus Mexicana) shrubs on site to replace the removed trees and shrubs. The survival of the tree replacements shall be guaranteed for a period of three years by Bond. The tree removal permit shall be issued by the StreetsLA upon notification by the Bureau of Engineering (BOE) that the Bond has been posted.

Upon issuance of the protected tree removal permit, StreetsLA shall be notified a minimum of 10 days prior to the day the Protected Tree removals shall occur. The applicant’s tree expert shall be on-site the day of the tree removal to ensure the proper trees are removed. A StreetsLA arborist will arrange an onsite meeting with the applicant or their tree expert the day following the protected tree removal.

The applicant, in conjunction with the project’s landscape architect or tree expert, shall be responsible to ensure the tree removal permit tree replacement conditions are in compliance. StreetsLA shall be notified no later than five days after the completion of the tree replacements. StreetsLA arborist will make arrangements to visit the site and approve the tree replacements as being in compliance with the permit conditions within five working days of the notification of planting completion.

StreetsLA shall be notified immediately if any permit conditions have been violated or cannot be fulfilled. Failure to comply with this requirement may result in fines or legal actions. The applicant must provide watering to all planted trees for a minimum of three-year period.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.
ALTERNATIVE METHODS AND OPTIONS EXPLORED:

StreetsLA attempts to preserve trees whenever possible and only considers tree removal after all feasible alternatives have been exhausted.

The subject lot of 6,794 square feet is located in an R1-1 residential zoning area on a natural steep hill with almost 40 feet of grade difference between the highest and lowest grades. As per the Protected Tree Report Appendix III Site Plan, it is evident that the design and footprint of the proposed residence was designed in a manner that sought to preserve as many protected tree species as possible while enabling for reasonable development. Protected Trees #6, #7, #9, #10, #12 are located toward the front of the lot and will be retained and protected in place throughout construction. Protected Trees #1, #2, #3, are located within the rear of the lot and will not be impacted throughout construction. Protective fencing has been installed around all 8 trees/shrubs to be retained.

Of the 15 protected onsite trees/shrubs, 7 are located directly within the footprint of the proposed single family residence and require removal to enable construction. The location, size, and condition of trees and shrubs negate the possibility of tree preservation or relocation.

RECITAL:

Mr. Kevin Lavelle, property owner, is proposing to build a new, two-story single family dwelling at 596 N Quail Dr. This property is located within the Mount Washington-Glassell Park Specific Plan area. The project will include a residential floor area of approximately 2,625 square feet which includes a garage on a lot measuring a total of 6,794 square feet. The site has steep to moderate topography and the applicant is required to perform grading, as per the Geology and Soils Report Approval letter, to enable the proposed construction.

Mr. Kevin Lavelle obtained the services of Arsen Margossian, a Los Angeles Municipal Code-defined tree expert, to evaluate the project and impact to any protected trees on the property. Mr. Arsen Margossian prepared a Protected Tree Report (PTR) for the property at 596 N Quail Dr. as a response to the request and submitted the Protected Tree Report for StreetsLA review. A total of 15 protected species were identified on the property of which 7 protected species were identified for removal. An additional 9 protected trees/shrubs are located on the two abutting properties which will receive no impact as a result of construction.
Mr. Arsen Margossian’s site assessment of the site reveals a total of 11 protected Southern California Black Walnut (Juglans californica) trees, 3 Mexican Elderberry (Sambucus Mexicana) shrubs and 1 Toyon (Heteromeles arbutifolia) shrubs on the subject property.

A StreetsLA arborist inspected the location on February 25, 2022 and agrees with Mr. Arsen Margossian’s tree assessment and recommendation that the removal of the 5 protected trees and 2 protected shrubs will be required. The proposed planting plan specified within the Protected Tree report submitted to StreetsLA is deemed to be satisfactory as there is ample room for the mitigation replants to successfully grow and establish.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The Department of City Planning prepared a Notice of Exemption and determined the project is categorically exempt under Section 15303, Class 3a, and Section 15332, Class 32 of the State’s CEQA Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with CEQA.

The StreetsLA finds that none of the exceptions to the use of the categorical exemption as set forth in Section 15300.2 of the State CEQA Guidelines apply.

NOTIFICATIONS:

The First Council District office, Community Forestry Advisory Committee (CFAC), were informed of the tree removal permit request on April 19, 2022. The Council office will notify the StreetsLA of any objections to the proposed protected tree removals prior to the Board hearing this matter.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.

The applicant has been advised of the recommendations contained within this report.
Respectfully Submitted,

KEITH MOZEE
Executive Director and General Manager
Bureau of Street Services

Prepared by:
Urban Forestry Division
Ext. 7-3077
KM/GS/DM/BR
S:/Board Reports 2022 / 596 N Quail Dr.
TREE REMOVAL NOTIFICATION
Friday, April 15, 2022

The Urban Forestry Division received the following permit request to remove trees at the following location(s):

FROM: Urban Forestry Division
1149 S. Broadway, 4th Floor
Los Angeles, CA 90015

REQUESTER: Kevin Lavelle
Kevin@kevinlavelle.tv

REASON FOR REQUEST: City Planning Case

PERMIT TYPE: Fee Permit

ATTENTION: Jose Rodriguez
Email: Jose.a.rodriquez@lacity.org

SITE: 596 N. Quail Dr.

TREE REPLACEMENT SIZE: 15 gallon

The tree removals and replacement (1) Consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of small structures from one use to another where only minor modifications in the exterion of the structure; (2) the action is exempt under Article III, Section 1, Class 3, Category 1 (new construction of small structures - single family residence not in conjunction with the building of two or more units) of the City of Los Angeles Environmental Quality Act Guidelines (2002) It may be possible that the removal of protected trees may be exempt when part of the construction of a single family home. CEQA 15332/32 ,CEQA 15301-15333/ Class1-Class33

<table>
<thead>
<tr>
<th>COUNCIL</th>
<th>ADDRESS</th>
<th>NO. OF TREES IMPACTED</th>
<th>TREE SPECIES PROPOSED TO BE REMOVED</th>
<th>TREE REPLACEMENT QTY.</th>
<th>TREE REPLACEMENT SPECIES</th>
<th>REASON FOR REMOVAL</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>596 N Quail Dr.</td>
<td>7</td>
<td>5 So-California Black Walnut &amp; 2 Mexican Elderberry</td>
<td>28</td>
<td>20 So-Cal Black Walnut &amp; Mexican elderberry</td>
<td>Within the footprint of proposed new residence</td>
</tr>
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ALL ALTERNATIVES WERE CONSIDERED TO RETAIN THE TREES, i.e. SIDEWALK REDUCTION, RAMPING, ROOT PRUNING, MEANDERING INTO PRIVATE PROPERTY, AND BUMP-OUT (NOT COST-EFFECTIVE). TREE REMOVAL IS THE LAST OPTION WHEN THE ALTERNATIVES ARE NOT FEASIBLE. THEREFORE, TREES REQUIRE REMOVAL.

FOR BUREAU OF STREET SERVICES USE ONLY

☐ The above request has been reviewed and approved.
☐ The above request is denied.

APPROVED BY: ____________________________

DATE APPROVED: ____________________________
Good morning,

Please see attached request to remove (7) (seven) trees at [596 N Quail Drive, 90065]. Trees will be replaced at a ratio of 4:1.

Request will be reviewed by the Board of Public Works.

Thank you!

-AA

URBAN FORESTRY DIVISION HEADQUARTERS
1149 SOUTH BROADWAY ST, 4TH FLOOR LOS ANGELES, CA 90015
OFFICE HOURS: 7:00AM - 3:30PM, MONDAY - FRIDAY • (213) 847-3077 • UFD WEBSITE
**PLEASE BE ADVISED THAT ALL TREE REMOVAL PERMIT APPLICATIONS REQUIRE A MINIMUM OF 90 TO 120 DAYS TO PROCESS**
APPLICATION FOR A TREE REMOVAL PERMIT
For on-site native trees & shrubs protected by Ordinance 186,873, and parkway trees

STEP1: CALL (800) 996-2489 or visit 'myla311.lacity.org' obtain a Service Request Number (Application #):

TRANSMITTAL NO. A
BUREAU OF STREET SERVICES
URBAN FORESTRY DIVISION
1149 S. BROADWAY, SUITE 400, LOS ANGELES, CA 90015
Tel: 213.847.3077 Hours: 7:00 a.m. - 4 p.m.

STEP2: This completed application, along with all supporting documentation (see checklist on page 3), should be submitted by US mail to the address above or by email to bss.urbanforestry@lacity.org. (Incomplete applications will not be accepted and may be returned.)

**Average processing time for applications is 90 to 120 days, after all required documents have been submitted and accepted by UFO.**

Property Address: 596 QUAIL DR. LOS ANGELES CA 90065

Property Owner’s Name: KEVIN LAVELLE

Property Owner’s Contact Information: 323-456-6463 kevin@kevinlavelle.tv

Total number of tree(s) or shrub(s): 7 and reason for tree or shrub removal: TREES IN PROPOSED FOOTPRINT OF STRUCTURE. SEE ZONING ADMIN APPROVAL.

Property Owner’s Representative/Agent: DAVID GONZALEZ

Company Name: DAVID GONZALEZ ROJAS ARCHITECT

Address: 5201 MONTE VISTA LOS ANGELES CA 90042

Contact Information: 626.318.2719 dgonzalez@gmail.com

If the tree or shrub removal permit is approved and any fees due have been paid, the permit should be made out to (if this area is left blank, the permit will be made out to property owner):

Name: KEVIN LAVELLE

Email or Mailing Address: kevin@kevinlavelle.tv

This is a standard application for STREET TREES. Complete Section 1 of the attached checklist on page 3.

This is a standard application for PROTECTED TREES OR SHRUBS. Complete Section 2 of the attached checklist on page 3. Must include CEQA and approved Geosolos letter. (See fee schedule on Page 2 for application and permit fees)

This application pertains to a LAND DEVELOPMENT/ SUBDIVISION case. Provide the items listed below (for Street Trees) or Section 2 on page 3 (for Protected Trees and Shrubs):

1. Project title and case number (CP, ZA, TR, CPC, DIR, DIR, PM, DOT): ZA-2016-3222-2AD-SIP

   Attach Letter of Determination and final CEQA document. Tree removals must be addressed or addendum will be required.

2. B-permit receipt showing tree fees have been paid.

3. B-permit drawings in 11”x17”, showing existing tree location and proposed improvements.

4. Planting plan (2:1) ratio.

5. Plot plans.

6. Current photos of tree(s) (No Google Images).
PLEASE READ THE FOLLOWING BEFORE SIGNING

I am submitting this application along with the attached checklist and required documents to the above address. I understand that submittal of this application does not guarantee an approval for a tree or shrub removal permit. If the tree or shrub removal permit is granted, I understand I will be required to replace the removed tree(s) or shrub(s) at a ratio determined by the Urban Forestry Division and pay any outstanding planting, removal and/or permit fees in accordance with City policy. I understand that average processing time for the tree and shrub removal permits is 90 to 120 days from the time a complete application is received. This time frame is an average only and is subject to fluctuate upon project complexity and further review.

I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this application either in whole in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; actions against the City by an individual having suffered an injury; actions against the City based on a violation of a tree ordinance; and actions based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but its not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

Date

Property Owner’s Signature

KEVIN LAVELLE

Print Name

Fee Schedule – Effective 11/5/2021

*Protected Tree Removal Application Fee: $805.99
 (Applications will not be accepted without the fee.)

*Acceptance of application does not guarantee approval of permit request.*

**Protected Tree Removal Permit Fees:

1-2 trees - $2,892.48
3-5 trees - $5,139.16
6-10 trees - $5,982.58
>10 trees - $5,982.58 plus $1,070.76 for each set of up to 5 additional trees

**Please do not submit tree removal permit fee until requested to do so.**

TREE REMOVAL PERMIT APPLICATION CONTINUED ON NEXT PAGE
(PAGE 2 OF 3)
STANDARD TREE REMOVAL APPLICATION CHECKLIST
(The following items are REQUIRED and must be attached to the application. Incomplete applications will not be processed.)

Rev. 02/2021

FOR STREET TREES (SECTION 1)

1. Bureau of Engineering A-permit (All driveway A-permits must include the notation “Driveway cannot be relocated in order to save tree”).
2. Plot Plans – Trees to be removed MUST be highlighted and distance from improvements included.
3. Clear color photos of entire tree and/or damaged sidewalk (if repairing the sidewalk). No Google images.
4. Any further information that the applicant or the City opines is pertinent to the project.

FOR PROTECTED PRIVATE PROPERTY TREES AND SHRUBS (SECTION 2)

Three (3) hard copies of the Protected Tree Report (PTR) or electronic copy shall be submitted by email or US Mail containing the following required information. (Los Angeles Municipal Code (LAMC) Section 17.02)

1. “Tree Expert”
   A person with at least four (4) years of experience in the business of transplanting, moving, caring for and maintaining trees who is one or more of the following: (a) a certified arborist with the International Society of Arboriculture and who holds a valid California license as an agricultural pest control advisor or (b) a certified Arborist with the International Society of Arboriculture who is a licensed landscape architect or (c) a registered consulting Arborist with the American Society of Consulting Arborists. (Amended by Ord. No.186,873 Effective 2/04/2021)
2. By whom the PTR is prepared.
3. For whom the PTR is prepared.
4. Date PTR is prepared.
5. Date of PTR field inspection.
6. Table of Contents. All pages numbered and listed.
7. PTR location address with short geographic description.
8. PTR purpose, include reason(s) for removal.
10. Square footage of the entire property and footprint of the existing and proposed new structure.
11. Field observations.
12. Findings.
14. Trees and shrubs tagged and numbered.
15. Mitigation (optional, City of Los Angeles prescribes mitigation for any protected tree or shrub removal approval). The ordinance states the mitigation shall “approximate the value” of the removed trees or shrubs. The current Board of Public Works policy has increased the minimum requirements for the protected tree or shrub replacement to 4:1 ratio. The Bureau determines tree or shrub value or a group of trees or shrubs in context with their environment.
16. Matrix (spreadsheet) summarizing field observations of all protected trees or shrubs on subject property and any offsite protected trees or shrubs that may be impacted by project (trees or shrubs to be field tagged, provide code for offsite trees or shrubs, i.e. OS#1), tree or shrub species, tree or shrub height, diameter, spread, physical condition (i.e. declining, drought stressed, twig dieback, etc.) suggested treatment, tree or shrub rating, any other related information.
17. Matrix of proposed protected tree or shrub removals.
18. Matrix of proposed protected trees or shrubs to remain.
19. Color photographs of all protected tree(s) or shrub(s). Multiple trees or shrubs may be shown on a photo if there is some method to differentiate between individual trees or shrubs. Minimum photo size is 5"x7".
20. 11-inches x 17-inches Topographical map (Construction drawing) with all protected trees or shrubs plotted (as close to real positions as possible, survey not required). Trees or shrubs shall be color-coded, either highlighted or CAD as follows: Quercus spp (yellow), Platanus racemosa (blue), Umbellularia californica (green), Juglans californica (orange), Sambucus mexicana (pink) and Heteromeles arbutifolia (brown). All proposed protected tree and shrub removals shall be circled in red. Approximate canopy spread should also be included. Included on the plan shall be the footprint of any proposed buildings, walls, patios, pools, etc. Also, lot and proposed building square footage should be included on plan.
21. Landscape plan showing locations of all replacement trees and shrubs on a 4:1 ratio with the tree and shrub stock size to be determined by the City. This plan shall be species color coded as per Item 20.
22. Protected tree or shrub construction impact guidelines.
23. Any further information that preparer or City opines to be pertinent.
24. Pictures of protective fencing around the trees and shrubs to be protected in place.
25. Verification of current licenses and certifications.
26. Must be in a 3-ring binder, if large amount of pages.
27. Digital copy of all submissions.

Tree Removal Permit Application
(Page 3 of 3)
PROTECTED TREE REPORT
FOR
LAND DEVELOPMENT
AT

596 North Quail Drive
Los Angeles, CA 90065
(APN: 5466-012-022)
(Case No. ZA-2016-3222-ZAD-SPP)

Prepared for:

Mr. Kevin Lavelle
1324 Calumet Ave., Apt. 300
Los Angeles, CA 90026
kevin@kevinlavelle.tv

August 16, 2021

Prepared by:

Arsen Margossian, M.S., Consulting Arborist
Bardez Landscape Services, Inc.
International Society of Arboriculture (ISA) Certified Arborist # WE-7233
Member, American Society of Consulting Arborists (ASCA)
ASCA Academy Graduate (2007)
ISA Tree Risk Assessment Qualified (TRAQ)
California Licensed Pest Control Adviser #071429
California Licensed Forestry Pesticide Applicator #121525
3512 Rosemary Avenue
Glendale, CA 91208
818 669 6469
arsenm@pacbell.net

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SUMMARY

I was contacted by Mr. Kevin Lavelle, to prepare a Protected Tree Report (PTR), for a vacant land, located at 596 N. Quail Dr., in Los Angeles, CA.

The reason for the PTR is to assess the impact of the construction of a single-family dwelling to the protected trees on the vacant lot.

Based on the provided survey and site plan, and my own survey and observations, there are eleven indigenous protected trees, four indigenous protective shrubs and two Mt. Washington-Glassell Park Specific Plan designated “Significant” trees.

Based on my observations conducted to the site recently, the above-mentioned protected trees and shrubs are in various conditions. And based on the prepared site plan, five indigenous trees, two native shrubs and one “Significant” tree should be removed, because they are within the footprint of the proposed residence and retaining them would prevent the reasonable development of the single-family property due to zoning requirements.

Mitigation trees can be planted on site.
INTRODUCTION

Background

Mr. Kevin Lavelle inquired if I could prepare a Protected Tree Report (PTR) for the vacant land that he owns, located at 596 N. Quail Dr. in City of Los Angeles, California.

A PTR was prepared for a previous owner of the lot, dated August 16, 2018. This most recent PTR was requested by Urban Forestry, because more than a year has passed since the last PTR. In that time frame, native trees which were not previously protected have grown to protected status and a new City of Los Angeles Ordinance has designated 2 new species found on site to now be protected.

After discussing my fees, I agreed to prepare a new PTR.

Assignment

I agreed to perform the following:

- Inspect and evaluate the protected trees and shrubs.
- Submit a written report of my observations and findings.
- Make appropriate recommendations if needed, based on my findings.

Limits of the Assignment

This report and the observations included herein are based on my visits to the site on August 10, 11 and 13, 2021.

This arborist report was performed entirely at ground level. The inspection and evaluation of the trees and shrubs were limited to visual examination of accessible items without dissection, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.
Purpose and Use of the Report

Mr. Kevin Lavelle, the new legal owner of the property, indicated that he is planning to proceed with the building of a new single-family dwelling on the vacant lot. The project has received a Zoning Administrator approval from the City of Los Angeles Planning Department under Case No. ZA-2016-3222-ZAD-SPP.

The purpose of this report is to present the evaluation of the protected trees and shrubs on the lot, and the impact of the proposed construction project on these trees and shrubs.

This report is intended for the exclusive use of Mr. Lavelle, and his representatives. Upon submission, this report will become their property and its use will be at their discretion.

OBSERVATIONS

General Site Observations

The property, a vacant lot, is located at 596 N. Quail Dr., in the City of Los Angeles, County of Los Angeles, CA, 90065.

The Assessor’s Parcel Number (APN) is: 5466-012-022, in an R1-1 residential zoning area.

The lot is in the Mt. Washington-Glassell Park area of the City of Los Angeles. Access is from the Arroyo Seco Parkway (110 Freeway), off from Ave.43 exit, or from Glendale (2) Freeway, off from Verdugo Road exit. The nearby major streets are Museum Dr. and San Rafael Ave., and the nearest cross-street is Dove Dr.

The lot is located on a natural steep hill, in the south to north direction. There is almost 40 feet grade difference between the highest and lowest grades on the property. Toward the south side, the lot has frontage on Quail Dr. and Pheasant Dr., and toward the north side, it has access to a cul-de-sac on Milton Ct. The abutting property on its west side has been developed.

The lot has a total area of 6,794 sq. ft. and the proposed two-story dwelling, including the garage, will have a total of 2,625 sq. ft.
The natural hill, on which the lot is located, is exclusively covered with Southern California black walnut (*Juglans californica* var. *californica*) trees, and some Mexican Elderberry (*Sambucus mexicana*) and Toyon (*Heteromeles arbutifolia*) shrubs. All these are naturally occurring.

I took photographs of the trees and the site (Appendix II), took measurements and used the surveyor’s and architect’s plans for the location of the trees. The measured canopy of the on-site trees and three of the neighboring trees that are close to construction activity footprint, is drawn to scale on the site plan (Appendix III).

A Lufkin diameter tape and Drescher Tree Caliper were used to measure the trunk diameter of the trees, and a DEWALT measuring tape was used for other measurements. Tree height was estimated. I installed new numbered tags on all the on-site trees, at six feet height and where possible, on the north side. Few of these trees had one or even two different numbered tags, apparently installed over the past years. But most were lacking their tag.

I will be mentioning the corresponding tree number from the tree report prepared and submitted to City of Los Angeles Planning by James Kamen, on August 16, 2018. That report included quite a few non-protected trees which are not covered in this report, as well as dead stumps, most of which have been cleared during brush clearance operations over the past three years.

**Tree Evaluation.**

As specified by Section 17.02 of City of Los Angeles Ordinance No. 186873, Protected Tree is "Any of the following Southern California indigenous species, which measures four inches or more cumulative diameter, four and one-half feet above the ground level at the base of the tree (DBH): a) Indigenous Oak tree excluding the Scrub Oak, b) Southern California Black Walnut, c) Western Sycamore and d) California Bay, and Protected Shrub is Mexican Elderberry and Toyon. Furthermore, the Mount Washington/Glassell Park Specific Plan defines as Native Trees: Any single trunk Native Plant which measures four inches or more in diameter, four and one-half feet above the ground level at the base of the plant; or any multiple trunk Native Plant which measures 12 inches or more in diameter immediately below the lowest branch; or any plant planted pursuant to a permit to relocate or remove trees. Furthermore, a "Native Plant" is defined as "any (plant) species listed in Philip A. Munz’ "A Flora of Southern California" and identified as indigenous to the Los Angeles Area.

Arsen Margossian, Consulting Arborist
According to this ordinance, there are on the lot eleven protected-size Southern California black walnut trees, three Mexican Elderberry and one Toyon shrubs/trees, and two Mt. Washington/Glassell Park designated “Significant” trees. And there are a total of nine protected-size trees and shrubs and one “Significant” tree on the two abutting properties, in the immediate vicinity along the east and west property lines. These are identified as Off-Site Trees.

Physical characteristics and health evaluation of the trees are given below. As mentioned, all the trees are tagged on site.

Diameter of the trees is expressed as DBH (Diameter at Breast Height, or at 54 inches from grade.)

All the characteristics of the trees are summarized in the Protected Tree Survey (Appendix I).

**Tree #1**

This is a young Southern California black walnut tree, located at the far north side of the property, close to the cul-de-sac on Milton Ct. The tree has 11 stems, with girths varying from 0.75 to 1.5 inches. The resulting cumulative DBH of this tree is 10.75 inches. The height of the crown is about 11 feet, and the canopy is almost evenly spread, averaging 10 feet in all directions. The tree has the species’ characteristic light green foliage. Crown density is somehow better compared to the other black walnut trees on site, since the other trees in majority are recently emerged stems from trees that looked completely dead and have been cut down, due to the canker disease affecting these trees in recent years. Overall, the tree looks healthy and its vigor is average. On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average). This tree is outside the footprint of the proposed dwelling, and it should not be impacted. It will be retained and protected.

**Tree #2**

This is a young Mexican elderberry, located almost in the center of the property, and closer to the property line along the west side.
Both the two main stems have been cut in the past, most probably because of **dieback**, and new stems have emerged on both, and at present, there are eight smaller stems, ranging in girth from 1 to 3 inches. The cumulative DBH is 18 inches. Most of the stems have a downhill lean, and as a result, the crown of the tree is mostly in that direction. The longest canopy spread is in the east-west direction, reaching about 15 feet.

Overall, this tree looks healthy and its vigor is average.  
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).  
This tree is outside the footprint of the proposed dwelling, and it should not be impacted. It will be retained.

**Tree #3**

Tree #3 is a small Toyon shrub, located across from Tree #2, close to the property line on the east side.  
It is somehow a young shrub, with eight small stems, ranging in girth from 1 to 2.5 inches. Its cumulative DBH is 14.5 inches.  
It is representative of its species, with dark green/grayish leaves, compact structure and overall, with no apparent health issues.  
Its height is about 10 feet, and the longest canopy spread is of about 12 feet, in the north-south directions.  
This tree also looks average in vigor. 
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).  
This tree also is outside the footprint of the proposed dwelling, and it should not be impacted. It too will be retained and protected.

**Tree #4**

This is a mature olive (**Olea europaea**) tree, which could have been planted long time ago, or even a volunteer. No effort was made to determine its variety.  
Because of its size, it is a "Significant" tree.  
This is a multi-trunk tree, with eleven stems ranging in girth from 1.5 to 9 inches. The cumulative DBH is 47 inches.  
This tree also is representative of its species, with healthy dense foliage and sound structure. The overall height of the tree is about 25 feet, and the average canopy spread is also 25 feet.
It is a healthy tree, with no signs of the scorch disease affecting these trees. The overall vigor of this tree is good.
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 4 (Good).
This tree is outside the footprint of the proposed dwelling, and it should not be impacted. It will be retained, and because it is close to the construction footprint, it should be protected.

**Tree #5**

This is also a young Mexican elderberry, located in the uphill area of the lot. It too has had its share of **deadwood** removal, just like Tree #2.
At present, it has a total of 12 stems, ranging in girth from 1 to 2.5 inches. The cumulative DBH is 19.5 inches.
The height of the tree is about 10 feet, and the canopy spread is about 14 feet in most directions.
This tree also looks average in vigor.
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).
This tree is located within the footprint of the proposed house; it should be removed.

**Trees #6 - #12**

These seven Southern California black walnut trees are located close to each other, in the far southeast corner of the lot, or close to Quail Dr.
They all consist of new **sprouts** emerging from **stumps**, that were left after removing the original stems that had died from the canker disease.
These small trees average in height about 10-12 feet, and the canopy spread averages 15 feet.
As observed at present, they all look in average vigor, and their condition rating also is 3 (Average).
Tree #6 is located on the east property line; therefore, it is a common tree.
Of these seven trees, Tree #11 is within the footprint of a retaining wall/walkway area, therefore, it should be removed.
Also, to be removed is Tree #8, because being close to Tree #11, its roots will be severed substantially during excavation.
Tree #12 will have to have some of its branches cut back to provide clearance.
The remaining five trees can be retained, but they should be protected.
The characteristics of all these trees are included in the Protected Tree Survey.
Tree #13

This Southern California black walnut tree is located almost midway in the upper area of the lot, close to Quail Dr. and Pheasant Dr. Compared to the previous seven Southern California black walnut trees, this one is more developed, with a 20 feet canopy spread, and more stems of bigger girth. This tree also is in average condition, and because it is located within the footprint of the proposed driveway of the house, it should be removed.

Tree #14

This is a mature Southern California black walnut tree, located in the upper west area of the lot, or at its southwest area close to Pheasant Dr. It has a downhill leaning trunk, with a DBH of 16 inches. It divides to two at about five feet from grade: one apparently extended northward, but has been cut back close to the crotch of the division, most probably because of dieback, and insect damage, the latter visible on the surface of the dead cut branch. The other stem is to a certain extent still trying to survive, with a major cut, substantial dead tissue visible throughout the crown that is still seen around this stem. A new stem has emerged in recent years from the trunk base. This one has a lean southward, it has a DBH of 2.5 inches, and it looks to be the only healthy part of this tree. Adding both DBH, the cumulative DBH of this tree would be 18.5 inches. The height of this tree is 15 feet, and the crown of this tree is mostly on the west side, and the longest canopy spread is in the north-south direction, reaching 14 feet. This tree looks fair in vigor. On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 2 (Fair). This tree is located within the footprint of proposed stairs along the west side of the house; therefore, it should be removed.

Tree #15

Another Mexican elderberry tree, located close to Tree #14, and at a short downhill distance from it. It has a main trunk with a DBH of 7 inches, and a new sprout from the trunk base, measuring 1.5 inches DBH. The cumulative DBH is 8.5 inches. The tree height is about 20 feet, and the longest canopy is also 20 feet, in the east-
west directions.
The tree has very thin foliage, substantial insect damage all along the main trunk, and there is also a significant decay cavity at the base of the main trunk. This tree looks poor in vigor.
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 1 (Poor).
This tree is located within the footprint of the proposed house; therefore, it should be removed.

*Tree #16*

Another SoCal black walnut tree, downhill and not that far from Tree #15. It also consists of cut back main stem, from which seven new stems have emerged, with 0.75 to 1.5 inches girth. The cumulative DBH is 8 inches. This tree also is identical in characteristics to the other smaller black walnut trees. Mostly healthy foliage, and clear of any deadwood. The height of the crown of this tree is 10 feet, and the longest canopy spread is of 14 feet, in the east-west directions. This tree also looks average in vigor.
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).
This tree is located within the footprint of the Fire Dept.'s required stairs on the west side of the house; it should be removed.

*Tree #17*

This is a Catalina cherry (*Prunus lyonii*) tree, located downhill from Tree #16. It is a small tree, with four stems, two with 2.5 inches DBH and two with 3.5 inches DBH. The cumulative DBH is 12 inches, and because of that, it is a "Significant" tree.
The tree has the characteristic glossy leaves, open crown, with a total height of 15 feet and the longest canopy spread is of 14 feet in the east-west directions. This tree also looks average in vigor.
On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).
This tree also is located within the footprint of the Fire Dept.'s required stairs on the west side of the house; it should be removed.
Off-Site Trees (OST)

Below are the trees on the two abutting properties.

On the property toward the west side, at 606 Pheasant Dr., there are two nearby trees: OST#1 which is a mature Mexican elderberry tree and OST #3, which is a young Southern California black walnut tree. Both trees are far from the construction footprint and should not be impacted.

On the vacant land toward the east side, at 592 N. Quail Dr., there are eight various protected trees in the vicinity of the property line. OST #2 is a mature SoCal black walnut tree close to Milton Ct., OST #4, #6, #7 and #8 are small Toyons, OST#5 is a Hackberry tree, a “Significant” tree, and OST#9 and #10 are young SoCal black walnut trees. These trees also should not be impacted by any excavation, however, installing a protective fencing will prevent any encroachment of construction activity.

CONSTRUCTION IMPACT

As discussed above, for this construction project, it is being proposed to remove the following trees: Tree #5, Tree #8, Tree #11, Tree #13, Tree #14, Tree #15, Tree #16 and Tree #17. The condition of most these trees is discussed above, except for Trees #8 and #11, which basically are small stems that emerged from the stump left from the cut trees, that had substantial dieback, and people thought these trees were completely dead. The remaining trees on the lot can be retained and protected in place, with almost no impact. Also, the trees on the abutting properties should not be impacted.

TREE PRESERVATION PLAN

To secure the survival of the retained and protected-in-place trees, the following guidelines should be adopted and executed during the entire period of the construction:

- **Tree Protection Zone (TPZ):** During the construction phase, a Tree Protection Zone (TPZ) should be established as far possible away from the
trunk of each tree. Plastic orange colored or chain-link fencing must be erected along the perimeter of the protection zone to prevent access. A "WARNING - Tree Protection Zone" sign will be prominently displayed on each fence. This will apply to the individual trees close to the footprint of the construction. For all the remaining trees, which in the case of all three lots are located at lower grade, a single fencing across the property will separate from the construction activity. See illustration on the Site Plan.

- **Storage and Disposal:** Supplies and materials, including paint, lumber, concrete overflow, etc., shall not be stored or discarded within the tree protection zone. All foreign debris within the protection zone should be removed; it is important to leave duff, mulch, chips, and leaves around the retained tree for water retention and nutrients. Draining or leakage of equipment fluids, i.e., oils, hydraulics, gasoline, paint, paint thinners, etc., shall be avoided.

- **Grade Changes:** Grade changes, including adding fill, shall not be permitted within the tree protection zone, without special written authorization and under supervision by the certified arborist. Lowering the grade would necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the tree. Adding soil, even temporarily, on top of the existing grade, would compact the soil further, and decrease both water and air availability to the tree's roots.

- **Pruning:** In case some cutting-back of some branches will be necessary to accommodate the structures. All pruning shall be done under the direction of an ISA Certified Arborist and using ISA guidelines.

- **Root Pruning:** All trenching should be done by hand or an air spade. If root pruning will be necessary, they should be pruned using a Dosko root pruner or equivalent. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. If trenching within the tree protection zone is unavoidable, an air spade shall be used rather than mechanical trenching equipment. Any underground line within the tree protection zone shall curve so that no roots are impacted.

- **Irrigation:** Approximately 48 hours before root pruning, the soil shall be irrigated to a depth of three feet. The liquid root stimulant "Root Concentrate" shall be added to the irrigation water prior to root pruning. This product helps the tree to regenerate root growth.
Chemical Treatment: If insects or other organisms are present, a licensed pest control adviser should direct the treatment by a licensed applicator.

Inspection: During construction, an ISA Certified Arborist shall inspect the oak trees on a monthly basis. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. The inclusion of photographs is advised. After construction is done, the inspection of the tree should continue for at least the next six months and even more, if the tree shows signs of stress.

Any mitigation procedures proposed by the Certified Arborist, i.e. fertilizing, spraying, washing the foliage, mulching, etc., should be performed without any delay.

MITIGATION FOR THE REMOVED TREES

Seven protected native trees and shrubs, and one Mt. Washington/Glassell Park Specific Plan designated “Significant” tree are being proposed to remove from the lot. The location of the trees on site is such that if the proposed house is shifted toward the east, almost the same number of trees should also be removed. It should be taken into consideration that although Tree #14 is of substantial size, but it is in below-average condition, as is Tree #15.

For the removal of the native trees and shrubs, City of Los Angeles Tree Ordinance mandates mitigation on a 4:1 replacement ratio, and for the “Significant” tree, the mitigation is 1:1; therefore, twenty-eight mitigation native trees/shrubs and one other tree for the significant tree removal have to be planted on site.

This protected tree report will be reviewed by the Urban Forestry Department of the Bureau of Street Services of City of Los Angeles. The Department will decide the size of the mitigation trees.

CONCLUSION

It is necessary that the preserved-in-place trees be protected during the entire construction phase, and monitored regularly, so that their survival is being secured. Retaining the services of a consulting arborist throughout the project will ensure a successful outcome.

Arsen Margossian, Consulting Arborist
# Appendix I

## PROTECTED TREE SURVEY

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>Number Given in 2018</th>
<th>Classification</th>
<th>Diameter (DBH) (inches)</th>
<th>Height (feet)</th>
<th>Spread (feet)</th>
<th>Condition Rating</th>
<th>Status</th>
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<tbody>
<tr>
<td>1</td>
<td>SoCal Black Walnut</td>
<td>1</td>
<td>Native Tree</td>
<td>10.75 (4x0.75, 5x1, 1.25 &amp; 1.5)</td>
<td>11</td>
<td>10</td>
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<td></td>
<td><em>(Juglans californica)</em></td>
<td></td>
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<td>2</td>
<td>Mexican Elderberry</td>
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<td>15</td>
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<tr>
<td></td>
<td><em>(Sambucus Mexicana)</em></td>
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</tr>
<tr>
<td>3</td>
<td>Toyon</td>
<td>OP4</td>
<td>Native Shrub</td>
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<td>12</td>
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<tr>
<td></td>
<td><em>(Heteromeles arbutifolia)</em></td>
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<tr>
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<td><em>(Olea europaea)</em></td>
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<td>5</td>
<td>Mexican Elderberry</td>
<td>8</td>
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<td><em>(Sambucus Mexicana)</em></td>
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<td><em>(Juglans californica)</em></td>
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Condition Rating: 5=Excellent, 4=Good, 3=Average, 2=Fair, 1=Poor, 0=Dead

Arsen Margossian, Consulting Arborist
## Protected Tree Report
596 N. Quail Dr., Los Angeles, CA

### PROTECTED TREE SURVEY

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<tr>
<th>Tree #</th>
<th>Species</th>
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<th>Classification</th>
<th>Diameter (DBH) (inches)</th>
<th>Height (feet)</th>
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<th>Status</th>
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<td>18 (1, 3x1.5 &amp; 5x2.5)</td>
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Condition Rating: 5=Excellent, 4=Good, 3=Average, 2=Fair, 1=Poor, 0=Dead

Arsen Margossian, Consulting Arborist

August 16, 2021
# Protected Tree Survey

**Protected Tree Report**  
596 N. Quail Dr., Los Angeles, CA  

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<td>15</td>
<td>Mexican Elderberry (<em>Sambucus Mexicana</em>)</td>
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<tr>
<td>17</td>
<td>Catalina Cherry (<em>Prunus lyonii</em>)</td>
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## OFF-SITE PROTECTED TREES

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<th>Species</th>
<th>Number Given in 2018</th>
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Arsen Margossian, Consulting Arborist
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<td>15</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td>OST5</td>
<td>Hackberry</td>
<td>OP9</td>
<td>Significant Tree</td>
<td>12</td>
<td>30</td>
<td>30</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td>OST6</td>
<td>SoCal Black Walnut</td>
<td>OP10</td>
<td>Native Tree</td>
<td>7.25 (0.5, 5x0.75, 1 &amp; 2)</td>
<td>7</td>
<td>8</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td>OST7</td>
<td>SoCal Black Walnut</td>
<td>OP10</td>
<td>Native Tree</td>
<td>7 (4x0.75 &amp; 4x1)</td>
<td>6</td>
<td>8</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td>OST8</td>
<td>SoCal Black Walnut</td>
<td>OP10</td>
<td>Native Tree</td>
<td>4.75 (3x0.75, 1 &amp; 1.5)</td>
<td>7</td>
<td>6</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
</tbody>
</table>

Condition Rating: 
- 5=Excellent
- 4=Good
- 3=Average
- 2=Fair
- 1=Poor
- 0=Dead

Arsen Margossian, Consulting Arborist
## OFF-SITE PROTECTED TREES

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>Classification</th>
<th>Diameter (DBH) (inches)</th>
<th>Height (feet)</th>
<th>Spread (feet)</th>
<th>Condition Rating</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>OST9</td>
<td>SoCal Black Walnut N/A</td>
<td>Native Tree</td>
<td>12 (3x1.5 &amp; 3x2.5)</td>
<td>12</td>
<td>13</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td></td>
<td>(<em>Juglans californica</em>)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OST10</td>
<td>SoCal Black Walnut N/A</td>
<td>Native Tree</td>
<td>21 (3x1, 2x1.5, 5x2 &amp; 2x2.5)</td>
<td>12</td>
<td>18</td>
<td>3</td>
<td>Not Impacted/Protect</td>
</tr>
<tr>
<td></td>
<td>(<em>Juglans californica</em>)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>

Condition Rating: 5=Excellent, 4=Good, 3=Average, 2=Fair, 1=Poor, 0=Dead
### Appendix II

#### TREES TO BE REMOVED

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>Number Given in 2018</th>
<th>Classification</th>
<th>Diameter (DBH) (inches)</th>
<th>Height (feet)</th>
<th>Spread (feet)</th>
<th>Condition Rating</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Mexican Elderberry</td>
<td>8</td>
<td>Native Shrub</td>
<td>19.5 (5x1, 2x1.5, 2x2 &amp; 3x2.5)</td>
<td>10</td>
<td>14</td>
<td>3</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>8</td>
<td>SoCal Black Walnut</td>
<td>19</td>
<td>Native Tree</td>
<td>18 (1, 3x1.5 &amp; 5x2.5)</td>
<td>12</td>
<td>20</td>
<td>3</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>11</td>
<td>SoCal Black Walnut</td>
<td>20</td>
<td>Native Tree</td>
<td>7 (1, 2.5 &amp; 3.5)</td>
<td>10</td>
<td>14</td>
<td>3</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>13</td>
<td>SoCal Black Walnut</td>
<td>22</td>
<td>Native Tree</td>
<td>24.5 (4x1.5, 3x2 &amp; 5x2.5)</td>
<td>12</td>
<td>20</td>
<td>3</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>14</td>
<td>SoCal Black Walnut</td>
<td>23</td>
<td>Native Tree</td>
<td>18.5 (2.5 &amp; 16)</td>
<td>15</td>
<td>14</td>
<td>2</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>15</td>
<td>Mexican Elderberry</td>
<td>24</td>
<td>Native Shrub</td>
<td>8.5 (1.5 &amp; 7)</td>
<td>20</td>
<td>20</td>
<td>1</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>16</td>
<td>SoCal Black Walnut</td>
<td>25</td>
<td>Native Tree</td>
<td>8 (2x0.75, 2x1 &amp; 3x1.5)</td>
<td>10</td>
<td>14</td>
<td>3</td>
<td>Impacted/Remove</td>
</tr>
<tr>
<td>17</td>
<td>Catalina Cherry</td>
<td>26</td>
<td>Significant Tree</td>
<td>12 (2x2.5 &amp; 2x3.5)</td>
<td>15</td>
<td>14</td>
<td>3</td>
<td>Impacted Remove</td>
</tr>
</tbody>
</table>

Condition Rating: 5=Excellent, 4=Good, 3=Average, 2=Fair, 1=Poor, 0=Dead

Armen Margossian, Consulting Arborist
Appendix III

PHOTOGRAPHS

View of the property front seen from the street.

(This and the following photographs were taken on August 10, 2021.)
Tree #1.

Arsen Margossian, Consulting Arborist
Tree #2.

Arsen Margossian, Consulting Arborist
Tree #3.

Arsen Margossian, Consulting Arborist
Tree #4.

Arsen Margossian, Consulting Arborist
Tree #5.

Arsen Margossian, Consulting Arborist

Page 24
Tree #6.

Arsen Margossian, Consulting Arborist
Protected Tree Report
596 N. Quail Dr., Los Angeles, CA

Tree #7.

Arsen Margossian, Consulting Arborist

Page 26
Tree #9.

Arsen Margossian, Consulting Arborist
Tree #11.
Tree #13.

Arsen Margossian, Consulting Arborist
Tree #14.
Tree #15.
Tree #17.
Off-Site Tree #1.

ArSEN MARGOSSIAN, Consulting Arborist
Off-Site Tree #2.
Off-Site Tree #3.

Arsen Margossian, Consulting Arborist
Protected Tree Report
596 N. Quail Dr., Los Angeles, CA

Off-Site Tree #4.

Arsen Margossian, Consulting Arborist

Page 40
Off-Site Tree #6, #7 and #8.

Arsen Margossian, Consulting Arborist
Off-Site Tree #9.
Off-Site Tree #10.

Arsen Margossian, Consulting Arborist

Page 44
Appendix IV

SITE PLAN
(Architectural plan attached in back pocket.)
## Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canker</td>
<td>Localized dead (necrotic) area on branches, trunks or roots.</td>
</tr>
<tr>
<td>Canopy</td>
<td>Parts of the tree above the trunk that includes the leaves and branches.</td>
</tr>
<tr>
<td>Cavity</td>
<td>An open wound or hollow within a tree, associated usually with decay.</td>
</tr>
<tr>
<td>Condition Rating</td>
<td>The condition of a tree expressed as percentage of ideal for that species.</td>
</tr>
<tr>
<td>Crown</td>
<td>The above ground portion of the tree that includes the branches and the leaves.</td>
</tr>
<tr>
<td>Deadwood</td>
<td>Dead branches remaining attached within the canopy of the tree.</td>
</tr>
<tr>
<td>Decay</td>
<td>The gradual decomposition of organic matter.</td>
</tr>
<tr>
<td>Diameter at Breast Height (DBH)</td>
<td>Basic measure of tree girth usually at 4.5 feet above ground level.</td>
</tr>
<tr>
<td>Dieback</td>
<td>Condition in which the ends of branches are dying.</td>
</tr>
<tr>
<td>Foliage</td>
<td>The leaves in the canopy of the tree.</td>
</tr>
<tr>
<td>Girth</td>
<td>The measure around anything; circumference.</td>
</tr>
<tr>
<td>Sprout</td>
<td>New growth on a plant or tree or from seed.</td>
</tr>
<tr>
<td>Stump</td>
<td>That part of a felled or broken tree left in the ground.</td>
</tr>
<tr>
<td>Vigor</td>
<td>Overall health of a tree; the capacity to grow and resist physiological stress.</td>
</tr>
</tbody>
</table>
Assumptions and Limiting Conditions

This arborist report and any values expressed herein represent my personal opinion and my fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

The information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection.

I certify that I have no personal interest in or bias with respect to the subject matter of this report. I have inspected the subject trees, and to my knowledge and belief, all statements and information in this report are true and correct.

This arborist report was performed entirely at ground level. The inspection and evaluation of the trees were limited to visual examination of accessible items without dissection, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.
Certification of Performance

I, Arsen Margossian, certify:

- That I have personally inspected the trees and/or property referred to in the report, and have stated my findings accurately. The extent of the evaluation is stated in the attached report and the Limits of Assignment;

- That I have no current or prospective interest in the vegetation on the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;

- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;

- That my analysis, opinions and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices;

- That no one provided significant professional assistance to me, except as indicated within the report;

- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assignment, the attainment of stipulated results, or the occurrence of any subsequent events.

I am an ISA Certified Arborist (#WE-7233A), I hold ISA Tree Risk Assessment Qualification (TRAQ), am California Licensed Pest Control Advisor (#71429) and California Licensed Forestry Pesticide Applicator (#121525). I also am a graduate of ASCA Academy (2007).

I further certify that I am a member in good standing of the American Society of Consulting Arborists (ASCA) and International Society of Arboriculture (ISA).

Signed:  

Date:  August 16, 2021

Arsen Margossian, Consulting Arborist
Copies of Licenses

The International Society of Arboriculture

Hereby Announces That

Arsen Margossian

Has Earned the Credential

ISA Certified Arborist®

By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

The International Society of Arboriculture

Hereby Announces That

Arsen Margossian

Has Earned the Credential

ISA Tree Risk Assessment Qualification®

By successfully meeting ISA Tree Risk Assessment Qualification certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

Arsen Margossian, Consulting Arborist
Service Request #: 1-2168870841

SR Status: Pending - Location inspected, work pending

Summary
Service Type: Tree Permits
Contact: david gonzalez
davids@gmail.com
Location: 596 N QUAIL DR, 90065
Cross Street Between Unknown and Unknown
Council District: 1
Thomas Bros: 595-A3
Maintenance Area: North Central
Maintenance District: 106
Source of Request: Self Service
Language: English
Work Order Number: N/A
Claim Number: N/A
Submitted By: Anonymous 01/11/2022 11:14 AM
Last Updated By: Bryan Ramirez (BSS) 04/22/2022 12:39 PM
Ticket Owner: BSS
Division: Urban Forestry
Assigned To: 106, UFD
Assignee: N/A
Priority Level: Normal
Service Date: N/A
Action Taken: SR Created
Optional Tracking Code: N/A
Attachments:

External: Anonymous on 01/11/2022 11:14 AM
Internal: Dante Henderson on 01/26/2022 12:41 PM
Internal: Dante Henderson on 01/26/2022 12:41 PM
Internal: Dante Henderson on 01/26/2022 12:41 PM
Internal: Dante Henderson on 01/26/2022 12:41 PM
Internal: Dante Henderson on 01/26/2022 12:41 PM
Internal: Scott Harmon on 02/03/2022 12:27 PM
Internal: Scott Harmon on 02/03/2022 12:27 PM
Internal: Scott Harmon on 02/03/2022 12:27 PM
Internal: Scott Harmon on 02/03/2022 12:27 PM
Internal: Scott Harmon on 02/03/2022 12:27 PM

SR Details
Permit Type: Tree Removal

Does Constituent need an application mailed?: No

Additional Location Info:

Comments

<table>
<thead>
<tr>
<th>Comment</th>
<th>Internal or External</th>
<th>Created By</th>
<th>Created Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board report Drafted 04/22/2022 - Ready for Exec. Review, approval/signature</td>
<td>Internal</td>
<td>Bryan Ramirez</td>
<td>04/22/2022 12:39 PM</td>
</tr>
<tr>
<td>Notified CD 1 Under review Bryan Ramirez</td>
<td>Internal</td>
<td>Adrian Alvarez</td>
<td>04/19/2022 08:54 AM</td>
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<tr>
<td>Ready For CD/CFAC Notification 04/15/2022</td>
<td>Internal</td>
<td>Bryan Ramirez</td>
<td>04/15/2022 12:46 PM</td>
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<tr>
<td>SH to BR - 03/02/22</td>
<td>Internal</td>
<td>Bryan Ramirez</td>
<td>03/02/2022 08:30 AM</td>
</tr>
</tbody>
</table>

596 Quail Dr. Scott Harmon inspected location and found the report to be accurate. Tree Protection Zone fencing has been installed properly and shall be maintained in place throughout the entire construction project. There are seven Protected Species that will need to be removed due to being in the footprint of the new home and or will not sustain root pruning for the installation of the foundation of the new construction as proposed in the plans submitted. There are five Juglan californica (Southern California Black Walnut) trees # 8, 11, 13, 14, 16 and two Sambucus mexicana (Mexican elderberry) trees # 5 and 15 need to be removed and replaced with a 4:1 mitigation. There is ample room for replants. Mitigation will be payment of the Protected Tree Removal Permit Fees: 6-10 trees - $5,982.58 and plant twenty-15 gallon or larger Juglan californica (Southern California Black Walnut) trees and eight-15 gallon or larger Sambucus mexicana (Mexican elderberry) trees on site per the PTR mitigation plans submitted. The mitigated replacement trees require posting of a Bond to assure trees are maintained and watered for their survival, for a minimum period of three years after planting. Tree selection, planting and maintenance should be supervised by a Certified Arborist.
Child SR(s)

<table>
<thead>
<tr>
<th>SR#</th>
<th>SR Type</th>
<th>Link Initiator</th>
<th>Status</th>
<th>Linked Date</th>
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<td>No Data Found</td>
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BSS Inspection

Inspected/Reviewed By: Scott Harmon
Inspection/Review Date: 01/28/2022 03:24 PM
Contact: ☐ Yes ☐ No
Contact Date: mm/dd/yyyy
Inspection Crew: 51
Work Required (Reason): I - Inspected

BSS Closeout

Completed By:
Crew:
Approved By:
Work Completed (Resolution): Select...
Date Completed: mm/dd/yyyy
Scott Harmon inspected location and found the report to be accurate. Tree Protection Zone fencing has been installed properly and shall be maintained in place throughout the entire construction project. There are seven Protected Species that will need to be removed due to being in the footprint of the new home and or will not sustain root pruning for the installation of the foundation of the new construction as proposed in the plans submitted. There are five Juglan californica (Southern California Black Walnut) trees # 8, 11, 13, 14, 16 and two Sambucus mexicana (Mexican elderberry) trees # 5 and 15 need to be removed and replaced with a 4:1 mitigation. There is ample room for replants.

Mitigation will be payment of the Protected Tree Removal Permit Fees: 6-10 trees - $5,982.58 and plant twenty- 15 gallon or larger Juglan californica (Southern California Black Walnut) trees and eight- 15 gallon or larger Sambucus mexicana (Mexican elderberry) trees on site per the PTR mitigation plans submitted. The mitigated replacement trees require posting of a Bond to assure trees are maintained and watered for their survival, for a minimum period of three years after planting. Tree selection, planting and maintenance should be supervised by a Certified Arborist.
1") THICK CONCRETE WALL WITH #5 AT 12"o.c. EACH WAY EACH FACE

CONCRETE SLAB
SEE PLAN

4" DIAMETER SCHED. 40 PVC PIPE WITH 1% MIN. GRADIENT TO APPROVED OUTLET

CONCRETE WALL WITH #5 AT 12"o.c.

#4 TIES AT 6"o.c.

4" B.V. WAY TO GRADE BEAM

BUILDING SECTION B-B

SCALE 1"=10'-0"

TYPICAL RETAINING WALL

BUILDING SECTION A-A

SCALE 1"=10'-0"

DRIVEWAY TO GRADE BEAM

SCALE 1"=10'-0"
PROTECTED TREE REPORT
APPENDIX III
SITE PLAN
BY
ARSEN MARGOSSIAN, CONSULTING ARBORIST (WFE-2236A)
818-669-1489, ARSEN@PACBELL.NET
AUGUST 16, 2021

TOTAL LOT AREA: 8,764 SQ. FT.
PROPOSED TOTAL LIVING AREA: 2,625 SQ. FT.

TREE PROTECTION ZONE (TPZ) FENCE:

- TREE TO REMOVE

TREE TO REMOVE:
- PINE
- MAPLE
- CHERRY
- BIRCH
- ASH
- OAK
- ELDER

565 N QUAIL DR
LOS ANGELES, CA 90005
APN: 546-012-022
GREEN NOTES

A minimum two-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, creeping or rooting groundcovers, or direct seeding applications where mulching is contraindicated.

For soils less than 5% organic matter in the top 6 inches of soil, compost at a rate of a minimum of 3 cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil.

There shall comply with the requirements set forth in Sections 12.40 through 12.50 of the Los Angeles Municipal Code.

At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule of landscape and irrigation maintenance.

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE "WATER EFFICIENT LANDSCAPE ORDINANCE" AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE. I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE THAT PROMOTES THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.

SIGNATURE DATE

MITIGATION NOTES

1. Protected native trees and shrubs and one Mt. Washington Gladiolus Park species plan designated "significant" tree will be removed, and will be mitigated by a ratio of 0.8 for the native trees and shrubs and 1:1 for the "significant" tree as shown on the planting plan. The total number of trees to be planted is 24.

FOR PROJECTS THAT INCLUDE LANDSCAPE WORK, THE LANDSCAPE CERTIFICATION FORM (CY 12) SHALL BE COMPLETED PRIOR TO FINAL INSPECTION APPROVAL.

BOARD OF PUBLIC WORKS MEETING - JUNE 3, 2022 - PAGE 127
October 23, 2020
RE 15-801-4

Kevin Lavelle
1324 Calumet Avenue, Apt 300
Los Angeles, CA 90026

SUBJECT: Update to Geologic and Soils Engineering Investigation for Proposed Residence, 596 N. Quail Drive, Los Angeles, California.


At your request, this letter serves to provide our updated geologic and soils report for the proposed development at the subject site.

It is our understanding that the proposed development remains identical to that previously proposed and as noted in our referenced reports. We have reviewed the current site conditions and our referenced reports. No evidence of recent geotechnical hazard was observed at the site.
SEISMIC CONDITIONS

The seismic factors are described in the referenced reports remain applicable.

<table>
<thead>
<tr>
<th>Spectral Period, T (second)</th>
<th>Site Class B MCE spectral acceleration (g)</th>
<th>Site Class C MCE spectral acceleration (g)</th>
<th>Site Class C DBE spectral acceleration (g)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.2</td>
<td>$S_s = 2.109$</td>
<td>$F_a = 1.0$</td>
<td>$S_{DS} = 1.687$</td>
</tr>
<tr>
<td>1.0</td>
<td>$S_1 = 0.741$</td>
<td>$F_v = 1.3$</td>
<td>$S_{Di} = 0.691$</td>
</tr>
</tbody>
</table>

CONCLUSIONS

Based on the findings of our investigation, the site is considered to be suitable from a soils and engineering-geologic standpoint for the proposed residence, provided that the recommendations included in the referenced reports, and herein, are followed and integrated into the foundation plans. A copy of these reports and approval letter should be provided to the reviewing agency.

This report is issued with the understanding that it is the responsibility of the owner, or his representative, to assure that the information and recommendations contained herein are called to the attention of the designers and builders for the project.

The existing artificial fill and residual soil materials (upper 7 to 13-feet) at the site are not considered to be suitable for foundation or slab support and should be penetrated by all new foundations. Based on the proposed building footprint and geologic cross-section, the proposed residence is anticipated to be supported on friction piles bearing into competent bedrock. The interior floors and driveway may be designed as a structural slab.

RECOMMENDATIONS

Foundation and Building Setback

Setbacks from the top or toe of slopes steeper than 3:1 in ratio should comply with the minimum requirements of the controlling governmental agency.
The base of all new foundations should be set back a minimum horizontal distance equivalent to one-third of the slope height (H/3). This horizontal distance should be measured from the outer face of the foundation to the competent face of the adjacent descending slope (lowest unsupported bedding plane). Foundation setback distance should be at least 5-feet, but needs not exceed 40-feet.

All structures should be set back from the toe of the ascending slope a minimum horizontal distance equivalent to one-half of the height of the ascending slope (H/2). Building setback distance should be a minimum of 3-feet, but needs not exceed 15 feet.

**Foundations**

**Friction Piles**

Friction piles may be used to support the proposed structures. Piles should be a minimum of 24-inches in diameter and a minimum of 10-feet into bedrock or that depth necessary to achieve the required foundation setback distance (whichever is deeper). Piles may be assumed fixed at 3-feet into bedrock. The piles may be designed for a skin friction of 700 psf for that portion of pile in contact with the bedrock. All piles should be connected with grade beams and designed within a tolerable amount of deflection, determined by the structural engineer. All friction pile excavations should be periodically observed by a representative of this firm.

If deep foundations are spaced less than eight times the diameter, in the direction of lateral force (downhill direction), then the piles shall be designed per the table below to take into account the shadow effect.

<table>
<thead>
<tr>
<th>Pile Spacing</th>
<th>8D</th>
<th>7D</th>
<th>6D</th>
<th>5D</th>
<th>4D</th>
<th>3D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduction Factor</td>
<td>1.00</td>
<td>0.85</td>
<td>0.70</td>
<td>0.55</td>
<td>0.40</td>
<td>0.25</td>
</tr>
</tbody>
</table>

**General**

The bearing pressure given is for the total of dead and frequently applied live loads and may be increased by one-third for short duration loading which includes the effects of wind or
seismic forces.

**Lateral Design**

The artificial fill and soil on the slope is subject to downhill creep and pile shafts are subject to lateral loads due to the creep forces. That portion of the pile shafts exposed to creep-prone material should be designed for a minimum lateral load of 1000 pounds per linear foot or 30 pcf equivalent fluid pressure times the pile spacing, whichever is greater.

Resistance to lateral loading may be provided by friction acting at the base of foundations and by passive earth pressure within the bearing material. An allowable coefficient of friction of 0.4 may be used with the dead load forces.

Passive earth pressure may be computed as an equivalent fluid having a density of 400 pcf for bedrock with a maximum earth pressure of 6000 psf. When combining passive and friction for lateral resistance, the passive component should be reduced by one-third. Passive pressure above a plane measured 5-feet horizontally from the bedrock slope should be neglected.

**Foundation Settlement**

Settlement of the new foundation system is expected to occur on initial load application. The maximum settlement is expected to be ½ inch. Differential settlement is not expected to exceed ¼ inch within a span of 30-feet.

**Slabs Floor**

We recommend that all interior floor slabs be designed as a structural unit which transfers all loads to the foundation system. As an alternative, a raised wood floor is suggested. This, however, should also transfer all loads to the foundation system.

A minimum 4-inch-thick capillary break consisting of compacted clean graded 3/4-inch gravel should be placed below the vapor retarder/barrier if the slab level is below the surrounding finished grade.

If moisture vapor transmission is a concern to the facility owner, an expert should be consulted to provide additional recommendations for the design and construction of slabs in moisture sensitive flooring areas. Waterproofing details, application methods or effectiveness in preventing moisture intrusion are beyond the scope of our work authorization and not the
responsibility of Robles Engineering, Inc.

Retaining Walls

It should be understood by the client that based on an ordinance by the city of Los Angeles Planning Department (Ordinance No. 176445), a maximum of one free-standing wall may be built on a lot with a maximum height of 12-feet, or two stacked walls with a maximum height of 10-feet each. Free-standing non-surcharged retaining walls 12-feet in height or less may be designed for active pressures per the following table:

<table>
<thead>
<tr>
<th>Surface Slope of Retained Material Horizontal to Vertical</th>
<th>Equivalent Fluid Weight (pcf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEVEL</td>
<td>45</td>
</tr>
<tr>
<td>5 to 1</td>
<td>48</td>
</tr>
<tr>
<td>4 to 1</td>
<td>57</td>
</tr>
<tr>
<td>3 to 1</td>
<td>59</td>
</tr>
<tr>
<td>2 to 1</td>
<td>65</td>
</tr>
<tr>
<td>1 ½ to 1</td>
<td>83</td>
</tr>
</tbody>
</table>

In accordance with present day building codes an additional seismic load should be added to the retaining wall design for walls higher than 6-feet, as measured from the top of the foundation. For restrained walls, the additional loading should be applied at the mid point of the wall. For freestanding walls the additional loading should be applied at 0.4H below the top of the wall. Our earth pressure distribution diagram is attached (Plate PD-1). Retaining walls restrained at top and bottom shall be designed for an at rest pressure of 62 pcf = (1-sin Θ)γ. All other retaining walls shall be designed as previously noted.

All walls should be effectively waterproofed, provided with a subdrain, and backfilled to within 24-inches of the top of the wall with a 1-foot wide column of gravel. We recommend you hire a waterproofing expert to determine your waterproofing requirements and to provide inspection and approval for the same. waterproofing, details, application methods or effectiveness in preventing moisture intrusion are beyond the scope of our work authorization.

981 W. Arrow Hwy #191, San Dimas, CA 91773
Ph. 818-314-8166 gus@roblesengineering.com
and not the responsibility of *Robles Engineering, Inc.* Where the backfill area is confined, the use of Caltrans Class II permeable material is recommended. The surface of the backfill should be covered by an approved filter fabric and 24-inches of compacted soil (Plates RD-1 and RD-2). The subdrainage system, including outlet locations, should be clearly shown on the building or grading plans. The contractor is responsible to insure that all subdrain outlets are constructed per plan and remain unobstructed. While all backfill should be compacted to the required density, care should be taken when working close to new walls to prevent excessive lateral pressure.

Retaining walls supporting ascending slopes should be provided with a minimum freeboard of 2-feet. An open "V" drain should be placed behind the walls so that all up slope flows are directed around the proposed structures to the street or other approved disposal area.

**Temporary Excavations**

Vertical excavations required for retaining walls are anticipated to be up to 6-feet in vertical height and are expected to expose fill and residual soil. Excavations in these materials should be trimmed to 1:1. However, consideration must be given to adjacent property lines, public way and adjacent structures. Excavations shall not remove the lateral support from a public way, from an adjacent property or from an existing structure.

Where trimming is not an option a temporary shoring system may be utilized. A temporary shoring system consisting of a soldier pile and wood lagging system can be used for the retaining wall excavations. The excavation is expected to be a maximum of 6-feet in height. An active pressure of 25 pcf can be used for temporary shoring design (Robles Engineering, 2019). Additional active pressure should be added for a surcharge condition due to nearby structures or vehicular traffic. Soldier piles should be at least 24-inches in diameter, minimum 10-feet below proposed subterranean grade, spaced at a distance no greater than 8-feet on center and provided with lagging (lagging not necessary within competent bedrock). Piles may be constructed for temporary support only or may be incorporated into the permanent wall design. If piles are incorporated into the permanent wall design an active pressure per the Retaining Wall section in our referenced report can be used. The deflection of soldier piles should be designed by the project structural engineer to within the tolerable limit. The allowable bearing, friction,
and passive earth pressure may be found in the Foundation section above.

   All excavations should be continuously observed by our representative and stabilized within 30 days.

   All excavations shall be made in accordance with the regulations of the State of California, Division of Industrial Safety. These recommended temporary excavation slopes do not preclude local raveling and sloughing.

   All excavations should be stabilized within 30 days of initial excavation. Water should not be allowed to pond on the top of the excavation nor to flow towards it. No vehicular surcharge should be allowed within 8-feet of the top of cut.

   It is recommended that a pre-excavation site meeting be attended by the grading contractor, the soils engineer and an agency representative to discuss methods and sequence of subterranean excavation.

**Preventive Slope Maintenance**

   To reduce the risk of problems relating to slope instability, a program of continual slope maintenance is necessary. This maintenance program should include but need not be limited to annual cleanout of existing drainage ways, sealing of any cracks, elimination of gophers and earth burrowing rodents, maintaining low water consumptive, fire retardant, deep rooted ground cover and proper irrigation.

   Hillside properties are typically subject to potential geotechnical hazards including settlement, slope failures, slumping, spalling of slopes, erosion and concentrated slopes. It must be emphasized that responsible maintenance of these slopes, and the property in general, by the owner, using proper methods, can reduce the risk of these hazards significantly.

**Drainage Protection**

   All pad and roof drainage should be collected and transferred to the street or an approved location in non-erosive drainage devices. Drainage should not be allowed to descend any slope in a concentrated manner, pond on the pad or against any foundation or retaining wall.

   It is the responsibility of the contractor and ultimately the developer and/or property owner to insure that all drainage devices are installed and maintained in accordance with the
approved plans, our recommendations, and the requirements of all applicable municipal agencies. This includes installation and maintenance of all subdrain outlets and surface drainage devices.

**Drainage Control**

Final grading shall provide positive drainage away from the footings and from the lot. Proper drainage shall also be provided away from the building footing and from the lot during construction. Maintaining a proper drainage system will minimize the shrink/swell potential of the subsoils and erosion of slopes.

All recommendations presented in the referenced report(s) which are not superseded herein remain applicable and in effect. This report is issued with the understanding that it is the responsibility of the owner, or his representative, to assure that the information and recommendations contained herein are called to the attention of the designers and builders for the project.

Should you have any additional questions or comments, please do not hesitate to call.

Gustavo Robles, Soils Engineer & Geologist
RCE 66797, Exp. 9/30/22
CEG 2422, Exp. 10/31/20

Attachments:
Appendix A: City Approval Letter
Appendix B: Details & Analysis

CC: 1 Hard Copy (client) & 2 Hard Copies/1 Electronic Copy (review agency)
APPENDIX A
(City Approval Letter)
GEOL OGY AND SOILS REPORT APPROVAL LETTER

December 15, 2015

Northeast Projects, LLC
4908 York Blvd.
Los Angeles, CA 90042

TRACT: 5396
LOT(S): 382
LOCATION: 596 N. Quail Drive

CURRENT REFERENCE REPORT/LETTER(S)  REPORT DATE(S) OF DOCUMENT PREPARED BY

PREVIOUS REFERENCE REPORT/LETTER(S) REPORT DATE(S) OF DOCUMENT PREPARED BY
Dept. Correction Letter 90578 11/05/2015 LADBS
Dept. Approval Letter 31771 03/03/1993 LADBS
Dept. Approval Letter 17730 07/26/1990 LADBS

The Grading Division of the Department of Building and Safety has reviewed the referenced update report providing recommendations for the proposed two-story residence. Retaining walls ranging up to 8 feet in height are proposed for the lower floor level to maintain a level setback area. The subject site is undeveloped and consists of a descending slope with gradients of about 1:1/2 to flatter than 3:1 (H:V). The subject site was previously investigated by prior consultants to address the development of a two-story residence. Subsurface exploration performed by the previous consultants consisted of five test pits on the descending slope. The previous reports by the prior consultants had been reviewed by the Department and subsequently approved in the above reference approval letters. No additional subsurface exploration of laboratory testing had been performed by the current consultant. The earth materials at the subsurface exploration locations consist of up to 4 feet of uncertified fill underlain by soil and sandstone/siltstone bedrock. The consultants recommend to support the proposed structure on drilled-pile foundations bearing on competent bedrock.

Engineering analyses provided by Robles Engineering, Inc. is based on field and laboratory testing.
performed by Triad Foundation Engineering and California Geo/Systems, Inc. Robles Engineering, Inc. is accepting responsibility for use of the data in accordance to Code section 91.7008.5 of LABC.

The site is located in a designated seismically induced landslide hazard zone as shown on the “Seismic Hazard Zones” map issued by the State of California. However, the proposed construction is currently exempt (P/BC 2014-044).

The referenced reports are acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2014 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. Prior to the issuance of any permit, a supplement report providing recommendations for retaining wall design shall be submitted to the Department for review and approval. Seismic lateral earth pressure shall be provided for retaining walls exceeding a height of 6 feet.

2. All conditions of the above referenced Department approval letters shall apply except as specifically modified herein.

3. Conformance with the Zoning Code Section 12.21 C8, which limits the heights and number of retaining walls, will be determined during structural plan check.

4. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Constituent Service Division for the proposed removal of support and/or retaining of slopes adjoining to public way. (3307.3.2)

5. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans that clearly indicates the geologist and soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in their reports. (7006.1)

6. All recommendations of the reports that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

7. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit. (7006.1)

8. A grading permit shall be obtained for all structural fill and retaining wall backfill. (106.1.2)

9. All graded, brushed or bare slopes shall be planted with low-water consumption, native-type plant varieties to protect slopes against erosion. (7012)

10. All new graded slopes shall be no steeper than 2H:1V (7010.2 & 7011.2).

11. Prior to the issuance of any permit, an accurate volume determination shall be made and
included in the final plans, with regard to the amount of earth material to be exported from the site. For grading involving import or export of more than 1000 cubic yards of earth materials within the grading hillside area, approval is required by the Board of Building and Safety. Application for approval of the haul route must be filed with the Board of Building and Safety Commission Office. Processing time for application is approximately 8 weeks to hearing plus 10-day appeal period.

12. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density (D1556). Placement of gravel in lieu of compacted fill is allowed only if complying with Section 91.7011.3 of the Code. (7011.3)

13. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill. (1809.2)

14. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction. (7013.12)

15. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cu yd. (7007.1)

16. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety. (3301.1)

17. All foundations shall derive entire support from competent bedrock, as recommended and shall be approved by the geologist and soils engineer by inspection.

18. Foundations adjacent to a descending slope steeper than 3:1 (H:V) in gradient shall be a minimum distance of one-third the vertical height of the slope but need not exceed 40 feet measured horizontally from the footing bottom to the face of the slope (1808.7.2). Where the slope is steeper than 1:1, the required setback shall be measured from an imaginary plane 45 degrees to the horizontal, projected upward from the toe of the slope.

19. Buildings adjacent to ascending slopes steeper than 3:1 (H:V) in gradient shall be set back from the toe of the slope a level distance equal to one-half the vertical height of the slope, but need not exceed 15 feet (1808.7.1). Where the slope is steeper than 1:1, the toe of the slope shall be assumed to be at the intersection of a horizontal plane drawn from the top of the foundation and a plane drawn tangent to the slope at an angle of 45 degrees to the horizontal.

20. Pile caisson and/or isolated foundation ties are required by Code Sections 1809.13 and/or 1810.3.13. Exceptions and modification to this requirement are provided in Information Bulletin P/BC 2014-030.
21. Pile and/or caisson shafts shall be designed for a lateral load of 1000 pounds per linear foot of shaft exposed to fill, soil and weathered bedrock. (P/BC 2014-050)

22. The design passive pressure shall be neglected for a portion of the pile with a set back distance (horizontal set back) less than five feet from fill, soil or weathered bedrock contact plane with bedrock.

23. When water over 3 inches in depth is present in drilled pile holes, a concrete mix with a strength of 1000 p.s.i. over the design p.s.i. shall be tremied from the bottom up; an admixture that reduces the problem of segregation of paste/aggregates and dilution of paste shall be included. (1808.8.3)

24. Existing uncertified fill shall not be used for lateral support of deep foundation. (1810.2.1)

25. Slabs placed on approved compacted fill shall be at least 3½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.

26. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 3½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.

27. The seismic design shall be based on a Site Class C as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.

28. The structure shall be connected to the public sewer system. (P/BC 2014-027)

29. All roof and pad drainage shall be conducted to the street in an acceptable manner; water shall not be dispersed on to descending slopes without specific approval from the Grading Division and the consulting geologist and soils engineer. (7013.10)

30. Sprinkler plans for irrigation shall be submitted and approved by the Mechanical Plan Check Section (7012.3.1).

31. Any recommendations prepared by the geologist and/or the soils engineer for correction of geological hazards found during grading shall be submitted to the Grading Division of the Department for approval prior to utilization in the field. (7008.3)

32. The geologist and soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading. (7008 & 1705.6)

33. All friction pile or caisson drilling and installation shall be performed under the inspection and approval of the geologist and soils engineer. The geologist shall indicate the distance that friction piles or caissons penetrate into competent bedrock in a written field memorandum. (1803.5.5, 1704.9)
34. Prior to the pouring of concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. He/She shall post a notice on the job site for the LADBS Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)

35. Prior to excavation, an initial inspection shall be called with LADBS Inspector at which time sequence of construction, pile installation, protection fences and dust and traffic control will be scheduled. (108.9.1)

36. Installation of shoring, underpinning, slot cutting excavations and/or pile installation shall be performed under the inspection and approval of the soils engineer and deputy grading inspector. (1705.6)

37. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. He/She shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer’s Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included. (7011.3)

EDMOND LEE
Engineering Geologist Associate II

YING LIU
Geotechnical Engineer I

Log No. 90578-01
213-482-0480

cc: Robles Engineering, Inc., Project Consultant
LA District Office
GEOLOGY AND SOILS REPORT APPROVAL LETTER

June 13, 2019

LOG # 108471
SOILS/GEOLgy FILE - 2
LAN-Exempt

David Boldt
2218 Curtis Avenue, B
Redondo Beach, CA 90278

TRACT: 5396
LOT(S): 382
LOCATION: 596 N. Quail Drive

The Grading Division of the Department of Building and Safety has reviewed the referenced update report providing recommendations for the temporary excavations and shoring associated with the development of a new two-story residence. The consultant stated that the development remains the same as previously proposed. However, a detached retaining wall is now proposed to provide a level building setback area to the residence.

The subject property was previously investigated by the consultant to address a new two-story residence. Retaining walls ranging up to 8 feet in height were proposed for the lower floor level to maintain a level setback area. Subsurface exploration performed by prior consultants consisted of five test pits on the descending slope. The earth materials at the subsurface exploration locations consist of up to 4 feet of uncertified fill underlain by soil and sandstone/siltstone bedrock. No
additional subsurface exploration of laboratory testing had been performed by the current consultant. The consultants recommend to support the proposed structure on drilled-pile foundations bearing on competent bedrock. The reports had been reviewed by the Department and conditionally approved in a letter dated 01/05/2016, Log #90578-01-R.

The site is located in a designated seismically induced landslide hazard zone as shown on the Seismic Hazard Zones map issued by the State of California. However, the proposed construction is currently exempt (P/BC 2017-044).

The referenced report is acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis ( ) refer to applicable sections of the 2017 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. All conditions of the above referenced Department approval letter dated 01/05/2016, Log #90578-01-R, shall apply except as specifically modified herein.

2. All recommendations of the report that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

3. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be supported by shoring or constructed using ABC slot cuts. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)

4. Where any excavation, not addressed in the approved reports, would remove lateral support (as defined in 3307.3.1) from a public way, adjacent property or structures, a supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring, underpinning, and sequence of construction. Report shall include a plot plan and cross-section(s) showing the construction type, number of stories, and location of adjacent structures, and analysis incorporating all surcharge loads that demonstrate an acceptable factor of safety against failure. (7006.2 & 3307.3.2)

5. Prior to the issuance of any permit that authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation (3307.1).

6. The soils engineer shall review and approve the shoring plans prior to issuance of the permit (3307.3.2).

7. Prior to the issuance of the permits, the soils engineer and the structural designer shall evaluate all applicable surcharge loads for the design of the retaining walls and shoring.

8. Unsurcharged temporary excavations exposing fill and/or soil shall be trimmed back at a uniform gradient not exceeding 1:1, from top to bottom of excavation, as recommended.
9. Shoring shall be designed for the lateral earth pressures specified in the section titled “Temporary Excavations” starting on page 2 of the 05/13/2019 report; all surcharge loads shall be included into the design.

10. Shoring shall be designed for a maximum lateral deflection of 1 inch, provided there are no structures within a 1:1 plane projected up from the base of the excavation. Where a structure is within a 1:1 plane projected up from the base of the excavation, shoring shall be designed for a maximum lateral deflection of \( \frac{1}{2} \) inch, or to a lower deflection determined by the consultant that does not present any potential hazard to the adjacent structure.

11. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer.

12. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction, shoring, pile installation, protection fences, and dust and traffic control will be scheduled (108.9.1).

13. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer’s Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).

EDMOND LEE
Engineering Geologist Associate III

YING LIU
Geotechnical Engineer II

Log No. 108471
213-482-0480

cc: James Amatulli, Applicant
Robles Engineering, Inc., Project Consultant
LA District Office
APPENDIX B
(Details & Analysis)
**EARTH PRESSURE DISTRIBUTION OF RETAINING WALL**

### Free Standing (Yielding) Wall

**SURCHARGE, q (psf)**

\[ \Delta P_{AE} \]

\[ \text{EFP x H (psf)} \]

\[ 0.45 \, q \]

\[ H \]

\[ 0.4H \]

\[ H \]

\[ \gamma = 115.0 \, \text{pcf} \]

\[ \text{PGA}_m = 1.098 \, g \]

\[ \text{PGA} = \frac{2}{3} \left( \text{PGA}_m \right) = 0.73 \, g \]

\[ k_h = \frac{\text{PGA}}{2} = 0.37 \, (k_h \geq 0.15) \]

\[ \Delta P_{AE} = \frac{3}{8} \, k_h \, \gamma \, H^2 = 15.8 \, H^2 \, (lb) \]

\[ \Delta P_E = k_h \, \gamma \, H^2 = 42.1 \, H^2 \, (lb) \]

**Seismic Earth Pressure Calculations**

### Restrained (Non-Yielding) Wall

**SURCHARGE, q (psf)**

\[ \Delta P_E \]

\[ \text{EFP x H (psf)} \]

\[ 0.45 \, q \]

\[ H \]

\[ 0.5H \]

\[ H \]

\[ 0.6H \]

\[ 0.2H \]

Reference: 1. 2014 LABC
2. NEHRP Workshop (2006)

**Robles Engineering, Inc.**
Geotechnical Consultants

981 W. ARROW HWY #191 SAN DIMAS, CA 91773
PHONE 818-314-8166 gus@roblesengineering.com

**EARTH PRESSURE DISTRIBUTION**

**STATIC & SEISMIC LOADS**

596 Quail Drive
Los Angeles, California

**DATE:** Oct, 2020  **RE**  15-801-4  **PLATE**  PD-1
CONFINED BACKFILL AND SUBDRAIN OPTIONS FOR RETAINING WALLS
(Space between back of wall and face of excavation is less than 24-inches)

OPTION 1: PIPE SURROUNDED WITH CLASS 2 PERMEABLE MATERIAL

OPTION 2: GRAVEL WRAPPED IN FILTER FABRIC

GENERAL NOTES:

* Retaining wall plans should be reviewed and approved by the geotechnical engineer.
* Walls over 12 feet in height are subject to a special review by the geotechnical engineer and modifications to the above requirements may be necessary (see text of report).
* Waterproofing should be provided where moisture intrusion through the wall is undesirable.
* Waterproofing of the walls is not under purview of the geotechnical engineer or geologist.
* All drains should have a gradient of 1 percent minimum.
* Outlet portion of the subdrain should have a 4-inch diameter solid pipe discharged into a suitable disposal area designed by the project engineer. The subdrain pipe should be accessible for maintenance (rodding) and must remain clear at all times.
* Other subdrain backfill options are subject to the review by the geotechnical engineer and modification of design parameters.

NOTES:

1) Pipe types should be ASTM D1527 Acrylonitrile Butadiene Styrene (ABS) SDR35 or ASTM D1785 Polyvinyl chloride plastic (PVC), Schedule 40, Armco A2000 PVC, or approved equivalent. Pipe should be installed with perforations down. Perforations should be 3/8 inch in diameter placed at the ends of a 120-degree arc in two rows at 3-inch on center (staggered).

2) Weepholes should be 3-inch minimum diameter and provided at 10-foot maximum intervals. If exposure is permitted, weepholes should be located 12-inches above finished grade. If exposure is not permitted, such as for a wall adjacent to a sidewalk/curb, a pipe under the sidewalk discharging through the curb face or equivalent should be provided. For a basement-type wall, a proper subdrain outlet system should be provided.

3) All Caltrans Class 2 Permeable Material and gravel backfill should be densified by vibratory compaction.

4) Gradation:

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<thead>
<tr>
<th>Caltrans Class 2 Filter Permeable Material Gradation</th>
<th>Per Caltrans Specifications</th>
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<td>No. 200</td>
<td>0-3</td>
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</table>
UNCONFINED BACKFILL AND SUBDRAIN OPTIONS FOR RETAINING WALLS
(Space between back of wall and face of excavation is greater than 24-inches)

GENERAL NOTES:
*Retaining wall plans should be reviewed and approved by the geotechnical engineer.
*Walls over 12 feet in height are subject to a special review by the geotechnical engineer and modifications to the above requirements may be necessary (see text of report).
*Waterproofing should be provided where moisture intrusion through the wall is undesirable.
*Waterproofing of the walls is not under purview of the geotechnical engineer or geologist.
*All drains should have a gradient of 1 percent minimum.
*Outlet portion of the subdrain should have a 4-inch diameter solid pipe discharged into a suitable disposal area designed by the project engineer. The subdrain pipe should be accessible for maintenance (rodding) and must remain clear at all times.
*Other subdrain backfill options are subject to the review by the geotechnical engineer and modification of design parameters.

NOTES:
1) Pipe type should be ASTM D1527 Acrylonitrile Butadiene Styrene (ABS) SDR35 or ASTM D1785. Polyvinyl chloride plastic (PVC), Schedule 40, Armco A2000 PVC, or approved equivalent. Pipe should be installed with perforations down. Perforations should be 3/8-inch in diameter placed at the ends of a 120-degree arc in two rows at 3-inch on center (staggered).
2) Weepholes should be 3-inch minimum diameter and provided at 10-foot maximum intervals. If exposure is permitted, weepholes should be located 12-inches above finished grade. If exposure is not permitted, such as for a wall adjacent to a sidewalk/curb, a pipe under the sidewalk discharging through the curb face or equivalent should be provided. For a basement-type wall, a proper subdrain outlet system should be provided.
3) All Caltrans Class 2 Permeable Material and gravel backfill should be densified by vibratory compaction.
November 25, 2020

LOG # 115205
SOILS/GEOLGY FILE - 2
LAN-Exempt

Kevin Lavelle
1324 Calumet Avenue, Apt. 300
Los Angeles, CA 90026

TRACT: 5396
LOT(S): 382
LOCATION: 596 N. Quail Drive

CURRENT REFERENCE REPORT/LETTER(S) REPORT/LETTER(S) DATE OF DOCUMENT PREPARED BY

PREVIOUS REFERENCE REPORT/LETTER(S) REPORT/LETTER(S) DATE OF DOCUMENT PREPARED BY
Dept. Approval Letter 108471 06/13/2019 LADBS
Update Report RE 15-801-3 05/13/2019 Robles Engineering, Inc.
Dept. Approval Letter 90578-01-R 01/05/2016 LADBS
Dept. Correction Letter 90578 11/05/2015 LADBS
Update Report RE 15-801 10/05/2015 Robles Engineering, Inc.
Dept. Approval Letter 31771 03/03/1993 LADBS
Dept. Approval Letter 17730 07/26/1990 LADBS

The Grading Division of the Department of Building and Safety has reviewed the referenced update report providing recommendations for the foundations, retaining walls, temporary excavations, and shoring associated with the development of a new two-story residence. The consultant stated that the development remains the same as previously proposed.

The subject property was previously investigated in 2015 and 2019 by the consultant to address a new two-story residence. Retaining walls ranging up to 8 feet in height were proposed for the lower floor level to maintain a level setback area. Subsurface exploration performed by prior consultants consisted of five test pits on the descending slope. The earth materials at the subsurface...
exploration locations consisted of up to 4 feet of uncertified fill underlain by soil and sandstone/siltstone bedrock. No additional subsurface exploration of laboratory testing had been performed by the current consultant. The consultant recommended to support the proposed structure on drilled-pile foundations bearing on competent bedrock. The reports had been reviewed by the Department and conditionally approved in a letter dated 06/13/2019, Log #108471.

The site is located in a designated seismically induced landslide hazard zone as shown on the Seismic Hazard Zones map issued by the State of California. However, the proposed construction is currently exempt (P/BC 2020-044).

As of January 1, 2020, the City of Los Angeles has adopted the new 2020 Los Angeles Building Code (LABC). The 2020 LABC requirements will apply to all projects where the permit application submittal date is after January 1, 2020.

The referenced report is acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis ( ) refer to applicable sections of the 2020 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. All conditions of the above referenced Department approval letter dated 06/13/2019, Log #108471, shall apply except as specifically modified herein. All references to prior building code sections and information bulletins in the referenced Department approval letters shall be deemed to reference the current applicable building code sections and information bulletins.

2. Shoring shall be designed for the lateral earth pressures specified on page 6 of the 10/23/2020 report. All surcharge loads shall be included into the design.

3. Retaining walls shall be designed for the lateral earth pressures specified in the section titled “Retaining Walls” starting on page 5 of the 10/23/2020 report. All surcharge loads shall be included into the design.

EDMOND LEE
Engineering Geologist Associate III

YING LIU
Geotechnical Engineer II

Log No. 115205
213-482-0480

cc: David Gonzalez Rojas, Applicant
Robles Engineering, Inc., Project Consultant
LA District Office
**CITY OF LOS ANGELES**  
**DEPARTMENT OF BUILDING AND SAFETY**  
Grading Division

**APPLICATION FOR REVIEW OF TECHNICAL REPORTS**

**INSTRUCTIONS**

A. Address all communications to the Grading Division, LADBS, 221 N. Figueroa St., 12th Fl., Los Angeles, CA 90012  
Telephone No. (213)482-0480.

B. Submit two copies (three for subdivisions) of reports, one "pdf" copy of the report on a CD-Rom or flash drive, and one copy of application with items "1" through "10" completed.

C. Check should be made to the City of Los Angeles.

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1. **LEGAL DESCRIPTION**
   - **Tract:** 5396  
   - **Block:** NONE  
   - **Lots:** 382  

2. **PROJECT ADDRESS:**
   - **596 N. Quail Dr.**

3. **OWNER:** KEVIN LAVELLE  
   - **Address:** 1324 CALUMET AVE. APT 300  
   - **City:** LOS ANGELES  
   - **Phone (Daytime):** 323-456-6463  

4. **APPLICANT:** DAVID GONZALEZ ROJAS  
   - **Address:** 935 WALL ST. #2-1  
   - **City:** LOS ANGELES  
   - **Zip:** 90015  
   - **Phone (Daytime):** 626-318-2719  
   - **Email address:** DGNZLZ@GMAIL.COM

5. **Report(s) Prepared by:** ROBLES ENGINEERING INC.

6. **Report Date(s):** 10-23-20

7. **Status of project:** Proposed

8. **Previous site reports?** YES if yes, give date(s) of report(s) and name of company who prepared report(s)

9. **Previous Department actions?** YES if yes, provide dates and attach a copy to expedite processing.
   - **Dates:** APPROVAL LETTERS: 12-15-2015 6-13-2019

10. **Applicant Signature:**

   **(DEPARTMENT USE ONLY)**

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**Sub-total**

**Surcharge**

**TOTAL FEE**

**Fee Due:** 452.86

**Fee Verified By:** ML  
**Cashier Use Only**

**ACTION BY:**

**THE REPORT IS:**

- [ ] NOT APPROVED
- [ ] APPROVED WITH CONDITIONS
- [ ] BELOW
- [ ] ATTACHED

For Geology

Date

For Soils

Date

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www.ladbs.org  
Board of Public Works Meeting  
- June 3, 2022 -  
PAGE 152
March 11, 2019

Betsy Cole (A)
4908 York Boulevard,
Los Angeles, CA 90042

David Boldt (O)
2218 Curtis Avenue, Unit B
Redondo Beach, CA 90278

CASE NO. ZA-2016-3222-ZAD-SPP
ZONING ADMINISTRATOR'S
DETERMINATION/SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE
596 N. Quail Drive
Northeast Los Angeles Planning Area
Zone : R1-1
D. M. : 150A223
C. D. : 1
CEQA : ENV-2016-3223-CE
Legal Description : Lot 382, Tract 5396

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

Based on the whole of the administrative record, that the project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, Section 15332, Class 32, for Urban Infill Development, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and,

Pursuant to Los Angeles Municipal Code Section (LAMC) 12.24 X.28(a)(7), I hereby DENY:

a Zoning Administrator's Determination to permit the construction, use and maintenance of a new single-family dwelling on a lot fronting on two Substandard Hillside Limited Streets (Quail Drive and Milton Court) that are improved with an Adjacent Minimum Roadway width of less than 20 feet, as required by Section 12.21 C.10(i)(2); and

Pursuant to LAMC Section 12.24 X.28(a)(7), I hereby APPROVE:

a Zoning Administrator's Determination to permit the construction, use and maintenance of a new single-family dwelling on a lot fronting on two Streets that do not have a 20-foot wide Continuous Paved Roadway from the driveway apron of the property to the boundary of the Hillside Area as required by Section 12.21 C.10(i)(3); and
Pursuant to LAMC Section 11.5.7 C, I hereby APPROVE:

a Project Permit Compliance Review for the Mount Washington/Glassell Park Specific Plan (Ordinance No. 168,707) for the construction of a two (2)-story, 45 foot in height, 2,926 square foot single-family dwelling on a 6,794.1 square-foot lot,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

6. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for attachment to the subject case file.

7. Approved herein is the construction, use and the maintenance of a new 2,926 square-foot, two (2)-story, 45-foot in height, single family dwelling on a lot that fronts on two Substandard Limited Hillside Streets, without providing a 20-foot Continuous Paved Roadway from the driveway apron of the property to the boundary of the Hillside Area.
8. The applicant shall obtain all necessary permits from the Bureau of Engineering to complete the street improvements of the Adjacent Minimum Roadway along the frontage of the subject property on Quail Drive and Milton Court to the satisfaction of City Engineer.

10. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Los Angeles Fire Department (LAFD). Said Department's approval shall be included in the plans submitted to the Development Services Center.

11. Prior to the sign-off of plans by the Development Services Center, the Project shall comply with all requirements of the Department of Building and Safety's Grading Division including the conditions of approval contained in the Geology and Soils Report Approval Letter dated December 15, 2015 (Log # 90578-01) and any subsequent amendments thereto.

12. On and off site drainage of the project, including the placement of a 150-gallon rain tank located on the westerly side of the house and a 600-gallon rain tank located on the easterly side of the house as shown on the drainage plan in the Exhibit "A", shall be reviewed and approved by the Department of Building and Safety and the Department of Public Works.

13. No other deviations have been requested from any other applicable provisions of the Hillside regulations (Section 12.21 C.10 of the Municipal Code), including from any yard setback requirements, specifically from any required side yard setbacks, which shall be observed as required.

14. Prior to the clearance of the building permit, the applicant shall submit a landscape plan including planting materials and irrigation, prepared by a licensed landscape architect, to the Development Services Center for approval prior to the condition clearance of this determination. The landscape plan shall show 24 replacement trees of California Black Walnut (Juglans Californica) or similar native trees at 24-inch box size complying with the submitted native tree report dated August 16, 2018, and stamped by the Urban Forestry Division on August 29, 2018. All landscape shall be implemented prior to the issuance of the Certificate of Occupancy by the Department of Building and Safety.

15. Outdoor lighting shall be designed and installed with shielding, so that the light does not overflow into adjacent residential properties.

16. Air conditioning units or other similar items located on the roof shall be screened to minimize visual and aesthetic impacts.

17. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

18. The contractor shall establish an off-site staging area for large trucks and any other construction vehicles and a parking plan in order to control the frequency of construction traffic to the site to the satisfaction of the Department of Public Works.
Transportation. The specifics of the plan shall be printed on the plans submitted for clearance to the Development Services Center. No construction vehicles shall park on Quail Drive and Milton Court.

19. Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, any delivery of fill material or removal of graded soil shall be limited to the hours beginning at 9 a.m. and ending at 3 p.m., Monday through Friday only. No truck deliveries shall occur outside of this time period.

20. All trucking activities for haul route and deliveries during grading and construction stages shall be coordinated so that only one exporting truck or one vendor delivery vehicle is at the site at one time and so that a construction supervisor is present at such time to prevent any potential traffic impacts. Two flag persons shall be provided to assist with the exporting and delivery of any earth and construction materials at the site. No exporting of earth and delivery of material shall occur on trash collection days.

21. All debris, trash and waste generated by the construction or by any worker, including but not limited to building material remnants, removed weeds, dirt, food or drinks consumed by workers, etc., must be removed from the site or kept in a covered, on-site trash receptacle on the properties being developed. Any trash stored on site must be removed at least once per week, or whenever the storage receptacle is full, whichever is sooner.

22. Construction and demolition shall be restricted to the hours of 8 a.m. to 5 p.m. Monday through Friday, and 9 a.m. to 5 p.m. on Saturday.

23. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

24. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

25. During all phases of construction for the dwelling unit, all construction vehicle parking and queuing related to the project shall be required to be located on the project site.

26. During all phases of construction for the dwelling unit, all materials related to the project shall be stored on-site. No building materials shall be stored on public streets.

27. No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.

28. The following conditions include those directly related to the review of Project Permit Compliance with the Mount Washington/Glassell Specific Plan:

Approved herein is the construction, use and the maintenance of a new single-family dwelling fronting on two Standard Hillside Limited Streets that do not provide the minimum 20-foot wide Continuous Paved Roadway from the driveway apron.
to the boundary of the Hillside Area, as required by LAMC Section 12.21 C.10(i)(3).

The Project is approved with the following limitations:

a. Site Development. Except as modified herein, the Project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped Exhibit “A,” and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the Project conditions, or the Project Permit authorization.

b. Floor Area – As defined by the Mount Washington/Glassell Park Specific Plan, Floor Area is that area in square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks. The total gross floor area shall not exceed 2,926 square feet, including a 387 square-foot attached garage.

c. Height – The proposed dwelling shall be limited to 45 feet in height. Within six feet of the front lot line, the building height shall be limited to 15 feet. Within six feet to 12 feet of the front lot line, the building height shall be limited to 24 feet.

d. Front Yard Setback – The Project shall provide a minimum front yard setback of five (5) feet.

e. Parking – The Project shall provide two, covered vehicle parking spaces on-site pursuant to LAMC Section 12.21.C.10.

f. Landscape Plan:

1) **Xeriscape Requirements.** The Project shall comply with the xeriscape requirements set forth under Sections 12.40 through 12.43 of the LAMC.

2) **Landform Planting Design.** To the extent feasible, the type and placement of landscape materials on graded sloped shall conform to the standards set forth in the Landform Grading Manual.

3) **Fire Safety.** The landscaping and preservation, relocation, and removal of Native and Significant Trees shall not require any planting in violation of applicable fire safety regulations.

4) **Tree Preservation.** Per the Tree Report dated August 16, 2018, conducted by James Komen, Class One Arboriculture Inc., stamped by the Urban Forestry Division on August 29, 2018, there is one (1) tree that qualifies as a Significant Tree, eight (8) Protected Trees, and one (1) Black Walnut tree stump that qualifies as a Protected
Tree located on the property. There are other trees located on the site, but are too small to be considered Significant or Protected. A total of six (6) California Black Walnut trees, including a Black Walnut tree stump, will be removed as a result of construction. Trees shall be replaced as required by the Urban Forestry Division and/or in accordance with a submitted landscape plan. All removed trees shall be replaced at 4:1 ratio.

The applicant shall observe the Tree Protection Guidelines set forth in said tree report and the standards of approval of Relocation/Removal of Native or Significant Trees of the Mount Washington/Glassell Park Specific Plan during the Pre-Construction Phase and Construction Phase by using protective fencing, keeping the site clean, sufficient irrigation, no flooding, using hand tools around the tree locations, do not back any equipment up to the trunk of trees, avoid root impact, trenching and root pruning, maintain natural grade, place mulch, and under observation by an arborist.

g. Construction Requirements/Restrictions

1) Posting of Construction Activities. During construction, the adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for (1) Department of Transportation, Parking Enforcement; (2) Building and Safety enforcement; and, (3) the owner and/or construction contractor where residents can inquire about the construction process and register complaints. The applicant shall be required to respond within 24 hours of any complaint. A construction superintendent shall be present on-site during construction.

2) Community Relations. A 24-hour "hotline" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

3) Deliveries of Equipment Supplies. All deliveries during construction shall be coordinated so that only one vendor delivery vehicle is at the site at one time and that a construction supervisor is present at such time to mitigate any potential traffic impacts. A flag person shall be provided to assist with the delivery of any construction materials to the site on trash-pick up days until the trash collection has been completed.

4) Truck Traffic Restricted Hours. Truck traffic directed to the Project site for the purpose of delivering materials, construction-machinery, any delivery of fill material or removal of graded soil shall be limited to the hours beginning at 9 a.m. and ending at 3 p.m., Monday through Friday only. No truck deliveries shall occur outside of the time period.
5) **Construction Activities.** Prior to the commencement of site excavation and construction activities, the applicant shall notify residents within a 100-foot radius of the Project site and provide residents with a written construction schedule. The applicant and the Project construction manager shall identify a contact person and provide a telephone number for any inquiries from residents regarding construction activities. The phone number shall be provided to all residents within the 100-foot radius and as noted above it shall be posted on the site in a manner which is readily visible to any interested party.

6) **Reduced Roadway Width.** At no time during construction activities shall Quail Drive be reduced to a roadway width of less than 10 feet.

7) **Flag Persons.** Flag persons shall assist with the movement of traffic whenever two-way traffic is obstructed as a result of construction activity.

8) **Off-Site Staging Area.** The contractor shall establish an off-site staging area for large trucks and any other construction vehicles in order to control the frequency of construction traffic to the site, to the satisfaction of the Department of Building and Safety.

9) **Storage of Materials -** During all phases of construction, all materials related to the construction of the proposed Project shall be stored on-site.

**NOTE:** Attachment “Exhibit B” lists the regulating codes and statutes regarding construction requirements and restrictions.

19. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of in whole or in part, the City’s processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of in whole or in part, the City’s processing and approval of the entitlement, including but not limited to payment of all court costs and attorney’s fees, costs of any judgments or awards against the City (including an award of attorney’s fees), damages and/or settlement costs.
c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).

e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.
OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after March 26, 2019, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at http://planning.lacity.org. Public offices are located at:
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude
San Fernando Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles Development Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on March 6, 2018, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a Zoning Administrator's Determination as enumerated in Section 12.24 X. 28, and a Project Permit Compliance as enumerated in Section11.5.7 of the Los Angeles Municipal Code have been established by the following facts:

BACKGROUND

The subject property is a 6,794.1 square-foot, hillside, irregular-shaped, down sloping vacant through lot fronting on both Quail Drive and Milton Court. Quail Drive, according to the Bureau of Engineering Hillside Referral Form, is a Substandard Hillside Limited Street with a paved width of approximately 16 feet. Vehicular access to the site will be from Quail Drive. The applicant is requesting a waiver from improving Milton Court which is an unpaved "paper" street located to the rear of the lot. All adjoining properties to the north, east, west, and across Quail Drive are improved with residences and zoned R1-1. The areas adjacent to the subject site to the north, south, east, and west are zoned R1-1, and are almost completely developed with single-family homes.

The property is located within the boundaries of the Hillside Area (Zoning Code), a Very High Fire Hazard Severity Zone, the Special Grading Area (BOE basic Grid map A-13372) and within 1.6 miles of the Raymond Fault. In addition, the property is subject to the
development standards of both the Baseline Hillside Ordinance and Mount Washington-Glassell Park Specific Plan.

Previous zoning related actions on the site/in the area include:

**Subject Property:**

There are no previous zoning related actions for the subject property.

**Similar Cases within 500 feet of the subject site:**

**ZA-2014-1091-ZAD-SPP** (4209 W. Sea View Drive) On December 22, 2015, the Zoning Administrator approved the Zoning Administrator’s Determination to permit the construction, use and maintenance of a new single family dwelling fronting on a substandard Hillside Limited Street that is improved to a roadway width of less than 20 feet, and that does not have a vehicular access route from a street improved with a minimum 20-foot wide Continuous Paved Roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside area, as otherwise required by Sections 12.21 C.10(i)(2) and (3) of the Code and a project Permit Compliance Review for the construction, use, and maintenance of a maximum 45-foot in height, two-story, 2,760 square foot (with an attached two-car garage) single family dwelling located in the R1-1 Zone on a 5,670 square foot lot within the Mount Washington/Glassell Park Specific Plan.

**ZA-2005-638-ZAD-SPP** (4547 E. Cleveland Avenue) On September 14, 2005, the Zoning Administrator approved the Zoning Administrator’s Determination to permit the construction, use, and maintenance of a single family dwelling which fronts on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet along Otay Drive, and which also does not have a vehicular access route from a street improved with a 20 foot wide Continuous Paved Roadway to the boundary of the Hillside Area and a Project Permit Compliance Review for the construction, use and maintenance of a single family dwelling and garage in the Mount Washington/Glassell Park Specific Plan.

**ZA-2005-4419-ZAD** (4464 E. San Andreas Avenue) On November 09, 2005, the Zoning Administrator approved the Zoning Administrator’s Determination to permit the construction use and maintenance of a single family dwelling on a property which does not have a vehicular access route from a street improved with a minimum 20-foot wide Continuous Paved Roadway from the driveway apron that provides access to the residence to the boundary of the Hillside Area, and to permit the construction, use and maintenance of a single family dwelling observing an easterly side yard of 6 feet for a linear distance of 34 feet, and a westerly side yard varying from 5 to 6 feet for a linear distance of 54 feet in lieu of the required 8 feet, and dismissed a Project Permit Compliance Review for the Mount Washington/Glassell Park Specific Plan for the project inasmuch as the project was found to be in compliance with applicable provisions of the Specific Plan by the Director of Planning under Case No. DIR-2005-4821-SPP.
PUBLIC HEARING

A Notice of Public Hearing was sent to property owners of all properties abutting, across the street or alley from or having a common corner with the subject property and interested parties on February 6, 2018. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. The hearing was held on March 6, 2018 at approximately 9:00 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles CA 90012.

The applicant provided the following comments:

- The request is to build a 2-story single family house with an entrance from Quail Drive.
- The project complies with the Mt. Washington/Glassell Park Specific Plan and the Baseline Hillside Ordinance (BHO).
- The Applicant is only asking for a relief from the street improvement.
- The only retaining wall is for the driveway bridge.
- The Applicant has redesigned the rain barrel platform and moved the larger portion of the rain collection to the easterly side due to the neighbor’s concern.
- The project has completed the plan check.
- The applicant will submit the project to the local Neighborhood Council for a review.

Mark Kenyon, Mount Washington Homeowners Alliance:

- The Alliance represents 600 homeowners in the Mt. Washington area.
- We do not object to a project at this location, but a Categorical Exemption should not be granted.
- The Applicant cut down Protected Trees without the approval from the Urban Forestry Division. A neighbor reported the removal of the tree then the applicant was required to plant the trees back. However, these new trees were never established due to the lack of irrigation.
- The local street network is tight. Fire trucks cannot get around.
- City has routinely granted hillside street improvement waiver requests, but a financial hardship is not a reason to grant these applications.
- The applicant should improve the Adjacent Roadway for Milton Court.
- The applicant should also widen the street from the property to the hillside boundary.

Charmaine McClarie, a local resident:

- The Applicant cut down 9 trees right after he bought the property.
- She contacted the City for the violation.
- The Applicant planted small trees and only watered 5 times so all new trees died.
- The Applicant must replant all trees back.
- Neighbors contacted the Applicant but he would not respond.
- He is not a good neighbor.
Patrick Gleeson, an abutting property owner:

- He is concerned about the request to waive the improvement on Milton Court.
- He has dealt with the Applicant for three years and realized he is not a good neighbor.
- The applicant has not cleared the overgrown brush on his property.
- He is not optimistic that the Applicant will play by the rules.
- The Applicant has no justification for the street improvement waivers.
- If the project is approved, the Applicant will use the new house for Airbnb purpose.
- He is strongly opposing the project because it sets a precedence in the neighborhood.
- He wants to see a revised plan without the rain barrel platform because the overflow water will damage the foundation.

Norm Sancho, a local resident:

- He is a 35 year community member.
- He echoes Mr. Gleeson's comments.
- The trees were cut down one day without any notification.
- The Applicant needs to submit a drainage plan to show there will be no water run-off down the hill and erode neighbors' properties.

Leann McLead, a local resident:

- She is concerned with the emergency vehicle access, water run-off due to hillside slide, and the precedence setting for other projects.

The applicant rebuttal:

- He received a notice from LAFD to clear the brush on his lot in 2014. A site survey showed his site has no Protected Trees, so he hired someone to clear the plants and brush on the lot.
- Then he received a notice to replant the trees, which he did.
- The year had a serious drought so it was tough to water the trees.
- He will submit a new tree report.
- His project has the least impact on the ground because the house will be on caissons only so the trees can grow.
- Fire sprinkler system will be throughout the new house.
- He will relocate the rain barrel.
- LAFD sends the brush clearance notice every year so he will make sure the overgrown brush will be cleared.

At the closing of the hearing the Zoning Administrator stated that he is inclined to deny the request to waive Adjacent Minimum Roadway improvement, and approve the request to waive the Continuous Paved Roadway improvement and the Mt. Washington/Glassell Parking Project Permit Compliance Review. The Zoning Administrator takes the project under advisement until a new tree report reviewed and stamped by the Urban Forestry Division, and a conceptual landscape plan showing the location of all replacement trees are submitted to the file.
Communication:

Arroyo Seco Neighborhood Council issued a letter on June 6, 2018, stating the Neighborhood Council finds the project generally complies with the Mt. Washington/Glassell Park Specific Plan, and supports the request to relieve the improvement of Continuous Paved Roadway, but declined to take a position on the request to relieve the improvement of Adjacent Minimum Roadway.

FINDINGS - ZONING ADMINISTRATOR'S DETERMINATION

In order for relief to be granted from requirements permitting the construction of buildings on Substandard Hillside Streets, all findings mandated in Section 12.24 X. 28 of the Municipal Code must be made in the affirmative. The following section states such findings with the applicable justification set forth thereafter:

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The property is currently a vacant through lot that fronts onto two streets, Quail Drive and Milton Court. The subject property, including the surrounding improved parcels take access from Quail Drive and Pheasant Drive. Milton Court is a partially improved public street that the subject project will not be using for vehicular access. Per the Bureau of Engineering (BOE) referral form, Quail Drive has a street width less than 20 feet and is required to be improved based on the street width designations assigned by the Bureau of Engineering. Milton Court is identified as an unpaved street with zero roadway width at the project site's frontage. However, Milton Court is improved with an unidentified amount of pavement along the majority of the length of the street prior to the subject site. Milton Court does provide vehicular access to adjacent properties to the east of the site. The proposed project would have its vehicular access along Quail Drive which has an improved width of 16 feet per BOE's street data.

Adjoining and surrounding properties are zoned R1-1 and are designated for Low Residential land uses. They are developed with single family dwellings or are currently vacant. The proposed project entails the construction of a 2,926 square foot, two-story, 45 foot in height, single-family dwelling with an attached garage. The proposed new single family home does not propose a large number of retaining walls and grading. The foundation of the house utilizes a caisson system where only several boring holes on the hillside grade would be required. This type of foundation system allows minimum disturbance to the earth. The project will cut 94.5 cubic yards of soil and fill 2.6 cubic yards of soil. Export of earth is proposed at 91.9 cubic yards, which does not exceed the City's haul route threshold of 1,000 cubic yards of earth. The project is subject to the regulations of the BHO and the Mt. Washington/Glassell Park Specific Plan and requires a Project Permit Compliance Review. No other modifications from the Hillside regulations which remain applicable beyond the vehicular access required by the BHO have been requested. The floor area, building height, yard setback, grading, and parking of
the proposed house are complying with the BHO and the Mt. Washington/Glassell Park Specific Plan.

The single-family dwelling is proposed on a site that has neither of the adequate street improvements along Quail Drive or Milton Court. Therefore, as part of the development of the project, the applicant is requesting relief of widening and improving of the Adjacent Minimum Roadway width at the property’s frontages, and the Continuous Paved Roadway requirement from the property’s frontage to the boundary of the hillside, to a 20-foot street width for both Quail Drive and Milton Court as outlined in the Bureau of Engineering referral form pursuant to Code Sections 12.21 C.10(i)(2) and 12.21 C.10(i)(3).

The intent of the Hillside regulations is to provide for safe vehicular access for public traffic, and for basic access to any property by emergency vehicles in case of fire or any other emergency. This property, and others in the area, are located in a Very High Fire Hazard Severity Zone (VHFHSV), designated by the City of Los Angeles Fire Department based on criteria that includes fuel loading, slope, fire weather, and other relevant factors. Impairment of Fire Department or emergency vehicle access to the site would expose future residents of the property as well as other dwellings located in the area to an increased risk of fire as well as other emergency situations. Requiring the applicant to provide for the improvements on the Quail Drive and Milton Court frontages adjoining the property in compliance with Section 12.21 C.10(i)(2) is logical and appropriate relative to the scope of the proposed development and can be deemed to be in conformity with the public necessity, convenience, general welfare and good zoning practice. Requiring street improvements will ensure that the proposed project complies, at minimum, with standards for street width, access, and hydrant location assigned to areas of potentially extreme fire danger.

However, requiring widening and improvement for Continuous Paved Roadway at the frontage of the project site and to the boundary of the Hillside Area in compliance with Section 12.21 C.10(j)(3), along both Quail Drive and Milton Court, would drastically alter the character of the neighborhood, and could possibly result in the demolition of existing walls, fences and other improvements on private property and within the public right-of-way. The applicant does not have access to property rights at these locations, making such improvements infeasible and without rational nexus; improvements necessary to meet the strict application of the Code would not be proportionate to potential impacts generated by the project. As such, approval of the relief sought by the applicant in regards to Section 12.21 C.10(i)(3) for both Quail Drive and Milton Court frontages can be deemed to be in conformity with the public necessity, convenience, general welfare and good zoning practice.

The request has also been reviewed and approved by the Grading Division of the Department of Building and Safety. The proposed dwelling has been designed to complement the existing environment and to meet all applicable provisions of the Specific Plan. The Specific Plan was adopted to foster and ensure that residential development is built with contrasting architectural designs within a reasonable scale for the lot size. As designed and integrated with the site in accordance with
all applicable existing zoning and building codes, the project will enhance the built environment and also improve public safety.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The proposed dwelling will be built in accordance with all hillside regulations, including the requirements of the Mount Washington/Glassell Park Specific Plan. The proposed development is designed to a modest size floor area well below the allowable floor area permitted by the Specific Plan. It is set back sufficiently from the front lot line to avoid any vertical massing at street-level. The proposed building height of 34-feet is within the permitted maximum height of 45-feet. This ensures a pleasant aesthetic view seen from the street and it will allow a clearer unobstructed view shed as seen from the adjacent homes behind the proposed site. The proposed house will utilize a caisson foundation system instead of retaining wall, thus it will not create a massing and aesthetic impact when viewed from the bottom of the hill. The project will provide required number of off-street parking spaces based on the proposed square footage. The applicant has submitted the project to the Arroyo Seco Neighborhood Council on June 13, 2016. The meeting to review the project received support from the Neighborhood Council recommending the approval of the project for the Continues Paved Roadway. Although the Neighborhood Council took no position on the Adjacent Minimum Roadway, the Zoning Administrator has denied such request and is requiring the applicant to improve the street in front of the property.

With the requirement to improve the Adjacent Minimum Roadway of Quail Drive and Milton Court pursuant to Section 12.21 C.10(i)(2), the proposed dwelling will be built in accordance with the Hillside Area regulations. The single-family dwelling will remain compatible in size and height with the adjacent properties and the project has been conditioned to comply with the Mount Washington/Glassell Park Specific Plan, which ensures that developments are harmonious with surrounding land uses and further the safety and welfare of the neighboring community. In addition, a number of conditions have been imposed as part of this grant to insure that during construction, neighbors are informed of building schedules and there is an appropriate staging and timing of construction vehicles. Furthermore, the proposed single-family dwelling has been designed to conform to the grading and fire protection requirements, which will ensure that it is compatible with the character of the area. The project will be required to comply with all applicable Municipal Code regulations. Conditions have been imposed so that the construction activities do not burden the neighboring properties. Review by the Fire Department is required to ensure that emergency access is retained. Compliance with the Department of Building and Safety Grading Division’s Geology and Soils Report Approval Letter dated December 15, 2015 (Log # 90578-01) is imposed as a Condition of Approval. Conditions requiring a landscape plan and 24 replacement trees of protected California Black Walnut trees are imposed as a part of the tree and landscaping mitigation. The Zoning Administrator also include a drainage plan condition requiring the project's drainage design be subjected to the approval of both the Department of Public Works and the Department of Building
and Safety for on and off site drainage in order to prevent and soil erosion damages to the hillside.

As conditioned, the proposed project will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

3. **The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The Northeast Los Angeles Community Plan Map designates the property for Low Residential land uses with corresponding zones of RE9, RS, R1, RU, RD6, RD5 and Height District No. 1. The basic use of the property is consistent with the Plan. The property is also located within the Mount Washington/Glassell Park Specific Plan and the grant is conditioned to comply with the regulations of the Specific Plan. Generally, the Plan seeks to comply with the regulations of the Specific Plan. The proposed project will adhere to the purpose, intent, and provisions of both the General Plan and the Community Plan, as well as the Specific Plan. The Northeast Los Angeles Community Plan, a part of the General Plan’s Land Use Element, sets various objectives for the planning and development of the area, and seeks to guide development to be in character with the community. The ‘Residential’ section of the plan sets the following objectives:

- **Objective 1-1** To preserve and enhance existing residential neighborhoods.
- **Objective 1-2** To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.
- **Objective 1-3** To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.
- **Objective 1-5** To limit the intensity and density of development in hillside areas.

The request for a Zoning Administrator’s Determination considers unintended practical difficulties on a project-by-project basis, and hence, the request for relief. By making use of a vacant piece of land, the proposed project will serve to enhance the existing residential neighborhood of Mount Washington. Moreover, as a new single-family dwelling, the proposed project will help to fulfill Objectives 1-2 and 1-3 noted above by adding new housing to the community and preserving the low-density residential character of the surrounding area. Therefore, the grant of this request will not adversely affect any element of the General Plan as the basic use of the property is consistent with the General Plan.
4. The proposed use is in conformity with the public necessity, convenience, general welfare and good zoning practice and will be in substantial conformance with the various elements and objectives of the General Plan.

The property is zoned R1-1 and the Northeast Los Angeles Community Plan designates the subject parcel as Low Residential. The proposed construction of a dwelling on a lot zoned and designated for such use can be deemed to be in conformity with public necessity, convenience, general welfare and good zoning practice as the basic use of the property will be consistent with the surrounding neighborhood and the Community Plan. Pursuant to Section 12.24 X.28 of the Municipal Code, the applicant is seeking relief from Sections 12.21 C.10(i)(2) and (3), which control street access standards and require:

(i) Street Access.

(2) For any new construction of, or addition to, a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no building permit or grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28.

(3) For any new construction of, or addition to, a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20 foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision 10 or has been approved by a Zoning Administrator pursuant to Section 12.24 X.28 of this Code.

The intent of the Hillside regulations is to provide for safe vehicular access for public traffic, and for basic access to any property by emergency vehicles in case of fire or any other emergency. This property, and others in the area, are located in a Very High Fire Hazard Severity Zone (VHFHSV), designated by the City of Los Angeles Fire Department based on criteria that includes fuel loading, slope, fire weather, and other relevant factors. Impairment of Fire Department access to the site would expose future residents of the property as well as other dwellings located in the area to an increased risk of fire as well as other emergency situations.

The site maintains two frontages, one along Quail Drive, a Substandard Hillside Limited Street and another along Milton Court, a partially improved Substandard Hillside Limited Street. Access will be taken from Quail Drive, which is proposed and conditioned to be improved adjacent to the project site, and should provide adequate access for fire trucks and other vehicles to the subject property. The right-of-way for Milton Court is unimproved adjacent to the site. Requiring the applicant to provide for the street improvements adjoining the property along Quail Drive and Milton Court is in compliance with Section 12.21 C.10(i)(2) is logical and appropriate relative to the scope of the proposed development and can be deemed
to be in conformity with the public necessity, convenience, general welfare and good zoning practice. Requiring street improvements will ensure that the proposed project complies, at minimum, with standards for street width, access, and hydrant location assigned to areas of potentially extreme fire danger.

Requiring Continuous Paved Roadway widening and improvements along Quail Drive and Milton Court from property's frontage to the boundary of the hillside, however would not be necessary, as many properties have improvement in the public right-of-way or front yard setback, and the applicant does not have rights to properties that he does not own to dedicate and improve, therefore, making such improvements infeasible and without rational nexus. Such Continuous Paved Roadway improvements necessary to meet the strict application of the Code would not be proportionate to potential impacts generated by the project. Thus, approval of the relief sought by the applicant in regards to Section 12.21 C.10(i)(3) can be deemed to be in conformity with the public necessity, convenience, general welfare and good zoning practice. In addition, similar reliefs sought by different applicants in order to develop hillside properties are commonly approved by the City. The grant of this request will not adversely affect any element of the General Plan. Therefore the grant, as conditioned, is found to be in conformity with the objectives of the General Plan.

5. The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.

Paved streets width of less than 20 feet is a common characteristic of Hillside areas. As the property is a through-lot maintaining dual frontages, with Quail Drive providing access to the applicant's lot while virtually no traffic impact will be occurred on Milton Court. This grant specifically requires that the applicant fulfill the requirements of Section 12.21 C.10(i)(2) along Quail Drive and Milton Court to contribute his proportionate share of improvements to the both said streets. To deviate from Section 12.21C.10(i)(3) of the BHO by not requiring improvements to Quail Drive and Milton Court to provide Continuous Paved Roadway would not hamper the implementation of Hillside policies and programs as other projects in the area received the same exemption and many residents wish to maintain their existing improvements without demolitions for street dedication, widening and improvements.

Moreover, the traffic associated with the dwelling itself will not create any additional adverse impact on street access or circulation as the use remains that of a single-family dwelling. The addition of a new dwelling which is consistent with the Community Plan will not significantly alter the existing character and permitted density in the area. There is nothing in the case file to substantiate an argument that vehicular traffic associated with the development of a single-family residence will create an adverse impact on street access or circulation in the surrounding neighborhood. The project will provide required off-street parking on-site. A number of conditions have been imposed as part of this grant to ensure that during construction, neighbors are informed of building schedules, including requirements for a flag person, off-site staging and limits on truck hours and sequential...
deliveries. As such, approval of the requested relief from and Section 12.21 C.10(i)(3) of the Code will not result in the creation of an adverse impact on street access or circulation in the surrounding neighborhood.

6. **The building or structure will not be materially detrimental or injurious to the adjacent property or improvements and will not have a materially adverse safety impact on the surrounding neighborhood.**

The subject property is located in a Very High Fire Hazard Severity Zone. The Los Angeles Fire Department has noted that fire protection in Hillside Areas is made particularly difficult due to steep topography, and narrow, winding streets, ultimately adversely affecting emergency response times. While vehicular traffic associated with a single-family dwelling may not be considered to generate major adverse impacts on street access under general circumstances, the location of the property in a Hillside Area creates an increased risk to current and future residents. Maintaining the requirement for Adjacent Minimum Roadway improvements to Quail Drive and Milton Court adjoining the property frontage will assure that the project contributes its reasonable and proportionate share to ensure the safety of area residents and continued access for residents, visitors, and emergency services within the immediate area.

The proposed dwelling will be built in accordance with the BHO regulations, as well as, with building codes and other Federal and State regulations. The single-family dwelling will remain compatible in size and height with the adjacent properties and the project will be conditioned to comply with the Mt. Washington/Glassell Park Specific Plan. The Specific Plan ensures that projects such as the one proposed are harmonious with surrounding land uses and further the safety and welfare of the neighboring community. As a single-family dwelling, the proposed project will fit with the character of the surrounding community as a low-density residential development. The proposed development will not exceed the allowable floor area and is set back sufficient from the lot to avoid any vertical massing at street-level. The project is an infill development, which when built, will seamlessly integrate into the existing fabric of the hillside area. The project will be built in accordance with all building codes and has been reviewed and approved by the Department of Building and Safety’s Grading Division. A copy of the grading and soil approval letter is attached to the case file. Therefore, the project will not have a materially adverse safety impact detrimental on the surrounding neighborhood.

7. **The site and/or existing improvements make strict adherence to Section 12.21-C.10 (i) impractical or infeasible.**

The proposed project fronts on Quail Drive, which is a Substandard Hillside Limited Street with a paved width of approximately 17 feet, and Milton Court, a partially improved street up to the project site. This property, and others in the area, are located in a Very High Fire Hazard Severity Zone (VHFHSV), designated by the City of Los Angeles Fire Department based on criteria that includes fuel loading, slope, fire weather, and other relevant factors. Impairment of Fire Department or emergency vehicle access to the site would expose future residents of the property as well as other dwellings located in the area to an increased risk of fire as well as other emergency situations. Strict compliance with Section 12.21 C.10(i)(2) of the
Code is necessary and logical and appropriate relative to the scope of the proposed development and can be deemed to be in conformity with the public necessity, convenience, general welfare and good zoning practice. Requiring street improvements will ensure that the proposed project complies, at minimum, with standards for street width, access, and hydrant location assigned to areas of potentially extreme fire danger.

However, strict compliance with Section 12.21 C.10(i)(3) of the Code would require improvements to Quail Drive and Milton Court to extend beyond the property boundaries. The required off-site improvements would drastically alter the character of the neighborhood, and could possibly result in the demolition of existing walls, fences and other similar infrastructure on properties not under the ownership or control of the applicant, resulting in significant financial hardship incommensurate with the scope of the project. As such, it can be found that strict adherence to Section 12.21 C.10(i)(3) is impractical and financially infeasible.

**PROJECT PERMIT COMPLIANCE FINDINGS**

8. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

   a. **Floor Area**

      The Mount Washington/Glassell Park Specific Plan determines a maximum Floor Area Ratio (FAR), for lots greater than or equal to 5,000 square feet, though less than 10,000 the maximum Floor Area Ratio is 0.5:1 (0.50 times the lot area). Based on the formula, the 6,812 square-foot lot permits an FAR which calculates to a maximum of 3,134 square feet of floor area. The proposed project's floor area is 0.26 or 2,926 square-feet. The subject project does not exceed the maximum permitted floor area, and is therefore, in compliance with the requirements of the Specific Plan.

   b. **Building Height and Stepback Distances**

      The proposed height will not exceed 45 feet which is the maximum permitted height under the Mount Washington/Glassell Park Specific Plan. The building is setback beyond the building stepback height limitations and is in compliance with the requirements of the Specific Plan.

   c. **Prevailing Front Yard Setback**

      The required prevailing front yard setback requirement for this property is 2.2 feet. The proposed front yard setback is 7 feet which is in compliance with the requirements of the Specific Plan.

   d. **Off-street Automobile Parking Requirements**

      The subject property fronts on two Substandard Hillside Limited Streets. The project requires two on-site parking spaces, pursuant to Los Angeles
Municipal Code Section 12.21-C.10.(g). The project provides two covered parking spaces in compliance with the parking requirements.

e. Public Health and Safety

Haul routes are required only when the removal of earth from on-site exceeds 1,000 cubic yards. The proposed project will export approximately 91.9 cubic yards of earth material. The final numbers may change slightly but they will not trigger any required haul routes as long as the hauling amount is below the threshold of 1,000 cubic yards.

f. Preservation, relocation, and removal of native and significant trees.

A tree report dated August 16, 2018, prepared by the arborist James Komen, Class One Arboriculture Inc., and stamped by the Urban Forestry Division of the Department of Public Works on August 29, 2018, documented that there are 15 California Black Walnut trees on site, but 7 of the 15 trees are too small to be qualified as Protected Trees per Ordinance 177,404. There is also one dead Black Walnut tree stump big enough to be counted as a Protect Tree. Therefore, there are 9 protected Black Walnut trees on site. There is also one significant Olive tree recognized by Ordinance No. 168,707 and the Mt. Washington/Glassell Park Specific Plan to be preserved. The project will remove 5 Black Walnut trees and the dead tree stump which requires 24 replacement Black Walnut trees as required to be planted at a 4:1 ratio. No Protected Trees on neighboring properties will be affected by the proposed construction. A landscape plan condition including the planting of the 24 replacement trees is imposed. A condition that relates to the preservation of trees during pre-construction and construction is also being incorporated into the grant.

g. The architectural design elements of the front and rear building elevations vary from the adjacent buildings.

The Mount Washington Specific Plan requires variation of design including façade articulation and design of differing materials, architectural details and location of windows, doors, columns, and balconies. It promotes facades that modulate with offsets or curves, insets and use of a variety of roof treatments, including roof type, shape and pitch and that such variation distinguishes new development from homes on either side. The architectural plans attached to the subject file indicate that the architectural design elements will vary from the adjacent buildings based on the requirements of Section 8 for single-family design variation outlined in the Specific Plan. The applicant indicated that he wants to create a house showing exposed beams and planes for an attractive and interesting architectural appearance. The applicant has submitted the project to the Arroyo Seco Neighborhood Council for a review. The Neighborhood Council reviewed the project and issued a letter on June 6, 2018, stating the Neighborhood Council finds the project generally complies the Mt. Washington/Glassell Park Specific Plan. Additionally, the Neighborhood Council supports that Quail Drive need not be improved beyond the area in
front of the property. As proposed, the architectural elevations and sections are in conformance with the Design Variation standards contained in Section 8-C of the Mount Washington/Glassell Park Specific Plan.

9. That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

The Zoning Administrator has determined that based on the whole of the administrative record, the project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, Section 15332, Class 32 for in-fill development meeting the conditions described in this section; (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) the project site has no value as habitat for endangered, rare or threatened species; (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; (e) the site can be adequately served by all required utilities and public services, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

ADDITIONAL MANDATORY FINDINGS

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, outside of flood zone areas.

11. On August 8, 2016, the Planning Department determined that the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15332, Class 32.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
(c) The project site has no value as habitat for endangered, rare or threatened species;
(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
(e) The site can be adequately served by all required utilities and public services.
The project is for the construction, use and maintenance of a two (2)-story, 45-foot in height, 2,926 square foot single family dwelling on a 6,794.1 square foot lot. As a single family dwelling, and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The site is zoned R1-1 and has a General Plan Land Use Designation of Low Residential. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.16 acres. Lots adjacent to the subject site are either vacant lots or developed with single family dwellings. The site is surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. A tree report dated August 16, 2018, prepared by the arborist James Komen, Class One Arboriculture Inc., and stamped by the Urban Forestry Division of the Department of Public Works on August 29, 2018, documented that there are 15 Protected Trees (California Black Walnut) on site, but 7 of the 15 trees are too small to qualify as Protected Trees per the Protected Tree Ordinance No. 177,404. There is also one dead Black Walnut tree stump big enough to be counted as a Protect Tree. Therefore, there are nine (9) Protected Black Walnut Trees on site. There is also one significant Olive tree recognized by Ordinance No. 168,707 and the Mt. Washington/Glassell Park Specific Plan which is to be preserved. The project will remove five (5) Black Walnut trees and the dead tree stump which requires 24 replacement Black Walnut trees as required to be planted at a 4:1 ratio. No Protected Trees on neighboring properties will be affected by the proposed construction. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of a single family dwelling is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

Exceptions Narrative for Class 32 Categorical Exemption

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the construction, use and maintenance of a two (2)-story, 45-foot in height, 2,926 square foot single
family dwelling on a 6,794.1 square foot lot in an area zoned and designated for such development. All adjacent lots are either vacant or developed with single family dwellings, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 0.26:1 on a site that is permitted to have a maximum FAR of 0.5:1. A two (2)-story, 45-foot in height, and 2,926 square foot single family dwelling is not unusual for the vicinity of the subject site, and is similar in scope to other existing low residential land uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The subject site is approximately 25 miles west of the Topanga Canyon State Scenic Highway. Therefore the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California’s database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City’s HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

Inquiries regarding this matter shall be directed to Santos J. Sanchez, Planning staff, at (213) 978-1361 or santos.sanchez@lacity.org.

JACK CHIANG
Associate Zoning Administrator

JC:JC:NS:ss

cc: Councilmember Gilbert A. Cedillo
First Council District
Adjoining Property Owners
The Applicant or Owner shall be responsible for implementing all regulating Codes and Statues in regards to construction regulations. All departments listed below are within the City of Los Angeles unless otherwise noted. As shown on the following table, each required regulating Codes and Statues for the proposed project is listed and categorized by area, with accompanying enforcement agencies and contact numbers:

<table>
<thead>
<tr>
<th>Construction Requirements</th>
<th>Enforcement Agency*</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. When temporarily blocking portions of streets for deliverers of construction materials please provide flag persons to assist with pedestrian and vehicular traffic. LAMC 62.46</td>
<td>BOSS</td>
<td>(800) 996-2489</td>
</tr>
<tr>
<td>2. Street closures shall not take place during peak traffic hours. Any street, sidewalk, or other improvement work shall be in conformance with the latest Manual on Work Area Traffic Control. LAMC 62.1-07</td>
<td>BOSS</td>
<td>(800) 996-2489</td>
</tr>
<tr>
<td>3. Care should be taken to not overfill concrete trucks during deliveries. If spills occur it is the responsibility of the concrete company to immediately provide clean up. LAMC 62.130.</td>
<td>BOSS</td>
<td>(800) 996-2489</td>
</tr>
<tr>
<td>4. Construction noise should be kept to a minimum with consideration of the surrounding neighbors and to be excess noise only during hours permitted. Unnecessary noise shall be kept below legal levels. LAMC 112.01, 112.03, 112.04, 112.05 (City of Los Angeles Noise Ordinance No. 144,331 and 161,574)</td>
<td>LAPD, LADBS, BOSS</td>
<td>(311) 0 or (323) -344-5701 (LADBS non-emergency) BOSS (800)-996-2489</td>
</tr>
<tr>
<td>5. Streets and sidewalks adjacent to construction sites shall be swept and free of construction debris at all times. LAMC 62.45 through 62.54.</td>
<td>BOSS</td>
<td>(800) 996-2489</td>
</tr>
<tr>
<td>6. Care should be taken to not interfere with trash pick-up by the Bureau of Sanitation. Construction and delivery vehicles are subject to trash pick-up parking restrictions. LAMC 80.69.</td>
<td>LADOT</td>
<td>(213) 485-4184</td>
</tr>
<tr>
<td>7. If building materials are to be stored in public right of way, it shall be by permit from the Department of Public Works, Bureau of Street Services, Investigations and Enforcement Division and shall conform to all applicable rules. LAMC 62.45 through 62.54.</td>
<td>BOSS</td>
<td>(800) 996-2489</td>
</tr>
</tbody>
</table>
8. Comply with the following Permitted Construction/Demolition Hours. LAMC 41.40
   Monday- Friday  7AM – 9 PM
   Saturday or National Holiday  8 AM – 6 PM
   Sunday  No Work Permitted.
   LAPD  (323) -344-5701
   BOSS  (800) 996-2489

9. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
   LADBS  311

10. Compliance with provisions of the Southern California Air Quality Management District Rule 403 for dust and air pollution from construction activities.
    SCAQMD  1-800-CUT SMOG

11. The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.
    SCAQMD  1-800-CUT SMOG

12. In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
    SCAQMD  1-800-CUT SMOG

NOTE: Report a haul route violation online using this link:
http://ladbs.org/services/core-services/inspection/inspection-special-assistance/haul-route-monitoring-program/haul-route-monitoring-program-complaint-form

KEY:
   LADBS—Los Angeles Department of Building and Safety
   BOSS----Bureau of Street Services
   LADOT--- Los Angeles Department of Transportation
   LAPD--- Los Angeles Police Department
   SCAQMD--- Southern California Air Quality Management District
**NOTICE OF EXEMPTION**

(PRRC Section 21152; CEQA Guidelines Section 15062)

**STATE CEQA STATUTE & GUIDELINES**

- **GRANTS EXEMPTION(S)**
  - [ ] Public Resources Code Section(s)
- **CATEGORICAL EXEMPTION(S)** (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)
  - CEQA Guideline Section(s) / Class(es) 15332 / 32
- **OTHER BASIS FOR EXEMPTION** (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

**JUSTIFICATION FOR PROJECT EXEMPTION:**

- In-fill development meeting the conditions described in CEQA Guidelines 15332: 
  - The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. 
  - The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. 
  - The project site has no value as habitat for endangered, rare or threatened species. 
  - Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. 
  - The site can be adequately served by all required utilities and public services.

- None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

**IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.**

If different from the applicant, the identity of the person undertaking the project.

---

**PROJECT TITLE:**

ZA - 2016-3222

**PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map):**

596 North Quail Drive

**CONTACT PERSON (If different from Applicant/Owner above):**

Betsy Cole / David Boldt

**AREA CODE TELEPHONE NUMBER:**

(323)570-2202

**EXT.:**

**STAFF TITLE:**

City Planner

---

**FEE:**

$2,280.00

**RECEIPT NO.:**

0103625177

**REC'D. BY (DCP DSC STAFF NAME):**

Brian Carr

**DATE OF PROJECT APPROVAL:**

2/11/19

**ENTITLEMENTS APPROVED:**

Zoning Administrator's Determination/Project Permit Compliance Review

**CITY STAFF NAME AND SIGNATURE:**

Nicole Sanchez

---

**ENTITLEMENTS APPROVED:**

Zoning Administrator's Determination/Project Permit Compliance Review

**DATE OF PROJECT APPROVAL:**

2/11/19

**DISTRIBUTION:**

County Clerk, City Clerk, Agency Record

---

Board of Public Works Meeting - June 3, 2022 - PAGE 180
JUSTIFICATION FOR PROJECT EXEMPTION
CASE NO. ENV-2016-3223-CE

On August 8, 2016, the Planning Department determined that the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15332, Class 32.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
(c) The project site has no value as habitat for endangered, rare or threatened species;
(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
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The project is for the construction, use and maintenance of a two (2)-story, 45-foot in height, 2,926 square foot single family dwelling on a 6,794.1 square foot lot. As a single family dwelling, and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The site is zoned R1-1 and has a General Plan Land Use Designation of Low Residential. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.16 acres. Lots adjacent to the subject site are either vacant lots or developed with single family dwellings. The site is surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. A tree report dated August 16, 2018, prepared by the arborist James Komen, Class One Arboriculture Inc., and stamped by the Urban Forestry Division of the Department of Public Works on August 29, 2018, documented that there are 15 Protected Trees (California Black Walnut) on site, but 7 of the 15 trees are too small to qualify as Protected Trees per the Protected Tree Ordinance No. 177,404. There is also one dead Black Walnut tree stump big enough to be counted as a Protect Tree. Therefore, there are nine (9) Protected Black Walnut Trees on site. There is also one significant Olive tree recognized by Ordinance No. 168,707 and the Mt. Washington/Glassell Park Specific Plan which is to be preserved. The project will remove five (5) Black Walnut trees and the dead tree stump which requires 24 replacement Black Walnut trees as required to be planted at a 4:1 ratio. No Protected Trees on neighboring properties will be affected by the proposed construction. The project will be
subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of a single family dwelling is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

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BPW Meeting - Item (4)

BPW-2022-0364

CD ALL

SOLE SOURCE OFFER OF WORK AGREEMENTS & ONE YEAR RENEWAL OPTION - AS-NEEDED HAUL TRUCK PROGRAM FISCAL YEAR 2021-22

Recommending the Board:

1. AUTHORIZE the President or two Board Members to approve and execute up to 19 additional sole-source Offer of Work Agreements for the Bureau of Street Services As-Needed Haul Truck Program for Fiscal Year 2021-22;

2. AUTHORIZE the Bureau of Street Services to exercise the one-year renewal option for Fiscal Year 2022-23 for up to 97 independent truck Owner-Operators, consisting of the existing 78 plus 19 additions; and

3. APPROVE and EXECUTE a Fiscal Year 2022-23 Authority for Expenditure in the amount of $15 million to cover Fiscal Year 2022-23 expenses for the As-Needed Haul Truck Program.

(W.O. M0010011)

ATTACHMENTS:

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REQUEST TO APPROVE UP TO 19 ADDITIONAL SOLE SOURCE OFFER OF WORK AGREEMENTS WITH TRUCK OWNER-OPERATORS AND EXERCISE THE ONE-YEAR RENEWAL OPTION FOR THE BUREAU OF STREET SERVICES AS-NEEDED HAUL TRUCK PROGRAM (WO #M0010011)

RECOMMENDATIONS

That the Board of Public Works (Board):

1. **AUTHORIZE** the President or two Board Members to approve and execute up to 19 additional sole-source Offer of Work Agreements for the Bureau of Street Services (StreetsLA) As-Needed Haul Truck Program for FY 2021-22;

2. **AUTHORIZE** StreetsLA to exercise the one-year renewal option for FY 2022-23 for up to 97 independent truck Owner-Operators, consisting of the existing 78 plus 19 additions; and

3. **APPROVE** and execute a FY 2022-23 Authority for Expenditure (AFE) in the amount of $15 million to cover FY 2022-23 expenses for the As-Needed Haul Truck Program.

TRANSMITTALS

1. Mayor’s approval of Board Report dated July 2, 2021 to execute up to 82 sole-source Offer of Work Agreements for the As-Needed Haul Truck Program;

2. FY 2021-22 to FY 2022-23 As-Needed Haul Truck Program Offer of Work Agreement (Agreement);

3. FY 2021-22 AFE (AE22000001M) in the amount of $3,000,000 (new adjusted amount of $14,800,000) for the As-Needed Haul Truck Program;

4. FY 2021-22 to FY 2022-23 Offer of Work Agreement for the 19 additional truckers; and

5. FY 2022-23 AFE for $15 million for the As-Needed Haul Truck Program.

DISCUSSION

The StreetsLA As-Needed Haul Truck Program (Program) has been in existence since the 1890s when the City of Los Angeles (City) was growing and had a great need for building, maintenance, and resurfacing of the City’s roads. To keep up with the City’s growth and supplement StreetsLA’s trucking needs while also providing the necessary flexibility, the City developed Agreements with independent Truck Owner-Operators (Truckers).
Today, the Program is called the “As-Needed Haul Truck Program” to fit the current description of the services provided. The Program establishes an annual on-call contractual list of Truckers who can be called upon by the City on an as-needed basis, depending on StreetsLA’s daily workload. Currently, the City expends approximately $15 million annually on this Program to haul debris, concrete, and asphalt mix to and from a variety of StreetsLA projects, but mostly for street repaving projects.

On July 2, 2021, the Board authorized the approval of up to 82 sole-source Agreements for the Program for FY 2021-22, plus one one-year renewal option for FY 2022-23, and an AFE in the amount of $11.8 million (Transmittal 1). On April 6, 2022, the Board approved a $3 million increase of this AFE to $14.8 million (Transmittal 3) to cover anticipated expenditures through the remainder of the fiscal year. Expenditures through April 30, 2022 total $11.7 million.

Although Agreements have been executed with 78 Truckers, only an average of 60 Truckers make themselves available daily. Others are unavailable for reasons such as illness, vacation, no available driver, or an inoperable truck. In an effort to increase the available number of Truckers for the Program while ensuring new trucks added are as low polluting as possible, StreetsLA solicited interest from 38 truckers in the StreetsLA Waiting List. The Bureau’s goal is to prioritize additional Truckers based on the below criteria while taking into consideration their ranking on the Waiting List:

1. Zero emissions (battery electric or hydrogen fuel cell)
2. Reduced emissions (Compressed Natural Gas)
3. Diesel (2007 or newer truck models years)
4. Diesel (Pre-2007 truck model years)

StreetsLA received interest from 34 truckers, 33 of whom owned a 2007 or newer diesel truck while one owned a pre-2007 diesel truck. Based on their rankings on the Waiting List, StreetsLA sent applications to 25 responders, 19 of whom submitted all required paperwork by the deadline. They consisted of 16 10/12-Wheel Trucks and 3 Low-Side Trucks. Therefore, StreetsLA requests that the Board approve and execute Offer of Work Agreements with these 19 additional Truckers (Transmittal 4).

Due to the continuing need for the Truckers’ services next fiscal year, StreetsLA also requests that the Board authorize StreetsLA to exercise the one-year renewal option for FY 2022-23 for up to 97 independent truck Owner-Operators (consisting of the existing 78 Truckers plus the 19 additions) and execute an AFE in the amount of $15 million to cover FY 2022-23 expenses for the Program (Transmittal 5).
FISCAL IMPACT STATEMENT / STATUS OF FUNDING:

Funds are budgeted annually within the StreetsLA Adopted Budget in General Fund 100, Department 86, Appropriation Account 003040 (Contractual Services) for this purpose. An existing FY 2021-22 AFE for $14.8 million is sufficient to cover expenses for FY 2021-22, while services for FY 2022-23 will require the approval of a $15 million AFE.

SIGNATURE PAGE

Respectfully Submitted,

KEITH MOZEE
Executive Director and General Manager
Bureau of Street Services

APPROVED AS TO FUNDS:

MIGUEL DE LA PENA, Director
Office of Accounting
Date: 5/25/2022
Fund 100, Dept. 86, Appr. #003040, $15,000,000 (for FY 2022-23)

Questions regarding this Report may be referred to:
Melinda Chou, Sr. Management Analyst II
melinda.chou@lacity.org
<table>
<thead>
<tr>
<th>TO</th>
<th>DATE</th>
<th>COUNCIL FILE NO.</th>
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<tr>
<td>Bureau of Street Services</td>
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<td>The Mayor</td>
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Request from the Bureau of Street Services for authority to execute up to 82 sole-source Offer of Work Agreements for the Bureau of Street Services As-Needed Haul Truck Program.

Transmitted for further processing. See the City Administrative Officer report attached.

MAYOR  
(Rich Llewellyn for)
Report From
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Analysis of Proposed Contract
($25,000 or Greater and Longer than Three Months)

To: Mayor
Date: 08-16-21
C.D. No. All
CAO File No.: 0150-11925-0000

Contracting Department/Bureau: PW - Bureau of Street Services
Contact: Melinda Chou, (213) 847-2822


Purpose of Contract: To provide as-needed rental and operation of privately-owned dump trucks furnished with driver and necessary equipment for hauling purposes.

Type of Contract: (X) New contract
( ) Amendment, Contract No.

Contract Term Dates: July 1, 2021 to June 30, 2023 (two years)

Contract/Amendment Amount: Not to exceed $6,400,000

Proposed amount $ 11,800,000 + Prior award(s) $ 0 = Total $ 11,800,000

Source of funds: Special Gas Tax Fund

Name of Contractor: Truck Owners on File

Address: Various

Contractor has complied with:

1. Council has approved the purpose X
2. Appropriated funds are available X
3. Charter Section 1022 findings completed X
4. Proposals have been requested X
5. Risk Management review completed X
7. Workforce that resides in the City: N/A
8. Business Inclusion Program X
9. Equal Benefits & First Source Hiring Ordinances X
10. Contractor Responsibility Ordinance X
11. Disclosure Ordinances X
12. Bidder Certification CEC Form 50 X
13. Prohibited Contributors (Bidders) CEC Form 55 X

RECOMMENDATION

That the Mayor:

Authorize the Director of the Bureau of Street Services, or designee, to execute sole-source agreements with up to 82 Truck Owners on File to provide as-needed rental and operation of privately-owned dump trucks furnished with driver and necessary equipment for hauling purposes, for a term of one year plus one-year renewal option with a total compensation not to exceed $11,800,000, subject to the approval of the City Attorney as to form.

SUMMARY

On July 7, 2020, Bureau of Street Services (BSS) requested approval from our Office for an Authority for Expenditure (AFE) for As-Needed Haul Truck Services in an amount not to exceed $11,800,000, with a proposed term from July 1, 2021 to June 30, 2023 (two years). BSS manages the City’s Pavement Preservation and Street Renewal Programs. As part of these programs, BSS contracts with 82 independent truck owner operators to provide hauling services (asphalt, concrete, and debris) using Work Agreements.
The practice of providing this service through the proposed Work Agreements has been in place since 1890. The use of these Agreements is no longer fully compliant with City contracting requirements. We have discussed this with the City Attorney and BSS. An effort will be made to correct this in the near future. In the meantime, trucking services are required daily to continue critical BSS operations such as Pavement Preservation, Sidewalk Repair, Concrete and Asphalt Street Reconstruction, Alley Repair, and Debris Removal.

Council approval is not required since the total contract term is less than three years.

This Office also recommends that the City’s Standard Provisions for Contracts be included as part of the proposed agreements with the 82 independent truck owner operators, along with all applicable contractor compliance and disclosure documents.

The cost of these contracts are funded by current appropriations in the Street Damage Restoration Fee Fund and the SB1 Road Maintenance & Rehabilitation Fund and will have no impact on the General Fund.

**FISCAL IMPACT STATEMENT**

There is no General Fund Impact, funding is provided by the Street Damage Restoration Fee Fund and the SB1 Road Maintenance & Rehabilitation Fund. The City’s obligation is limited to the availability of appropriations.

**FINANCIAL POLICIES STATEMENT**

The recommendations in this report comply with the City Financial Policies in that sufficient special fund revenues are available and eligible for this purpose.

_MWS:NCT:06220007_

Attachments
The Honorable Mayor Garcetti  
City Hall – Room 320  
Los Angeles, CA 90012  
Attn: Heleen Ramirez  

SOLE SOURCE OFFER OF WORK AGREEMENTS, AFE, INCREASE HAULING RATES, REQUEST FOR PROPOSAL - AS-NEEDED HAUL TRUCK PROGRAM  

As recommended in the accompanying report from the Director of the Bureau of Street Services, which this Board has adopted – as amended, the Board of Public Works (Board) recommends that the Mayor:  

1. AUTHORIZE the President or two Board Members to approve up to 82 sole-source Offer of Work Agreements for the Bureau of Street Services As-Needed Haul Truck Program for Fiscal Year 2021-22 plus one one-year renewal option for Fiscal Year 2022-23 and forward this report with transmittals, to the Mayor's Office in compliance with Executive Directive No. 3 (ED-3, Villaraigosa Series);  

2. APPROVE and EXECUTE a Fiscal Year 2021-22 Authority for Expenditure in the amount of $11.8 million for As-Needed Haul Truck Services upon approval of ED-3 requirements;  

and  

3. APPROVE the Haul Truck Rates (18% increase) for the As-Needed Haul Truck Program effective July 1, 2021, and require that Truck operators refuel at pumps that dispense renewable diesel to reduce carbon emissions; and  

Sincerely,  

DR. FERNANDO CAMPOS,  
Executive Officer, Board of Public Works  

FC:lc
Department of Public Works

Bureau of Street Services
Board Report No.

Date:

COUNCIL DISTRICT: ALL

REQUEST TO APPROVE SOLE SOURCE OFFER OF WORK AGREEMENTS WITH TRUCK OWNER OPERATORS FOR THE BUREAU OF STREET SERVICES AS-NEEDED HAUL TRUCK PROGRAM FOR A TOTAL OF TWO (2) YEARS (WO #M0010011)

RECOMMENDATIONS

That the Board of Public Works (Board):

1. AUTHORIZE the President or two Board Members to approve up to 82 sole-source Offer of Work Agreements for the Bureau of Street Services (StreetsLA) As-Needed Haul Truck Program for FY 2021-22 plus one one-year renewal option for FY 2022-23 and forward this Report with transmittals, to the Mayor's Office in compliance with Executive Directive No. 3 (ED-3, Villaraigosa Series).

2. APPROVE and execute a FY 2021-22 Authority for Expenditure (AFE) in the amount of $11.8 million for As-Needed Haul Truck Services upon approval of ED-3 requirements.

3. APPROVE the Haul Truck Rates (18% increase) for the As-Needed Haul Truck Program effective July 1, 2021, and require that Truck operators refuel at pumps that dispense renewable diesel to reduce carbon emissions.

4. AUTHORIZE the Director of StreetsLA to initiate the development and release of a Request for Proposal for trucking brokerage services estimated to commence on July 1, 2023, that:

   a) Awards a contract utilizing a competitive bid process that complies with the City of Los Angeles (City) contracting requirements and AB5;

   b) Requires the selected trucking brokerage firm(s) to provide trucking opportunities to existing 2021-22 As-Needed Haul Truckers; and

   c) Identifies opportunities/strategies for winning firm(s) to contribute to the City’s sustainability efforts and reduce carbon emissions in support of Council File 19-1351.
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**FISCAL IMPACT STATEMENT**

The FY 2021-22 AFE with the Independent Truck Owner Operators is in the amount of $11.8 million. Funds are budgeted annually within the StreetsLA Adopted Budget in General Fund 100, Department 86, Appropriation 003040 (Contractual Services).

**TRANSMITTALS**

1. FY 2021-22 Authority for Expenditure (AFE) for As-Needed Haul Truck Services.
2. Council Motion dated November 1, 2019, to establish contracting standards that help reduce carbon emissions to zero (Council File 19-1351).
4. Board Report for Rate Increase for the As-Needed Haul Truck Program dated February 6, 2015.
5. Proposed FY 2021-22 As-Needed Haul Truck Program Rate Sheets.

**DISCUSSION**

**Background**

The Bureau of Street Services’ (StreetsLA) As-Needed Haul Truck Program (Program) has been in existence since the 1890s when the City of Los Angeles was growing and had a great need for building, maintenance, and resurfacing of the City’s roads. To keep up with the City’s growth and supplement the Bureau’s trucking needs while also providing the necessary flexibility, the City developed Agreements with Independent Owner Operators (Truckers).

Today, the Program is entitled the “As-Needed Haul Truck Program” to fit the current description of the services provided. The Program establishes an annual on-call contractual list of Truckers who can be called upon by the City on an as-needed basis, depending on the StreetsLA’s daily workload. Currently, the City funds these Truckers about $10-11 million annually to haul debris, concrete, and asphalt mix to and from a variety of StreetsLA projects, but mostly for street repaving projects.

This is a long-standing Board and City-sanctioned sole source program that is overwhelmingly minority-owned. Based on a recent survey StreetsLA conducted, below is the ethnic breakdown of the Truckers:
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<table>
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<tr>
<th>Ethnicity</th>
<th># of Truckers</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>37</td>
<td>45%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>27</td>
<td>33%</td>
</tr>
<tr>
<td>Asian</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Caucasian</td>
<td>2</td>
<td>2%</td>
</tr>
<tr>
<td>Native American</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Native Hawaiian or Pacific Islander</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Armenian</td>
<td>6</td>
<td>7%</td>
</tr>
<tr>
<td>No Response</td>
<td>9</td>
<td>11%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>82</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Historically, the Board has approved an annual AFE to pay the Truckers along with individual Offer of Work Agreements (Agreements) with each Trucker. These Agreements constitute the contractual relationship between the City and Truckers. The Agreements have not resembled typical City contracts because the Board has historically approved annual AFES as the mechanism to pay the Truckers.

While the Trucker Agreements are approved annually by the Board, the City’s Budget also explicitly funds this Program. The Board has approved a sole source arrangement because it provides for the necessary flexibility to adjust to fluctuating operational needs, while also providing StreetsLA with experienced, reliable, and dedicated Truckers to supplement our workforce.

**Proposed $11.8 Million AFE and Agreement for FY 2021-22 Plus One-Year Renewal Option**

While this is a long-standing sole-source contractual Program, some critical events have transpired since January 2020, prompting StreetsLA to reevaluate this Program moving forward. When the economy declined due to COVID-19, the Mayor’s Office imposed Cost Containment Measures that recommended StreetsLA utilize the traditional contract model and comply with all City contractual requirements. Additionally, the Office of the City Attorney has advised that this Program must also comply with California Assembly Bill (AB) 5, which went into effect on January 1, 2020. AB5 changed the requirements on how companies classify workers as independent contractors or employees. As a result, the City must address AB5, while balancing equity and the need for continuity of operations as these Truckers are integral to StreetsLA’s repaving operations.

Since there is an immediate need for business continuity and compliance with these directives that will take additional time and resources to iron out, StreetsLA recommends
that the Board approve the current Trucker Program utilizing the existing AFE and Agreement model for both Fiscal Years 2021-22 and 2022-23, with the sole source Program discontinuing thereafter unless there are changes made to AB5. StreetsLA is requesting an AFE to pay for the Program for FY 2021-22 in the amount of $11.8 million (Transmittal No. 1). At this time, the Bureau does not recommend any substantive contractual changes to the current Agreement templates and process, other than to mandate that Truckers refuel at pumps that dispense renewable diesel found throughout the City. The recommendation of utilizing renewable fuel is in solidarity with CF 19-1351, to identify opportunities and strategies to establish contracting standards that help reduce carbon emissions to zero as soon as possible and prioritize co-benefits to environmental justice and toxic emissions reductions (Transmittal No. 2).

This proposed solution provides a transition period for these existing Truckers, as well as enable StreetsLA to transform the current model to comply with City contracting requirements and AB5 starting July 1, 2023. The proposed term for the current Truckers in this Program would be a one-year Agreement effective July 1, 2021 to June 30, 2022 plus a one-year renewal option through June 30, 2023 (Transmittal No. 3)

**Proposed Rate Increase for FY 2021-22 As-Needed Haul Truck Program**

StreetsLA periodically reviews the rates for the As-Needed Haul Truck Program. The current rates have not been increased by the Board since 2015 (Transmittal No. 4). StreetsLA proposes that the current rates be increased effective July 1, 2021 by 18% to account for inflation, as shown by the cost of all items, diesel fuel prices, and median salary of truck drivers.

According to the below data from the U.S. Department of Labor – Bureau of Labor Statistics, the Consumer Price Index (CPI) in the Los Angeles area for All Items increased 18% from March 2015 to May 2021, while the Average Price of Automotive Diesel Fuel in the West Region increased 19.3% for the same period.
### Consumer Price Index (CPI) for All Urban Consumers

<table>
<thead>
<tr>
<th>Date</th>
<th>Value</th>
<th>% Change</th>
<th>Price /Gal</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb 2015</td>
<td>241.0159</td>
<td>1.1%</td>
<td>$2.989</td>
<td></td>
</tr>
<tr>
<td>Mar 2015</td>
<td>243.738</td>
<td>1.7%</td>
<td>$3.071</td>
<td>2.7%</td>
</tr>
<tr>
<td>Mar 2016</td>
<td>247.873</td>
<td>2.7%</td>
<td>$2.278</td>
<td>-25.8%</td>
</tr>
<tr>
<td>Mar 2017</td>
<td>254.525</td>
<td>2.7%</td>
<td>$2.795</td>
<td>22.7%</td>
</tr>
<tr>
<td>Mar 2018</td>
<td>264.158</td>
<td>3.8%</td>
<td>$3.278</td>
<td>17.3%</td>
</tr>
<tr>
<td>Mar 2019</td>
<td>271.311</td>
<td>2.7%</td>
<td>$3.373</td>
<td>2.9%</td>
</tr>
<tr>
<td>Mar 2020</td>
<td>276.589</td>
<td>1.9%</td>
<td>$3.132</td>
<td>-1.8%</td>
</tr>
<tr>
<td>Mar 2021</td>
<td>282.648</td>
<td>2.2%</td>
<td>$3.486</td>
<td>5.3%</td>
</tr>
<tr>
<td>May 2021</td>
<td>287.620</td>
<td>1.8%</td>
<td>$3.664</td>
<td>5.1%</td>
</tr>
<tr>
<td>Cumulative Total:</td>
<td></td>
<td></td>
<td></td>
<td>17.9%</td>
</tr>
<tr>
<td>Change from Mar 2015 to May 2021:</td>
<td>43.882</td>
<td>18.0%</td>
<td>$0.593</td>
<td>19.3%</td>
</tr>
</tbody>
</table>

Additionally, the **Median Weekly Earnings of Truck Drivers** increased by 19.9% from 2015 to 2020.

### Median Weekly Earnings of Driver/Sales Workers & Truck Drivers

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>% Change</th>
</tr>
</thead>
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<tr>
<td>2015</td>
<td>$747</td>
<td>2.0%</td>
</tr>
<tr>
<td>2016</td>
<td>$780</td>
<td>4.4%</td>
</tr>
<tr>
<td>2017</td>
<td>$797</td>
<td>2.2%</td>
</tr>
<tr>
<td>2018</td>
<td>$817</td>
<td>2.5%</td>
</tr>
<tr>
<td>2019</td>
<td>$843</td>
<td>3.2%</td>
</tr>
<tr>
<td>2020</td>
<td>$896</td>
<td>6.3%</td>
</tr>
<tr>
<td>Cumulative Total:</td>
<td></td>
<td>20.6%</td>
</tr>
<tr>
<td>Change from 2015 to 2020:</td>
<td>$149</td>
<td>19.9%</td>
</tr>
</tbody>
</table>

The proposed 18% increase in rates is consistent with the local CPI increase and is reasonable and appropriate to maintain qualified and reliable drivers. Currently, StreetsLA Trucker haul rates are per zone and based on their truck classification, with hourly rates for intra-zone deliveries and price/ton rates for inter-zone deliveries, as well as separate rates for stand-by times, re-routes, and show-ups. In instances where there is no established rate for special projects outside the established zones, StreetsLA can unilaterally choose to pay the established Hourly Rate or Price/Ton/Mile Rate. The proposed 18% increase will be applied to all the rates mentioned above. The below table...
shows StreetsLA’s Trucker existing rates against new proposed rates based on the 18% increase.

<table>
<thead>
<tr>
<th>Truck Classification</th>
<th>Existing Hourly Rate</th>
<th>Proposed New Hourly Rate</th>
<th>Existing Rate $ / Ton / Mile</th>
<th>Proposed New Rate $ / Ton / Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-Wheel</td>
<td>$73.69</td>
<td>$86.95</td>
<td>$0.29</td>
<td>$0.34</td>
</tr>
<tr>
<td>12-Wheel</td>
<td>$78.84</td>
<td>$93.03</td>
<td>$0.31</td>
<td>$0.37</td>
</tr>
<tr>
<td>Low-Side</td>
<td>$82.63</td>
<td>$97.50</td>
<td>$0.33</td>
<td>$0.39</td>
</tr>
<tr>
<td>High-Side</td>
<td>$90.15</td>
<td>$106.38</td>
<td>$0.36</td>
<td>$0.42</td>
</tr>
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</table>

Refer to the FY 2021-22 Rates for each truck classification for more details (Transmittal No. 5).

Proposed Request for Proposal (RFP) for Truck Brokerage Services to Commence July 1, 2023

For the longer-term efforts to comply with both City contracting requirements and AB5 statutes, StreetsLA recommends that the Board direct StreetsLA to initiate the development of a RFP for as-needed truck brokerage services, whereby StreetsLA would contract with one or multiple companies to provide as-needed trucking brokerage services in compliance with AB5 and City contracting directives estimated to commence on July 1, 2023. StreetsLA would recommend including the following requirements in its RFP:

a) Award a contract utilizing a competitive bid process that complies with City contracting requirements and AB5;

b) Require the selected trucking brokerage firm(s) to provide trucking opportunities to StreetsLA’s existing 2021-22 As-Needed Haul Truckers; and

c) Identify opportunities/strategies for winning firm(s) to contribute to the City’s sustainability efforts and reduce carbon emissions in support of Council File 18-1351.

STATUS OF FUNDING:

The funding for the annual AFE to pay As-Needed Haul Truck Program is derived from the StreetsLA annual budget in Fund 100, Department 86, Appropriation 003040 (Contractual Services) in the amount of $11.8 million.
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Respectfully Submitted,

for

ADEL H. HAGEKHALIL, P.E.
Executive Director and General Manager
Bureau of Street Services

APPROVED AS TO FUNDS:

MIGUEL DE LA PENA, Director
Office of Accounting
Date: 6/25/2021
Fund 100, Dept. 86, Appr. #003040, $11,800,000

AHH/SHC/MC:SZ

Questions regarding this Report may be referred to:
Melinda Chou, Sr. Management Analyst II
StreetsLA, Contract Services | bss.contract@lacity.org
2021-2022 Offer of Work
As-Needed, Haul Truck Program
(July 1, 2021 – June 30, 2022)

OFFER OF WORK TRUCK NO.: LABAVN CO. ID:
OWNER-OPERATOR: 
ADDRESS: 
CITY, STATE, ZIP CODE: 

TELEPHONE: CELL NUMBER: 

E-MAIL (REQUIRED): 

TRUCK CLASSIFICATION (Must Select One):

10-Wheel 12-Wheel Low Side High Side

TO THE CITY OF LOS ANGELES BUREAU OF STREET SERVICES (STREETSCLA) FOR THE AS-NEEDED RENTAL AND OPERATION OF PRIVATELY-OWNED DUMP TRUCKS FURNISHED WITH DRIVER AND NECESSARY EQUIPMENT FOR HAULING PURPOSES:

THIS OFFER OF WORK is made this day of , 2021 to the CITY OF LOS ANGELES, a municipal corporation; hereinafter referred to as the CITY by , hereinafter referred to as the OWNER-OPERATOR.

The OWNER-OPERATOR is not guaranteed any amount of work during an Offer of Work period; and

The CITY, in order to discharge certain duties and responsibilities in connection with hauling asphalt, rubbish, tree trimming and other materials, requires the day-to-day use of trucks for such purposes under the direction of the Department of Public Works, StreetsLA, or the authorized representative; and

The OWNER-OPERATOR is willing to furnish truck and/or driver for such purposes; and

The OWNER-OPERATOR is an “Independent Contractor” and any agent or employee of OWNER-OPERATOR in performing the terms of this Offer of Work shall be acting on behalf of the OWNER-OPERATOR and not as an agent or employee of the CITY; and

The Council of the CITY has appropriated the necessary funds to be used by the Department of Public Works, StreetsLA, or necessary funds have been provided by the CITY by other governmental jurisdiction for the aforesaid purposes; and

THEREFORE, THE OWNER-OPERATOR hereby makes the following Offer to the CITY OF LOS ANGELES:
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SECTION 31 – FY 2021-22 NEW PROGRAM CHANGES

SECTION 32 – RATIFICATION CLAUSE

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ATTACHMENTS

ATTACHMENT 1 – 10-WHEEL HAUL RATES

ATTACHMENT 2 – 12-WHEEL HAUL RATES

ATTACHMENT 3 – LOW-SIDE HAUL RATES

ATTACHMENT 4 – HIGH-SIDE HAUL RATES
SECTION 1 – DEFINITIONS

It is understood that the following words and phrases are used herein; each shall have the meaning set forth opposite the same:

BOARD OF PUBLIC WORKS The Board of Public Works of the City of Los Angeles. The City’s only full time, policy-making board.

BUREAU OF STREET SERVICES Provides roadway maintenance, improvement, resurfacing and construction of streets in the City of Los Angeles.

(StreetsLA)

CALENDAR DAY Each day beginning at 00:01 Hours and ending 24 hours later at 24:00 Hours (Military Time).

DEPARTMENT OF PUBLIC WORKS Responsible for construction, renovation, and the operation of City facilities and infrastructure.

OWNER-OPERATOR Is an Independent Contractor who owns a commercial vehicle in the As-Needed Haul Truck Program (Program).

PERMITS All federal, state, and local permits required for the proper completion of all Terms and Conditions of the Offer of Work.

PRIVATELY OWNED The sole ownership of the offered truck by the Owner-Operator which does not include co-ownership, partnership(s), company(ies) or automotive leasing institutions.

CONSORTIUM MEMBERSHIP Enrollment in a medical facility to fulfill the U.S Department of Transportation (DOT) mandates requiring drug and alcohol testing of all holders of a Commercial Driver’s License.

COMMERCIAL VEHICLE A motor vehicle designed, used, or maintained primarily for the transportation of property.

SECTION 2 – VISITS TO THE STREETSLA OFFICES

Walk-in visits for appointments on demand at the StreetsLA offices will not be honored. OWNER-OPERATORS with concerns are to call in advance for an appointment to meet with a Superintendent, a Supervisor, or the Program Coordinator.
OWNER-OPERATORS' visits to the StreetsLA office is merely to turn in insurance documents or to submit paperwork for the approval of substitute drivers. It is only during the Offer of Work Renewal Period that unannounced visits from OWNER-OPERATORS are permitted.

(1) All insurance documents may be mailed-in or hand-delivered to:

Board of Public Works
Insurance Section
Room 355 City Hall
200 North Spring Street
Los Angeles, California 90012

(2) Report to the Commercial Vehicle Section for all physical inspection of vehicles and equipment:

Commercial Vehicle Section
12251 Sherman Way
North Hollywood, California 91605
(818) 756-8481

(3) Paperwork for substitute drivers can be mailed to the Program Coordinator at the following location:

Bureau of Street Services
As-Needed, Haul Truck Program
1149 S. Broadway Street, Room #400
Los Angeles, California 90015
(213) 847-2822

SECTION 3 – RESPONSIBILITIES OF AND TASKS TO BE PERFORMED BY OWNER-OPERATOR

OWNER-OPERATOR agrees to abide by the policy of “privately owned,” in relation to the truck he/she provides for service during the entire period of this Offer of Work. Sole ownership shall be demonstrated by Certificates of Ownership and the Department of Motor Vehicle (DMV) registration.

OWNER-OPERATOR must be the registered owner of the vehicle and the vehicle registration must be kept current and provided to show proof of ownership.

OWNER-OPERATOR, as directed by the CITY, will furnish his/her own truck for the transport of various materials from place to place.
OWNER-OPERATORS and/or substitute drivers shall perform all activities in connection with their responsibilities under this Offer of Work in accordance with all applicable laws, rules, regulations, and permit requirements of the federal, state, and local governments, and their subordinate agencies.

OWNER-OPERATOR'S truck will be available as needed by the CITY. Upon notification of such need made by the CITY, OWNER-OPERATOR shall accept assignments with any unit in any location as determined by StreetsLA.

OWNER-OPERATOR shall be required to have the following identification displayed on their truck with no other designations (a) Owner's Name, (b) Truck Number (same as Offer of Work number), (c) Tare Weight, (d) DMV’s “CA” Number (posted on truck door).

OWNER-OPERATORS and/or substitute drivers shall comply with lawful regulations and inspections as required by the California Vehicle Code (CVC) and procedures required by StreetsLA.

OWNER-OPERATORS and/or substitute drivers shall be responsible for operating its equipment including positioning the equipment under the silo, verifying the tonnage loaded and complying with the loading procedures established by the CITY. OWNER-OPERATORS and/or their substitute drivers shall also ensure the truck does not exceed the maximum legal weight limit by unloading excess materials. OWNER-OPERATORS and/or their substitute drivers are solely responsible for overloading.

OWNER-OPERATORS and/or substitute drivers shall be responsible for determining total tonnage of material loaded onto his/her truck through the use of official weight tickets from the asphalt plants. The OWNER-OPERATOR/substitute driver shall utilize the CITY’S Weigh Station to obtain official weight tickets. The CITY’s Weigh Station is provided only for convenience. Should the CITY’S Weigh Station become non-operational, the OWNER-OPERATOR shall be required to obtain weight tickets from an independent certified weigh station (at OWNER-OPERATOR’S expense) and no additional charge shall be assessed to the CITY.

OWNER-OPERATOR agrees that the sites, equipment, reports, substitute drivers and record keeping documentation used by him/her for the performance of this Offer of Work are subject to immediate verification by CITY personnel or its agents at any time without prior notice. Said observations shall be for the purpose of ensuring compliance with the terms of this Offer of Work and all applicable laws, rules, and regulations. Failure to comply will result in immediate removal from service.

Trucks shall be observed periodically by StreetsLA to verify compliance with federal, state, and local laws, rules, and regulations. The CITY’S certification of the truck shall be for one (1) year or as otherwise determined by the CITY. However, certification can be revoked at any time should a truck not meet the CITY’s requirements. Trucks without certification will not be allowed to haul materials for the CITY’S As-Needed Haul Truck Program.
OWNER-OPERATOR shall comply with the California Highway Patrol (CHP) Basic Inspection of Terminals (BIT) Program.

By signing this Offer of Work, OWNER-OPERATOR pledges to comply with all applicable federal, state, and local laws in the performance of this Offer of Work, including but not limited to, laws regarding health and safety, labor and employment, and permit and licensing laws. Failure to comply will result in removal from service.

OWNER-OPERATOR shall maintain a valid Motor Carrier Permit issued by the Department of Motor Vehicles in conjunction with the California Highway Patrol, which includes a California Trucking Number (CA number) for all work to be performed under this Offer of Work at all times. The CA number must be visible on the vehicle.

OWNER-OPERATOR shall supply all necessary materials and equipment, including but not limited to, electronic communication, email address, fax number, and cell phone number, in order to provide the requested services. CITY personnel and equipment will not be available for these services. OWNER-OPERATOR shall furnish appropriate truck and operator and/or substitute driver to accomplish the required services.

OWNER-OPERATOR shall immediately notify the CITY of any changes in the OWNER-OPERATOR’S insurance coverage, permit(s), and license(s). Immediately means as soon as practically possible but not longer than eight (8) hours after the OWNER-OPERATOR knows or with diligent inquiry would have known. Failure to comply may result in discontinued service from the Program.

OWNER-OPERATORS and/or substitute drivers shall be responsible for utilizing their own protective clothing and equipment as required by Cal/OSHA and/or other regulatory agencies while working under this Offer of Work.

OWNER-OPERATOR shall be responsible for verifying that substitute drivers comply with this Offer of Work’s licensing, medical certification, and State drug program requirements. Such documents shall be available for CITY’S inspection or supplied to CITY prior to the inspection.

Any interruption of registration, such as a lapse in insurance or renewal of the Motor Carrier Permit, the California Highway Patrol Biennial Inspection Terminal Program (BIT) or 90-Day Inspection will cause the CITY to disallow the truck to work at any CITY jobsite.

OWNER-OPERATOR must keep a current copy of his/her Automobile Liability and Worker’s Compensation Insurance readily available. The OWNER-OPERATOR shall be responsible for providing and maintaining truck, substitute driver, and any other necessary personnel and equipment required for the transportation of aggregate materials and/or bulky items.
OWNER-OPERATOR shall be responsible for providing all pertinent training to their substitute driver contained within this Offer of Work.

OWNER-OPERATOR is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator's removal from the As-Needed, Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. StreetsLA will periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

**OWNER-OPERATORS and substitute drivers shall comply with the following:**

1. Furnish a Daily Log to the CITY.
2. Maintain the appropriate Commercial Driver's License and provide a copy to the CITY.
3. Provide DMV Driver Print-out (within five (5) days of request).
4. Furnish original copy of a Negative Drug Test and Alcohol Test (within five (5) days of submission).
5. Maintain a valid medical card at all times while under this Offer of Work.
7. Stay inside the truck cab while loading and/or unloading.
8. Fuel only at pumps that dispense renewable diesel. This requirement will only be waived in emergencies or extenuating circumstances.
9. Retain all fueling receipts as records of compliance with the requirement to fuel only at pumps that dispense renewal diesel during the term of this Offer of Work.

Please see **Section 31 – FY 2021-22 New Program Changes** for new equipment requirements.

**SECTION 4 – RESPONSIBILITIES OF THE CITY**

1. Furnish locations for the required services.
2. Determine the need for and provide jobsite inspection.
3. Request work on an as-needed, occasional, or emergency basis. However, there is no guarantee that services will be requested at any time during the term of this Offer of Work.
4. Program Coordinator shall verify that OWNER-OPERATOR and/or substitute driver is in compliance with this Offer of Work’s licensing, medical certification, and State drug program requirements. Such documents shall be available for the CITY’S inspection or supplied to the CITY immediately upon request. Any interruption of registration, such as a lapse in insurance or renewal of the Motor Carrier Permit, BIT Inspection, or 90-Day Inspection will cause the CITY to disallow the truck to work at any CITY jobsite.

5. The CITY representative in charge of the job will sign the daily log certifying the time worked for billing purposes. All questions concerning actual worked hours are to be resolved at that time.

6. Periodically distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

7. May conduct audits to ensure OWNER-OPERATOR’S compliance with using renewable diesel.

The CITY shall enroll OWNER-OPERATOR and/or substitute driver in the State of California Employers Pull Notice Program to monitor their driving status.

SECTION 5 – REQUEST FOR WORK

Selection for as-needed hauling will be based on the OWNER-OPERATOR’S established availability. The CITY will offer work to OWNER-OPERATORS on a rotating basis. It shall be the OWNER-OPERATOR’S responsibility to notify the CITY of their availability.

The following conditions shall apply:

1. OWNER-OPERATOR of a three or four-axle truck must have a minimum fifteen (15) ton legal load limit. The body of the truck shall be capable of being increased by the use of sideboards when required by the CITY. Should the CITY request sideboards, then they shall be furnished by OWNER-OPERATOR as regular equipment.

2. Three or four-axle trucks shall have double acting tail gates to permit dumping high loads of bulky material without gate interference. The truck shall have a spreading apron for dumping asphalt paving material.

3. OWNER-OPERATOR of a five-axle semi-tractor/trailer truck must have a minimum legal load capacity of 20.7 tons. Height of tractor/trailer shall not exceed eleven (11) feet.

4. OWNER-OPERATOR’S truck shall have an installed operational tachographs and electrical/automatic tarping systems and shall have all equipment required by the regulations of the Department of Motor Vehicles, the State Highway Patrol, the State of California and the ordinances, laws, and regulations of the CITY.
5. OWNER-OPERATOR shall maintain the vehicle in good mechanical condition, comply with all vehicle code regulations, and meet all inspection standards and requirements of the California Vehicle Code.

6. CITY shall determine compliance of OWNER-OPERATOR’S truck at time of initial observation. Initial verification of compliance of OWNER-OPERATOR’S truck does not substitute for the State required 90-Day Vehicle Safety Inspection or the California Highway Patrol BIT inspection.

7. If OWNER-OPERATORS and/or substitute drivers report to a CITY jobsite and it is determined that the truck is not needed, the CITY will pay show-up time (Refer to specific rate sheet).

8. All trucks at CITY jobsites shall have underbody type power operated hoist, adequate to effectively operate the truck body at full capacity, speedometer, odometer, and back-up warning devices in operational order.

SECTION 6 – NON-DISCRIMINATION AND AFFIRMATIVE ACTION

OWNER-OPERATOR shall comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the CITY. In performing this Offer of Work, OWNER-OPERATOR shall not discriminate in its employment practices against any employee or applicant for employment because of such person’s race, religion, national origin, ancestry, sex, sexual orientation, age, disability, domestic partner status, marital status, or medical condition. OWNER-OPERATOR shall comply with the provisions of the Los Angeles Administrative Code Sections 10.8 and 10.13, to the extent applicable hereto. OWNER-OPERATOR shall also comply with all rules, regulations, and policies of the CITY’s Board of Public Works, Office of Contract Compliance (http://www.bca.lacity.org) relating to non-discrimination and Affirmative Action, including the filing of all forms required by said Office.

Any subcontract entered into by the OWNER-OPERATOR relating to this Offer of Work, to the extent allowed hereunder, shall be subject to the provisions of this paragraph. Failure of the OWNER-OPERATOR to comply with this requirement or to obtain the compliance of its subcontractors with such obligations shall subject OWNER-OPERATOR to the imposition of any sanctions allowed by law, including but not limited to termination of the OWNER-OPERATOR’S Offer of Work with the CITY.

SECTION 7 – TRAFFIC ACCIDENTS

OWNER-OPERATORS and/or substitute drivers involved in any accident while providing services under this Offer of Work, whether at fault or not, are required to: 1) Obey all California State Motor Vehicle Regulations pertaining to accident involvement; 2) Notify the Commercial Vehicle Section within twenty-four (24) hours of the accident.
SECTION 8 – BUSINESS TAX REGISTRATION EXEMPTION

OWNER-OPERATORS fall under the provisions of the Los Angeles Municipal Code, Section 21.195, “Trucking-Hauling Exemptions.” OWNER-OPERATORS must obtain an Exempt BTR Number. It is issued only once upon acceptance of the first offer of work and is recorded permanently until the cancellation of the Offer of Work.

SECTION 9 – PAY RATES AND MANNER OF COMPENSATION

OWNER-OPERATORS and/or substitute drivers shall be compensated for each acceptance order in accordance with the Haul Rates established by StreetsLA and approved by the Board of Public Works (Refer to specific haul rate sheet). Compensation for services will occur once every two weeks. The OWNER-OPERATOR agrees to abide by the procedures provided and explained in their specific haul rate sheet of this Offer of Work.

Any changes in the compensable Ton-Mile Haul Rate or Hourly Rate will be approved by the Board of Public Works and sent to the OWNER-OPERATORS.

SECTION 10 – PREVAILING WAGE

OWNER-OPERATORS shall pay applicable prevailing wage rates to any employee, including but not limited to, substitute drivers, agents, and subcontractors. To the extent that any of the services to be provided under this Offer of Work are deemed to be subject to prevailing wages by the Director of the Department of Industrial Relations of the State of California (DIR), the applicable prevailing wage rates apply and the OWNER-OPERATOR is required to pay them. The current applicable prevailing wage rates, as adopted by the Director of DIR, are incorporated herein by reference and may be accessed at (http://www.dir.ca.gov). The OWNER-OPERATOR is required to pay the prevailing wage rate and is responsible for selecting the classification of workers, which will be required to perform this service in accordance with the OWNER-OPERATOR’S method of performing the work. Pursuant to Section 1775 of the Labor Code (State of California), the OWNER-OPERATOR shall forfeit ($200.00) for each calendar day, or portion thereof, for each worker paid less than the stipulated prevailing wage rates for any public work done under this Offer of Work.

SECTION 11 – AMENDMENTS, CHANGES OR MODIFICATION

The CITY, at any time by written notice to the OWNER-OPERATOR, may make changes which are consistent with and within the general scope of this Offer of Work or, by written amendment, may request the OWNER-OPERATOR to perform services not otherwise outlined herein.
Should the CITY change or modify any related aspect of the As-Needed, Haul Truck Program during this Offer of Work, OWNER-OPERATOR shall be immediately notified thereof by the CITY in writing, and upon such notification, OWNER-OPERATOR shall promptly comply with such change or modification.

SECTION 12 – TRUCK MAINTENANCE

The operation, transportation, maintenance, and BIT Inspection required by the California Vehicle Code (CVC) are the sole responsibility of the OWNER-OPERATOR and at no time shall the CITY be responsible for any expense. In addition, the acquisition and maintenance of truck equipment required by StreetsLA is the sole responsibility of the OWNER-OPERATOR and at no time shall the CITY be responsible for any expense. Required equipment and features include, but are not limited to, electrical/automatic tarping systems, back-up warning devices, tachometers, and cellular telephones and must be in good operating condition at all times.

OWNER-OPERATORS and/or substitute drivers shall maintain their trucks to ensure their proper working condition. This includes but is not limited to trench gate, spreading chains, hoist, tires, brakes, back-up alarm lights, mirrors, spread apron, tachograph, sideboards, legible numbers, and the external appearance of the truck.

SECTION 13 – TRUCK INSPECTION

StreetsLA shall verify, as necessary, the validity of the motor vehicle operator’s license and the license plate of the truck or tractor/trailer. In addition, StreetsLA shall observe the vehicle for required equipment needed to operate in the As-Needed, Haul Truck Program.

OWNER-OPERATOR’S truck shall have the California Highway Patrol’s BIT inspection report showing a satisfactory rating. In addition, the truck must undergo a 90-day inspection cycle pursuant to Title 13 of the California Vehicle Code (CVC).

Inspections of the OWNER-OPERATOR’S truck at the Commercial Vehicle Section Office are merely checkpoints to ensure that the required equipment for hauling and dumping in this program are presently on the truck and are in good condition.

SECTION 14 – TRUCK WEIGHT

OWNER-OPERATOR’S truck shall meet the California Vehicle Code (CVC) to carry the legal load requirement. The program minimum legal load capacity requirements are as follows:

10/12-Wheel = 15 Tons  Low Sides = 20.7 Tons  High Sides = 56 Cubic Yds
A current truck weight verification from the Commercial Vehicle Section is required when: (1) beginning or renewing an Offer of Work, (2) replacing a truck or tractor/trailer, (3) returning a truck after repairs or alterations, and (4) CITY personnel requests a weight certificate.

SECTION 15 – INSURANCE REQUIREMENTS

Automobile Liability Insurance

OWNER-OPERATOR agrees to insure against liability for death or injury to persons, property or land arising from the OWNER-OPERATOR’S operation conducted on CITY property or elsewhere, pursuant to this Offer of Work. OWNER-OPERATOR shall obtain and keep in force during the term of this Offer of Work, at its sole expense, liability insurance in which the City of Los Angeles is named as an additional insured covering all activities undertaken pursuant hereto. The policy or policies shall insure against all claims arising out of or in connection with such transportation, operation, and/or all other activities conducted hereunder.

The Coverage shall provide the following minimum limits:

- Automobile Liability
- Combined Single Limit $1,000,000 each occurrence

All liability insurance policies shall bear an endorsement or shall have an attached rider whereby it is provided that, in the event of expiration, proposed cancellation or reduction in coverage of such policies for any reason whatsoever, the CITY shall be notified at least thirty (30) days and (ten (10) days for non-payment of premium) before expiration, cancellation, or reduction in coverage is effective. Coverage shall be by an insurer admitted in California which has at least an “A” Policy Holder’s Rating and “X” Financial Size in accordance with the current Best’s Key Rating Guide.

OWNER-OPERATOR shall provide the CITY with evidence of coverage in accordance with the Instructions for Submitting Proof of Insurance to the Board of Public Works (https://kwikcomply.org/).

Such Policy shall further contain no deductible provision and shall contain conditions that the Board of Public Works shall be notified in writing of any cancellation of said insurance by registered mail not less than thirty (30) days prior to the date of such cancellation.

Indemnification

Except for the active negligence or willful misconduct of the CITY, the OWNER-OPERATOR undertakes and agrees to defend, indemnify and hold harmless the CITY and any and all of its Boards, Officers, Agencies, Employees, Assigns and Successors in Interest from all suits and causes of action, claims, losses, demands and expenses,
including but not limited to attorney’s fees and cost of litigation, damage or liability of any nature whatsoever, for death or injury to any person, including the OWNER-OPERATOR’S employees and agents, or damage or destruction of any property of either party hereto or of their parties, arising in any manner by reason of the negligent acts, errors or omissions, or willful misconduct of the OWNER-OPERATOR or his/her subcontractors of any tier.

**Workers’ Compensation Insurance**

Before entering upon the performance of each acceptance of this Offer of Work and in the event said truck is not operated by the OWNER-OPERATOR thereof, but by an approved driver while under the terms of the Offer of Work, OWNER-OPERATOR agrees to take out, or cause to be taken out with a responsible insurance carrier, authorized under the laws of the State of California, adequate coverage under the Workers’ Compensation Safety Act. Workers’ Compensation insurance must cover full liability for compensation under said Act, with the endorsement of the **Waiver of Subrogation** for any person injured while performing any work labor incidental to the performance of each acceptance of this Offer of Work.

Endorsements of insurance specified above shall be received and approved by the CITY before the OWNER-OPERATOR can perform under this Offer of Work; and no payment can be made for services rendered unless approved endorsements covering the period are approved and on file. Such certificates of insurance shall be procured, filed, and approved as required by Section 11.47 through Section 11.56 of the Los Angeles Administrative Code. If such work is to be accomplished in a manner so that it is not subject to said compensation laws, the OWNER-OPERATOR will execute and file with the CITY, upon a form furnished by the CITY, a document establishing such.

**SECTION 16 – FORCE MAJEURE**

Notwithstanding any other provisions hereof, neither the OWNER-OPERATOR nor the CITY shall be held responsible or liable for failure to meet their respective obligations under this Offer of Work, if such failure shall be due to causes beyond the OWNER-OPERATOR’S or the CITY’S control. Such causes include but are not limited to strikes, fire, flood, civil disorder, acts of God or of the public enemy, acts of Federal Government, or any unit of state, or local government in either sovereign or contractual capacity, epidemics, quarantine restrictions, or delays in transportation to the extent that they are not caused by the party’s willful or negligent acts or omissions, and to the extent that they are beyond the party’s reasonable control.

**SECTION 17 – PERMITS**

OWNER-OPERATOR and its officers, agents and employees shall obtain and maintain all permits and licenses necessary for the OWNER-OPERATOR’S performance
hereunder and shall pay any fees required therefore. OWNER-OPERATOR agrees to immediately notify the CITY of any suspension, termination, lapses, non-renewals, or restrictions of licenses, permits, certificates, or other documents.

SECTION 18 – ASSIGNMENT DETAILS

When the OWNER-OPERATORS and/or substitute drivers are dispatched from one crew to another, he/she shall notify the Commercial Vehicle Section who gave the initial assignment. Upon notification, the CITY will sign the truck out for the time the truck worked for that crew. All daily logs must be properly dated and the hours accurately recorded. CITY personnel overseeing the change shall initial any changes; otherwise, changes will not be accepted.

If OWNER-OPERATORS and/or substitute drivers choose to haul additional loads, he/she must first contact the Commercial Vehicle Section (before leaving the jobsite) to verify if his/her services are needed. OWNER-OPERATORS and/or substitute drivers shall not return to the Commercial Vehicle Section and/or jobsite without approval from dispatch. Without such approval, OWNER-OPERATORS and/or substitute drivers are released for the day.

SECTION 19 – DRUG/ALCOHOL TESTING

This Offer of Work causes OWNER-OPERATORS and/or substitute drivers to be subject to the 1991 U.S. Department of Transportation (DOT) “Omnibus Transportation Employee Testing Act”, (Federal Motor Carrier Safety Regulations, Title 49 Code of Federal Regulations, Section 382) which mandates transportation organizations, unions, and municipalities to establish drug and alcohol testing and education activities for all drivers who are required by law to hold a commercial driver’s license. OWNER-OPERATOR understands further that under this Federal regulation, he/she must receive substance abuse training and/or counseling prior to employment and every year thereafter. OWNER-OPERATOR must also provide or make provisions for the same training for his/her substitute driver.

SECTION 20 – RECORD RETENTION AND INSPECTION/AUDIT SETTLEMENT

OWNER-OPERATOR shall maintain accurate and complete records of its activities and operations relating to this Offer of Work. OWNER-OPERATOR shall also maintain accurate and complete records relating to his/her Offer of Work. OWNER-OPERATOR agrees that the CITY, or its authorized representatives, shall have access to and the right to examine, audit, excerpt, copy, or transcribe any pertinent transaction, activity, or record relating to this Offer of Work. All such material shall be kept and maintained by the OWNER-OPERATOR and shall be made available to the CITY immediately upon request.
SECTION 21– SUBSTITUTE DRIVER

OWNER-OPERATOR may utilize one (1) substitute driver as their relief driver for the As-Needed Haul Truck Program. A copy of the driver’s information must be kept in the truck at all times and made available to the CITY immediately upon request. The file must include the following:

1. Substitute Driver Request form
2. Clear and readable copy of the intended Driver’s negative drug and alcohol test dated the same day of submission.
3. Copy of the intended driver’s California Commercial Class “A” or “B” driver’s license. (“Class A” must be obtained for 5-axle drivers).
4. DMV Driver print-out
5. Copy of intended driver’s current medical card.
6. Copy of driver’s enrollment in Drug/Alcohol Consortium Program.
7. Copy of Owner’s Automobile Liability and Workers’ Compensation Insurance.

OWNER-OPERATOR must provide Workers’ Compensation insurance coverage with the Waiver of Subrogation for the substitute driver of the OWNER-OPERATOR’S truck, protecting the CITY from responsibility arising from an accident or any other act which may be committed or omitted by the OWNER-OPERATOR or his/her substitute driver.

Substitute drivers are employees of the OWNER-OPERATOR.

SECTION 22 – PERFORMANCE

OWNER-OPERATORS and/or substitute drivers agree to perform all work of this Agreement per the terms of the CITY. The CITY shall have the right to take appropriate action, including but not limited to a) meeting with OWNER-OPERATOR to review the Terms of Agreement and resolve matters of concern; b) canceling this Offer of Work as herein set forth.

OWNER-OPERATORS and/or substitute drivers agree that all services shall be performed in a competent, professional, and satisfactory manner in accordance with the standards prevalent in the industry, and that all goods, materials, equipment, or personal property included within the services herein shall be of good quality and fit for the purpose intended.

Please see Section 29 FY2020-21 New Program Changes for annual evaluation requirements.
SECTION 23 – JOBSITE SAFETY

OWNER-OPERATORS and/or substitute drivers shall be solely responsible for ensuring that all work performed under this Offer of Work is performed in compliance with all applicable Federal, State, and local occupational safety regulations. OWNER-OPERATOR shall provide at its expense all safeguards, safety devices, and protective equipment. OWNER-OPERATORS and/or substitute drivers are prohibited from donning protective equipment (hard hat, vest, etc.) with the CITY seal or wording related to the City of Los Angeles StreetsLA while working at a CITY jobsite.

Facility Safety – OWNER-OPERATORS and/or substitute drivers are not to get out of their vehicles while being loaded or unloaded at the jobsite. There are no exceptions.

SECTION 24 – TARPAULIN LAWS

Loads composed entirely of asphalt or petroleum coke, which is covered with a chemical surfactant, are not required to be covered unless directed by a supervisor.

SECTION 25 – TRUCK CLASSIFICATION CHANGE AND VACANCIES

OWNER-OPERATORS and/or substitute drivers are assigned to work only in that truck class for which their services have been requested. OWNER-OPERATORS may change truck classification only when there is a vacancy, and this change must be authorized by the CITY. Any change in truck classification requires a new Offer of Work. No OWNER-OPERATOR in the Program may operate more than one truck at a time.

OWNER-OPERATOR may continue to use his/her current truck until the stated date for the switched truck to operate. That is, if Truck 100, a 10-Wheel, is approved to switch to a High Side, then Truck 100 OWNER-OPERATOR is still able to operate as a 10-Wheel until the date that his/her High Side truck begins work. Once his/her High Side begins work, his/her 10-Wheel is no longer operating in the As-Needed, Haul Truck Program.

SECTION 26 – OVERLOADING

OWNER-OPERATORS and/or substitute drivers is solely responsible for the supervision of his/her load. Therefore, he/she is also responsible for any overload of his/her truck and liable for any fines incurred as a result of the overload.

Department of Motor Vehicles California Commercial Driver Handbook, Section 3 which reads in part: “Whether or not you load and secure the cargo, you are responsible for inspecting the load and… recognition of overloads and poorly balanced loads and… you
are responsible for making sure that the load is securely tied down and covered… and that the vehicle is not overloaded."

The CITY will compensate only for the legal limit per load. OWNER-OPERATORS and/or substitute drivers who haul more than the legal load do so at their own risk.

**OVERLOADING OF THE TRUCK IS STRICTLY PROHIBITED.**

**SECTION 27 – FUELING**

OWNER-OPERATOR is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator’s removal from the As-Needed, Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. The CITY reserves the right to conduct audits of such records at any time, and OWNER-OPERATORS must provide such records to CITY personnel or CITY’S designee upon request.

StreetsLA will periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

**SECTION 28 – DEATH OF CONTRACTOR**

The death of an OWNER-OPERATOR must be reported to the Program Coordinator immediately. Upon the death of the OWNER-OPERATOR, this Offer of Work is terminated.

**SECTION 29 – CANCELLATION OF OFFER OF WORK**

The CITY may cancel this Offer of Work at any time, with or without cause.

OWNER-OPERATOR may cancel this Offer of Work in writing at any time.

**SECTION 30 – RENEWAL OPTION FOR FY 2022-23**

The CITY may exercise a one-year renewal option, which will extend the term of this Offer of Work through FY 2022-23 (July 1, 2022 to June 30, 2023).
SECTION 31 – FY 2021-22 NEW PROGRAM CHANGES

The Program for fiscal year 2021-2022 will have the following OWNER-OPERATOR requirements effective July 1, 2021:

1. All OWNER-OPERATORS must register on the Los Angeles Business Assistance Virtual Network (LABAVN) at https://www.labavn.org/ for an account. LABAVN is a website where business owners and contractors can search and find business opportunities with the CITY. StreetsLA will utilize LABAVN for Program outreach.

2. All OWNER-OPERATORS shall register the NAICS code 484220 to receive future information about the Program and other hauling business opportunities.

3. All OWNER-OPERATORS must own or have access to an electronic device or computer to communicate with Program staff and other related programs and contracting opportunities.

4. All OWNER-OPERATORS shall have a designated email account that will be used by the CITY and/or Program to communicate with Owner-Operators. The Owner-Operators must give their designated email address to the Program Coordinator.

5. All OWNER-OPERATORS MAY receive notifications of upcoming renewal filing period. All Owner-Operators are recommended to check for the renewal filing period dates and information on https://www.labavn.org and https://streetsla.lacity.org/truck.

6. StreetsLA reserves the right to communicate with all Owner-Operators via email regarding trucker’s status, requesting documents, etc. The use of the Mail and Phone related services MAY be limited to handling confidential information and documents only.

7. All OWNER-OPERATORS were required to read the MANDATORY PowerPoint Presentation that was sent via email in lieu of attending the mandatory meeting in 2021. The PowerPoint document covered new guidelines and requirements for the Program.

8. All OWNER-OPERATORs will be required to sign their Offer of Work via electronic signature due to health and safety concerns of COVID-19.

9. The Program has activated a designated email for the As-Needed, Haul Truck Program. Email: bss.contract@lacity.org. All OWNER-OPERATORS and/or substitute drivers may submit questions or inquiries to the designated Program email.
10. StreetsLA reserves the right to discontinue the use of maintaining a Waiting List at any time. It is anticipated that future Program opportunities will be managed through LABAVN. All interested drivers **MUST** be registered through LABAVN.

11. OWNER-OPERATOR is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator’s removal from the As-Needed, Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. The CITY reserves the right to conduct audits of such records at any time, and OWNER-OPERATORS must provide such records to CITY personnel or CITY’S designee upon request. StreetsLA will periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

12. The Program will have a one-year renewal option effective July 1, 2022 to June 30, 2023.

**SECTION 32 – RATIFICATION CLAUSE**

Due to the need for the OWNER-OPERATOR’S services to be provided effective July 1, 2022, the OWNER-OPERATOR may have provided services prior to the execution of this Offer of Work. To the extent that said services were performed in accordance with the terms and conditions of this Offer of Work, those services are hereby ratified and accepted.
SIGNATURE PAGE

This Offer of Work supersedes all previously executed Offers of Work and Extensions of the Offer of Work and is in full force and effect **July 1, 2021 through June 30, 2022, or through June 30, 2023 if the one-year renewal option is exercised.**

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## Board of Public Works Meeting

FY 2021-22 Haul Rates Program

(Effective 7/1/21)

### A. HAUL RATES PER ZONE:

1. Intra-zone = Hourly rate of $86.95.
2. Inter-zone = Price / Ton as shown in the table below.

### B. STAND-BY RATE:

Stand-by time rates are as follows:

- **Div. 101:** Hourly $7.36, Daily $8.74, weekly $9.17, Bi-weekly $9.57, Monthly $10.14, Yearly $10.64.
- **Div. 102:** Hourly $8.90, Daily $9.92, weekly $10.94, Bi-weekly $11.66, Monthly $12.87, Yearly $13.76.
- **Div. 103:** Hourly $10.08, Daily $11.45, weekly $12.43, Bi-weekly $13.86, Monthly $15.12, Yearly $16.22.
- **Div. 104:** Hourly $13.31, Daily $15.34, weekly $16.50, Bi-weekly $18.44, Monthly $20.71, Yearly $22.83.
- **Div. 105:** Hourly $14.44, Daily $17.12, weekly $18.66, Bi-weekly $20.71, Monthly $23.34, Yearly $25.44.

### C. STAND-BY TIME:

Stand-by time when the crew is at lunch. Contractors should ask crew supervisors when lunch begins and when it ends to refrain from dumping during that time.

### D. MINIMUM RATE:

- **Div. 101:** $7.36.
- **Div. 102:** $8.90.
- **Div. 103:** $10.08.
- **Div. 104:** $13.31.
- **Div. 105:** $14.44.

### E. RE-ROUTING / DIVERSION OF TRUCKS:

**1. When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $157 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location.**

**2. Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate to the diverted destination.**

**3. Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if that were the original assignment.**

### F. WEEKEND AND HOLIDAY RATES:

Weekend and holiday rates are as follows:

2. **Div. 102:** Hourly $8.90, Daily $9.92, weekly $10.94, Bi-weekly $11.66, Monthly $12.87, Yearly $13.76.
3. **Div. 103:** Hourly $10.08, Daily $11.45, weekly $12.43, Bi-weekly $13.86, Monthly $15.12, Yearly $16.22.

### G. ALTERNATE RATE:

In instance where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:

2. **Div. 102:** Hourly $8.90, Daily $9.92, weekly $10.94, Bi-weekly $11.66, Monthly $12.87, Yearly $13.76.
3. **Div. 103:** Hourly $10.08, Daily $11.45, weekly $12.43, Bi-weekly $13.86, Monthly $15.12, Yearly $16.22.

**Ton Rates for Special Projects:** The determination of a "Special Project" and its rate of pay will be made by the Bureau of Street Services. A $0.34 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will select the route and establish mileage in all Special Projects.
### A. HAUL RATES PER ZONE:

1. Intra-zone = Hourly rate of $93.03.
2. Inter-zone = Price / Tons as shown in the table below.

### B. STAND-BY TIME:
Stand-by time will be paid to all Contractors (Owner-Operators) only after they have been at each job site 30 minutes whether or not they are waiting to be unloaded or loaded. One half hour will not count towards standing time when the crew is at lunch. Contractors should ask supervisors when lunch begins and when it ends to refrain from dumping during that time.

### C. STAND-BY RATE:
Stand-by time rates are as follows:

|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|

### D. MINIMUM RATE:
Contractor will be paid a minimum rate of $169 for each day Contractor is dispatched to a jobsite. If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $169.

### E. RE-ROUTING / DIVERSION OF TRUCKS:
(1) When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $60.76 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location. (2) Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate at the highest of the two rates comparing the original rate with the rate to the diverted destination. (3) Contract trucks that are diverted en route will be paid the ton haul rate to the new location as it was the original assignment.

### F. WEEKEND AND HOLIDAY RATES:
Weekend and holiday rates are as follows: (1) Saturday = 12% above the regular weekday rate. (2) Sunday / Holiday = 32% above the regular weekday rate. (3) The 12% and 32% increase for weekend and holiday rates will not be applied to the $169 minimum rate or show-up flat rate.

### F. ALTERNATE RATE:
In instances where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:

1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. $0.37 per ton per mile.
3. Hourly Rate = Hourly rate of $93.03.

* * Rates for Special Projects: The determination of a "Special Project" and its rate of pay will be made by the Bureau of Street Services. A $0.37 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will select the route and establish mileage in all Special Projects.
A. HAUL RATES PER ZONE:
1. Intra-zone = Hourly rate of $97.50.
2. Inter-zone = Price / Ton as shown in the table below.

<table>
<thead>
<tr>
<th>Div.</th>
<th>101</th>
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<th>103</th>
<th>104</th>
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<tr>
<td>Rate</td>
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<td>$10.60</td>
<td>$11.98</td>
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</tbody>
</table>

B. STAND-BY TIME: Stand-by time rates are as follows:
1. When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $63.74 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location. (2) Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate at the highest of the two rates comparing the original rate with the rate to the diverted destination. (3) Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if they were the original assignment.

C. STAND-BY RATE: Stand-by time rates are as follows:

<table>
<thead>
<tr>
<th>Minutes</th>
<th>Rate</th>
<th>Minutes</th>
<th>Rate</th>
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<td>1 to 6</td>
<td>$5.72</td>
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<td>13 to 18</td>
<td>$17.13</td>
<td>43 to 48</td>
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<td>19 to 24</td>
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<td>25 to 30</td>
<td>$28.55</td>
<td>55 to 60</td>
<td>$57.10</td>
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D. MINIMUM RATE: Contractor will be paid a minimum rate of $177 for each day Contractor is dispatched to a jobsite. If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $177.

E. RE-ROUTING / DIVERSION OF TRUCKS: (1) When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $63.74 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location. (2) Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate at the highest of the two rates comparing the original rate with the rate to the diverted destination. (3) Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if they were the original assignment.

F. WEEKEND AND HOLIDAY RATES: Weekend and holiday rates are as follows: (1) Saturday = 12% above the regular weekday rate. (2) Sunday / Holiday = 32% above the regular weekday rate. (3) The 12% and 32% increase for weekend and holiday rates will not be applied to the $177 minimum rate or show-up flat rate.

G. ALTERNATE RATE: In instance where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:
1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. Ton / Mile Rate = $0.39 per ton per mile.
3. Hourly Rate = Hourly rate of $97.50.

* Ton / Mile Rates for Special Projects: The determination of a "Special Project" and its rate of pay will be made by the Bureau of Street Services. A $0.39 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will set the rate and establish mileage in all Special Projects.
A. HAUL RATES PER ZONE:

1. Inter-zone = Hourly rate of $106.38.
2. Inter-zone = Price / Ton as shown in the table below.

<table>
<thead>
<tr>
<th>Div.</th>
<th>Hourly Rate</th>
<th>Price / Ton</th>
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<td>$9.02</td>
<td>$12.35</td>
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<td>$12.35</td>
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<td>103</td>
<td>$9.02</td>
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<tr>
<td>120</td>
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</table>

High-Side Vehicles

Bureau of Street Services
As-Needed Haul Truck Program
FY 2021-22 Haul Rates
(Effective 7/1/2021)

C. STAND-BY RATE:

Stand-by time rates are as follows:

<table>
<thead>
<tr>
<th>Div.</th>
<th>Hourly Rate</th>
<th>Price / Ton</th>
</tr>
</thead>
<tbody>
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<tr>
<td>120</td>
<td>$5.94</td>
<td>$8.47</td>
</tr>
</tbody>
</table>

D. MINIMUM RATE:

Contractor will be paid a minimum rate of $192 for each day Contractor is dispatched to a jobsite. If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $192.

E. RE-ROUTING / DIVERSION OF TRUCKS:

(1) When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $69.27 per hour (or fraction thereof) from the arrival time at the original location.

(2) If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $192.

F. WEEKEND AND HOLIDAY RATES:

Weekend and holiday rates are as follows: (1) Saturday = 12% above the regular weekly rate. (2) Sunday / Holiday = 32% above the regular weekly rate. (3) The 12% and 32% increase for weekend and holiday rates will not be applied to the $192 minimum rate or show-up flat rate.

G. ALTERNATE RATE:

In instance where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:

1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. Ton / Mile Rate = $0.42 per ton per mile.
3. Hourly Rate = Hourly rate of $106.38.

* Ton / Miles for Special Projects: The determination of a "Special Project" and its rate of pay will be made by the Bureau of Street Services. A $0.42 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will select the route and establish mileage in all Special Projects.
Department of Public Works
Transmittal of Authority for Expenditure Document for Approval by the Board

Date: March 29, 2022

To: Fernando Campos, Executive Officer
   Board of Public Works

From: Office of Accounting
   for
   Bureau of Street Services

Re: Authority for Expenditure Number: AE22000001M – Truck Owners on File

The Department’s procedures require that the Board of Public Works approve the attached Authority for Expenditure.

Please schedule it on the Board agenda for next meeting.

After approval by the Board, please transmit it to a Commissioner for approval as “Head of Department”. The approved document should then be returned to the Office of Accounting for further processing. Please email Janet S. Sison at janet.sison@lacity.org.

A/P Section, General Accounting Division
Attn: Josephine Autencio, Senior Accountant II
Phone: (213) 978-0914
Room 924, City Hall

For additional information is needed, please email Josephine Autencio, Senior Accountant II at josephine.autencio@lacity.org.

Bureau of Street Services contacts: Wing Yi Hung at wing.hung@lacity.org

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER
CITY OF LOS ANGELES

AUTHORITY FOR EXPENDITURE

Dept. Public Works - Bureau of Street Service:

DOC CODE DOC DEPT. CD
GAEAE 86

ACTION ORIG. ENTRY (E) EVENT TYPE VENDOR CODE
☑ ADJUSTMENT (M) OPEN ORDER

TO: (NAME AND ADDRESS)
TRUCK OWNERS ON FILE

PLEASE FURNISH TO THE CITY OF LOS ANGELES, CARE OF (GIVE ADDRESS)
PW - Bureau of Street Services
Materials Management Section
1149 S. Broadway, 4th Floor
Los Angeles, CA 90015

AS-NEEDED TRUCKERS

For:
This AFE encumbers funds for the Bureau of Street Service's As-Needed Trucking program. As part of this AFE, the Bureau requests that the Board authorize the President or two members of the Board to execute the AFE and any As-Needed Trucking agreements requested to meet the service demands of the program. As-Needed Truckers supplement existing staff in the transportation of materials, equipment, and debris throughout the City to maintain service levels provided by the Bureau.

AFN-026

TO THE OFFICE OF THE CONTROLLER:

Pursuant to provisions of the city charter and to the annual departmental budget appropriations or of appropriations made subsequent to the budget, this is authority to issue a demand on the fund and department described above.

BUREAU OR DIVISION HEAD
Digitally signed by Rose Karagezyan
Date: 2022.03.16 16:43:54 -07'00'

ACCOUNTING

DATE CITY ATTORNEY APPROVAL OF AFE OVER $5,000
3/21/2022

READ THIS CAREFULLY: THIS A.F.E. MUST BE APPROVED FOR FUNDS BY THE CITY CONTROLLER BEFORE SERVICE IS RENDERED. THIS FORM SHALL NOT BE USED FOR THE PURCHASE OF MATERIALS, SUPPLIES OR RENTAL OF EQUIPMENT. INVOICES IN DUPLICATE MUST BE FORWARDED TO THE DEPARTMENT TO WHICH SERVICES WERE RENDERED.

(1) DOCUMENT NUMBER, NAME AND ADDRESS OF DEPARTMENT MUST APPEAR ON ALL INVOICES.

(2) IN CASE OF A DELAY IN PAYMENT OF INVOICE BEYOND 30 DAYS FOLLOWING THE DATE OF INVOICE, PLEASE NOTIFY THE CONTROLLER IN WRITING GIVING REFERENCE TO A.F.E. NUMBER, AND STATE TO WHAT DEPARTMENT SERVICE WAS RENDERED.
For City Use Only
Truck Number

City of Los Angeles
Department of Public Works, Bureau of Street Services (StreetsLA)

FY 2021-22 Offer of Work Agreement
for Waiting List Additions
As-Needed Haul Truck Program
(Notice to Proceed Issuance Date through June 30, 2022)

RAMP (formerly LABAVN) COMPANY ID
OWNER-OPERATOR
MAILING ADDRESS
(Number & Street)
CITY, STATE, ZIP CODE
PRIMARY PHONE   ALTERNATE PHONE
EMAIL ADDRESS

TRUCK CLASSIFICATION (Must Select One)
☐ 10-Wheel  ☐ 12-Wheel  ☐ Low Side  ☐ High Side

TO THE CITY OF LOS ANGELES BUREAU OF STREET SERVICES (STREETSLA) FOR
THE AS-NEEDED RENTAL AND OPERATION OF PRIVATELY-OWNED DUMP TRUCKS
FURNISHED WITH DRIVER AND NECESSARY EQUIPMENT FOR HAULING PURPOSES:

THIS OFFER OF WORK is made this ______ day of ______ , 2022

TO THE CITY OF LOS ANGELES, a municipal corporation; hereinafter referred to as the
CITY by ______ , hereinafter referred to as the OWNER-OPERATOR.

The OWNER-OPERATOR is not guaranteed any amount of work during an Offer of Work
period; and

The CITY, in order to discharge certain duties and responsibilities in connection with hauling
asphalt, rubbish, tree trimming and other materials, requires the day-to-day use of trucks for
such purposes under the direction of the Department of Public Works, StreetsLA, or the
authorized representative; and

The OWNER-OPERATOR is willing to furnish truck and/or driver for such purposes; and

The OWNER-OPERATOR is an “Independent Contractor” and any agent or employee of
OWNER-OPERATOR in performing the terms of this Offer of Work shall be acting on behalf
of the OWNER-OPERATOR and not as an agent or employee of the CITY; and

The Council of the CITY has appropriated the necessary funds to be used by the Department
of Public Works, StreetsLA, or necessary funds have been provided by the CITY by other
governmental jurisdiction for the aforesaid purposes; and

THEREFORE, THE OWNER-OPERATOR hereby makes the following Offer to the CITY OF
LOS ANGELES:
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<th>PAGE</th>
</tr>
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ATTACHMENTS

ATTACHMENT 1 – 10-WHEEL HAUL RATES
ATTACHMENT 2 – 12-WHEEL HAUL RATES
ATTACHMENT 3 – LOW-SIDE HAUL RATES
ATTACHMENT 4 – HIGH-SIDE HAUL RATES
SECTION 1 – DEFINITIONS

It is understood that the following words and phrases are used herein; each shall have the meaning set forth opposite the same:

BOARD OF PUBLIC WORKS The Board of Public Works of the City of Los Angeles. The City's only full time, policy-making board.

BUREAU OF STREET SERVICES Provides roadway maintenance, improvement, resurfacing and construction of streets in the City of Los Angeles. (StreetsLA)

CALENDAR DAY Each day beginning at 00:01 Hours and ending 24 hours later at 24:00 Hours (Military Time).

DEPARTMENT OF PUBLIC WORKS Responsible for construction, renovation, and the operation of City facilities and infrastructure.

OWNER-OPERATOR Is an Independent Contractor who owns a commercial vehicle in the As-Needed Haul Truck Program (Program).

PERMITS All federal, state, and local permits required for the proper completion of all Terms and Conditions of the Offer of Work.

PRIVATELY OWNED The sole ownership of the offered truck by the Owner-Operator which does not include co-ownership, partnership(s), company(ies) or automotive leasing institutions.

CONSORTIUM MEMBERSHIP Enrollment in a medical facility to fulfill the U.S Department of Transportation (DOT) mandates requiring drug and alcohol testing of all holders of a Commercial Driver's License.

COMMERCIAL VEHICLE A motor vehicle designed, used, or maintained primarily for the transportation of property.
SECTION 2 – VISITS TO THE STREETSLA OFFICES

The StreetsLA office remains closed to the public due to the COVID-19 pandemic. Documents must be submitted via email to bss.contract@lacity.org unless otherwise specified. In each email, please specify the name of the OWNER-OPERATOR, truck number (once assigned), and a list of the document attachments.

Upon StreetLA’s acceptance of an Offer to Work, Streets Renewal Division (SRD) Transportation Central Dispatch Section will contact the OWNER-OPERATOR to begin assigning work. Below is their contact information.

Transportation Central Dispatch Section
12225 Sherman Way
North Hollywood, California 91605
(818) 756-8481 BSS.RRC@lacity.org

SECTION 3 – RESPONSIBILITIES OF AND TASKS TO BE PERFORMED BY OWNER-OPERATOR

OWNER-OPERATOR agrees to abide by the policy of “privately owned,” in relation to the truck he/she provides for service during the entire period of this Offer of Work. Sole ownership shall be demonstrated by the Department of Motor Vehicle (DMV) registration. The OWNER-OPERATOR may also furnish a Certificate of Ownership if the OWNER-OPERATOR’s name is not listed on the DMV registration.

OWNER-OPERATOR must be the registered owner of the vehicle and the vehicle registration must be kept current and provided to show proof of ownership.

OWNER-OPERATOR, as directed by the CITY, will furnish his/her own truck for the transport of various materials from place to place.

OWNER-OPERATORS and/or substitute drivers shall perform all activities in connection with their responsibilities under this Offer of Work in accordance with all applicable laws, rules, regulations, and permit requirements of the federal, state, and local governments, and their subordinate agencies.

OWNER-OPERATOR’S truck will be available as needed by the CITY. Upon notification of such need made by the CITY, OWNER-OPERATOR shall accept assignments with any unit in any location as determined by StreetsLA.

OWNER-OPERATOR shall be required to have the following identification displayed on their truck with no other designations (a) Owner’s Name, (b) Truck Number (same as Offer of Work number), (c) Tare Weight, (d) DMV’s “CA” Number (posted on truck door).
OWNER-OPERATORS and/or substitute drivers shall comply with lawful regulations and inspections as required by the California Vehicle Code (CVC) and procedures required by StreetsLA.

OWNER-OPERATORS and/or substitute drivers shall be responsible for operating its equipment including positioning the equipment under the silo, verifying the tonnage loaded and complying with the loading procedures established by the CITY. OWNER-OPERATORS and/or their substitute drivers shall also ensure the truck does not exceed the maximum legal weight limit. OWNER-OPERATORS and/or their substitute drivers are solely responsible for overloading.

OWNER-OPERATORS and/or substitute drivers shall be responsible for determining total tonnage of material loaded onto his/her truck through the use of official weight tickets from the asphalt plants. The OWNER-OPERATOR/substitute driver shall utilize the CITY’S Weigh Station to obtain official weight tickets. The CITY’s Weigh Station is provided only for convenience. Should the CITY’S Weigh Station become non-operational, the OWNER-OPERATOR shall be required to obtain weight tickets from an independent certified weigh station (at OWNER-OPERATOR’S expense) and no additional charge shall be assessed to the CITY.

OWNER-OPERATOR agrees that the sites, equipment, reports, substitute drivers and record keeping documentation used by him/her for the performance of this Offer of Work are subject to immediate verification by CITY personnel or its agents at any time without prior notice. Said observations shall be for the purpose of ensuring compliance with the terms of this Offer of Work and all applicable laws, rules, and regulations. Failure to comply will result in immediate removal from service.

Trucks shall be observed periodically by StreetsLA to verify compliance with federal, state, and local laws, rules, and regulations. The CITY’S certification of the truck shall be for one (1) year or as otherwise determined by the CITY. However, certification can be revoked at any time should a truck not meet the CITY’s requirements. Trucks without certification will not be allowed to haul materials for the CITY’S As-Needed Haul Truck Program.

OWNER-OPERATOR shall comply with the California Highway Patrol (CHP) Basic Inspection of Terminals (BIT) Program.

By signing this Offer of Work, OWNER-OPERATOR pledges to comply with all applicable federal, state, and local laws in the performance of this Offer of Work, including but not limited to, laws regarding health and safety, labor and employment, and permit and licensing laws. Failure to comply will result in removal from service.

OWNER-OPERATOR shall maintain a valid Motor Carrier Permit issued by the Department of Motor Vehicles in conjunction with the California Highway Patrol, which includes a California Trucking Number (CA number) for all work to be performed under this Offer of Work at all times. The CA number must be visible on the vehicle.
OWNER-OPERATOR shall supply all necessary materials and equipment, including but not limited to, electronic communication, email address, fax number, and cell phone number, in order to provide the requested services. CITY personnel and equipment will not be available for these services.

OWNER-OPERATOR shall furnish appropriate truck and operator and/or substitute driver to accomplish the required services.

OWNER-OPERATOR shall immediately notify the CITY of any changes in the OWNER-OPERATOR’S insurance coverage, permit(s), and license(s). Immediately means as soon as practically possible but not longer than eight (8) hours after the OWNER-OPERATOR knows or with diligent inquiry would have known. Failure to comply may result in discontinued service from the Program.

OWNER-OPERATORS and/or substitute drivers shall be responsible for utilizing their own protective clothing and equipment as required by Cal/OSHA and/or other regulatory agencies while working under this Offer of Work.

OWNER-OPERATOR shall be responsible for verifying that substitute drivers comply with this Offer of Work’s licensing, medical certification, and State drug program requirements. Such documents shall be available for CITY’S inspection or supplied to CITY prior to the inspection.

Any interruption of registration, such as a lapse in insurance or renewal of the Motor Carrier Permit, the California Highway Patrol 90-day Basic Inspection Terminal (BIT) Inspection will cause the CITY to disallow the truck to work at any CITY jobsite.

OWNER-OPERATOR must keep a current copy of his/her Automobile Liability and Worker’s Compensation Insurance readily available. The OWNER-OPERATOR shall be responsible for providing and maintaining truck, substitute driver, and any other necessary personnel and equipment required for the transportation of aggregate materials and/or bulky items.

OWNER-OPERATOR shall be responsible for providing all pertinent training to their substitute driver contained within this Offer of Work.

OWNER-OPERATOR whose truck operates on diesel fuel is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator’s removal from the As-Needed Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. StreetsLA may periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.
OWNER-OPERATORS and substitute drivers shall comply with the following:

1. Furnish a Daily Log to the CITY.
2. Maintain the appropriate Commercial Driver’s License and provide a copy to the CITY.
3. Provide DMV Driver Print-out (within five (5) days of request).
4. Furnish original copy of a Negative Drug Test and Alcohol Test (within five (5) days of submission).
5. Maintain a valid medical card at all times while under this Offer of Work.
7. Stay inside the truck cab while loading and/or unloading.
8. Diesel trucks must fuel only at pumps that dispense renewable diesel. This requirement will only be waived in emergencies or extenuating circumstances.
9. Retain all fueling receipts as records of compliance with the requirement to fuel only at pumps that dispense renewal diesel during the term of this Offer of Work.

Please see **Section 31 – FY 2021-22 New Program Changes** for new equipment requirements.

**SECTION 4 – RESPONSIBILITIES OF THE CITY**

1. Furnish locations for the required services.
2. Determine the need for and provide jobsite inspection.
3. Request work on an as-needed, occasional, or emergency basis. However, there is no guarantee that services will be requested at any time during the term of this Offer of Work.
4. Program Coordinator shall verify that OWNER-OPERATOR and/or substitute driver is in compliance with this Offer of Work’s licensing, medical certification, and State drug program requirements. Such documents shall be available for the CITY’S inspection or supplied to the CITY immediately upon request. Any interruption of registration, such as a lapse in insurance or renewal of the Motor Carrier Permit or 90-day BIT inspection reports will cause the CITY to disallow the truck to work at any CITY jobsite.
5. The CITY representative in charge of the job will sign the daily log certifying the time worked for billing purposes. All questions concerning actual worked hours are to be resolved at that time.
6. Periodically distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.
7. May conduct audits to ensure OWNER-OPERATOR’S compliance with using renewable diesel.

The CITY shall enroll OWNER-OPERATOR and/or substitute driver in the State of California Employers Pull Notice Program to monitor their driving status.

SECTION 5 – REQUEST FOR WORK

Selection for as-needed hauling will be based on the OWNER-OPERATOR’S established availability. The CITY will offer work to OWNER-OPERATORS on a rotating basis. It shall be the OWNER-OPERATOR’S responsibility to notify the CITY of their availability.

The following conditions shall apply:

1. OWNER-OPERATOR of a three or four-axle truck must have a minimum fifteen (15) ton legal load limit. The body of the truck shall be capable of being increased by the use of sideboards when required by the CITY. Should the CITY request sideboards, then they shall be furnished by OWNER-OPERATOR as regular equipment.

2. Three or four-axle trucks shall have double acting tail gates to permit dumping high loads of bulky material without gate interference. The truck shall have a spreading apron for dumping asphalt paving material.

3. OWNER-OPERATOR of a five-axle semi-tractor/trailer truck must have a minimum legal load capacity of 20.7 tons. Height of tractor/trailer shall not exceed eleven (11) feet.

4. OWNER-OPERATOR’S truck shall have an installed operational tachographs and electrical/automatic tarping systems and shall have all equipment required by the regulations of the Department of Motor Vehicles, the State Highway Patrol, the State of California and the ordinances, laws, and regulations of the CITY.

5. OWNER-OPERATOR shall maintain the vehicle in good mechanical condition, comply with all vehicle code regulations, and meet all inspection standards and requirements of the California Vehicle Code.

6. CITY shall determine compliance of OWNER-OPERATOR’S truck at time of initial observation. Initial verification of compliance of OWNER-OPERATOR’S truck does not substitute for the State required 90-Day Vehicle Safety Inspection or the California Highway Patrol BIT inspection.

7. If OWNER-OPERATORS and/or substitute drivers report to a CITY jobsite and it is determined that the truck is not needed, the CITY will pay show-up time (Refer to specific rate sheet).
8. All trucks at CITY jobsites shall have underbody type power operated hoist, adequate to effectively operate the truck body at full capacity, speedometer, odometer, and back-up warning devices in operational order.

SECTION 6 – NON-DISCRIMINATION AND AFFIRMATIVE ACTION

OWNER-OPERATOR shall comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the CITY. In performing this Offer of Work, OWNER-OPERATOR shall not discriminate in its employment practices against any employee or applicant for employment because of such person’s race, religion, national origin, ancestry, sex, sexual orientation, age, disability, domestic partner status, marital status, or medical condition. OWNER-OPERATOR shall comply with the provisions of the Los Angeles Administrative Code Sections 10.8 and 10.13, to the extent applicable hereto. OWNER-OPERATOR shall also comply with all rules, regulations, and policies of the CITY’s Board of Public Works, Office of Contract Compliance (http://www.bca.lacity.org) relating to non-discrimination and Affirmative Action, including the filing of all forms required by said Office.

Any subcontract entered into by the OWNER-OPERATOR relating to this Offer of Work, to the extent allowed hereunder, shall be subject to the provisions of this paragraph. Failure of the OWNER-OPERATOR to comply with this requirement or to obtain the compliance of its subcontractors with such obligations shall subject OWNER-OPERATOR to the imposition of any sanctions allowed by law, including but not limited to termination of the OWNER-OPERATOR’S Offer of Work with the CITY.

SECTION 7 – TRAFFIC ACCIDENTS

OWNER-OPERATORS and/or substitute drivers involved in any accident while providing services under this Offer of Work, whether at fault or not, are required to: 1) Obey all California State Motor Vehicle Regulations pertaining to accident involvement; 2) Notify the Transportation Central Dispatch Section within twenty-four (24) hours of the accident.

SECTION 8 – BUSINESS TAX REGISTRATION EXEMPTION

OWNER-OPERATORS fall under the provisions of the Los Angeles Municipal Code, Section 21.195, “Trucking-Hauling Exemptions.” OWNER-OPERATORS must obtain an Exempt Business Tax Registration Certificate (BTRC) Number. It is issued only once upon acceptance of the first offer of work and is recorded permanently until the cancellation of the Offer of Work.
SECTION 9 – PAY RATES AND MANNER OF COMPENSATION

OWNER-OPERATORS and/or substitute drivers shall be compensated for each acceptance order in accordance with the Haul Rates established by StreetsLA and approved by the Board of Public Works (refer to specific haul rate sheet per Truck Classification). Compensation for services will occur once every two weeks. The OWNER-OPERATOR agrees to abide by the procedures provided and explained in their specific haul rate sheet of this Offer of Work.

Any changes in the compensable Ton-Mile Haul Rate or Hourly Rate will be approved by the Board of Public Works and sent to the OWNER-OPERATORS.

SECTION 10 – PREVAILING WAGE

OWNER-OPERATORS shall pay applicable prevailing wage rates to any employee, including but not limited to, substitute drivers, agents, and subcontractors. To the extent that any of the services to be provided under this Offer of Work are deemed to be subject to prevailing wages by the Director of the Department of Industrial Relations of the State of California (DIR), the applicable prevailing wage rates apply and the OWNER-OPERATOR is required to pay them. The current applicable prevailing wage rates, as adopted by the Director of DIR, are incorporated herein by reference and may be accessed at (http://www.dir.ca.gov). The OWNER-OPERATOR is required to pay the prevailing wage rate and is responsible for selecting the classification of workers, which will be required to perform this service in accordance with the OWNER-OPERATOR’S method of performing the work. Pursuant to Section 1775 of the Labor Code (State of California), the OWNER-OPERATOR shall forfeit ($200.00) for each calendar day, or portion thereof, for each worker paid less than the stipulated prevailing wage rates for any public work done under this Offer of Work.

SECTION 11 – AMENDMENTS, CHANGES OR MODIFICATION

The CITY, at any time by written notice to the OWNER-OPERATOR, may make changes which are consistent with and within the general scope of this Offer of Work or, by written amendment, may request the OWNER-OPERATOR to perform services not otherwise outlined herein.

Should the CITY change or modify any related aspect of the As-Needed Haul Truck Program during this Offer of Work, OWNER-OPERATOR shall be immediately notified thereof by the CITY in writing, and upon such notification, OWNER-OPERATOR shall promptly comply with such change or modification.
SECTION 12 – TRUCK MAINTENANCE

The operation, transportation, maintenance, and 90-day BIT inspections required by the California Vehicle Code (CVC) are the sole responsibility of the OWNER-OPERATOR and at no time shall the CITY be responsible for any expense. In addition, the acquisition and maintenance of truck equipment required by StreetsLA is the sole responsibility of the OWNER-OPERATOR and at no time shall the CITY be responsible for any expense. Required equipment and features include, but are not limited to, electrical/automatic tarping systems, back-up warning devices, tachometers, and cellular telephones and must be in good operating condition at all times.

OWNER-OPERATORS and/or substitute drivers shall maintain their trucks to ensure their proper working condition. This includes but is not limited to trench gate, spreading chains, hoist, tires, brakes, back-up alarm lights, mirrors, spread apron, tachograph, sideboards, legible numbers, and the external appearance of the truck.

SECTION 13 – TRUCK INSPECTION

StreetsLA shall verify, as necessary, the validity of the motor vehicle operator’s license and the license plate of the truck or tractor/trailer. In addition, StreetsLA shall observe the vehicle for required equipment needed to operate in the As-Needed Haul Truck Program.

OWNER-OPERATOR’S truck shall have the California Highway Patrol’s BIT inspection report showing a satisfactory rating. In addition, the truck must undergo a 90-day inspection cycle pursuant to Title 13 of the California Vehicle Code (CVC).

Inspections of the OWNER-OPERATOR’S truck at the Transportation Central Dispatch Section Office are merely checkpoints to ensure that the required equipment for hauling and dumping in this program are presently on the truck and are in good condition.

SECTION 14 – TRUCK WEIGHT

OWNER-OPERATOR’S truck shall meet the California Vehicle Code (CVC) to carry the legal load requirement. The program minimum legal load capacity requirements are as follows:

10/12-Wheel = 15 Tons   Low Side = 20.7 Tons   High Side = 56 Cubic Yds

A current truck weight verification from the Transportation Central Dispatch Section is required when: (1) beginning or renewing an Offer of Work, (2) replacing a truck or tractor/trailer, (3) returning a truck after repairs or alterations, and (4) CITY personnel requests a weight certificate.
SECTION 15 – INSURANCE REQUIREMENTS

Automobile Liability Insurance

OWNER-OPERATOR agrees to insure against liability for death or injury to persons, property or land arising from the OWNER-OPERATOR’S operation conducted on CITY property or elsewhere, pursuant to this Offer of Work. OWNER-OPERATOR shall obtain and keep in force during the term of this Offer of Work, at its sole expense, liability insurance in which the City of Los Angeles is named as an additional insured covering all activities undertaken pursuant hereto. The policy or policies shall insure against all claims arising out of or in connection with such transportation, operation, and/or all other activities conducted hereunder.

The Coverage shall provide the following minimum limits:
Automobile Liability
Combined Single Limit $1,000,000 each occurrence

All liability insurance policies shall bear an endorsement or shall have an attached rider whereby it is provided that, in the event of expiration, proposed cancellation or reduction in coverage of such policies for any reason whatsoever, the CITY shall be notified at least thirty (30) days and (ten (10) days for non-payment of premium) before expiration, cancellation, or reduction in coverage is effective. Coverage shall be by an insurer admitted in California which has at least an "A" Policy Holder’s Rating and "X" Financial Size in accordance with the current Best’s Key Rating Guide.

Such Policy shall further contain no deductible provision and shall contain conditions that the Board of Public Works shall be notified in writing of any cancellation of said insurance by registered mail not less than thirty (30) days prior to the date of such cancellation.

Indemnification

Except for the active negligence or willful misconduct of the CITY, the OWNER-OPERATOR undertakes and agrees to defend, indemnify and hold harmless the CITY and any and all of its Boards, Officers, Agencies, Employees, Assigns and Successors in Interest from all suits and causes of action, claims, losses, demands and expenses, including but not limited to attorney’s fees and cost of litigation, damage or liability of any nature whatsoever, for death or injury to any person, including the OWNER-OPERATOR’S employees and agents, or damage or destruction of any property of either party hereto or of their parties, arising in any manner by reason of the negligent acts, errors or omissions, or willful misconduct of the OWNER-OPERATOR or his/her subcontractors of any tier.
Workers’ Compensation Insurance

Before entering upon the performance of each acceptance of this Offer of Work and in the event said truck is not operated by the OWNER-OPERATOR thereof, but by an approved driver while under the terms of the Offer of Work, OWNER-OPERATOR agrees to take out, or cause to be taken out with a responsible insurance carrier, authorized under the laws of the State of California, adequate coverage under the Workers’ Compensation Safety Act. Workers’ Compensation insurance must cover full liability for compensation under said Act, with the endorsement of the Waiver of Subrogation for any person injured while performing any work labor incidental to the performance of each acceptance of this Offer of Work.

The Coverage shall provide the following minimum limits:
Statutory Workers’ Compensation and Employer’s Liability
$1,000,000

Endorsements of insurance specified above shall be received and approved by the CITY before the OWNER-OPERATOR can perform under this Offer of Work; and no payment can be made for services rendered unless approved endorsements covering the period are approved and on file. Such certificates of insurance shall be procured, filed, and approved as required by Section 11.47 through Section 11.56 of the Los Angeles Administrative Code. If such work is to be accomplished in a manner so that it is not subject to said compensation laws, the OWNER-OPERATOR will execute and file with the CITY, upon a form furnished by the CITY, a document establishing such.

Submitting Evidence of Coverage

OWNER-OPERATOR shall provide the CITY with evidence of coverage. Insurance policy certificates must be uploaded by the Owner-Operator’s insurance agent or broker to https://kwikcomply.org/.

SECTION 16 – FORCE MAJEURE

Notwithstanding any other provisions hereof, neither the OWNER-OPERATOR nor the CITY shall be held responsible or liable for failure to meet their respective obligations under this Offer of Work, if such failure shall be due to causes beyond the OWNER-OPERATOR’S or the CITY’S control. Such causes include but are not limited to strikes, fire, flood, civil disorder, acts of God or of the public enemy, acts of Federal Government, or any unit of state, or local government in either sovereign or contractual capacity, epidemics, quarantine restrictions, or delays in transportation to the extent that they are not caused by the party’s willful or negligent acts or omissions, and to the extent that they are beyond the party’s reasonable control.
SECTION 17 – PERMITS

OWNER-OPERATOR and its officers, agents and employees shall obtain and maintain all permits and licenses necessary for the OWNER-OPERATOR’S performance hereunder and shall pay any fees required therefore. OWNER-OPERATOR agrees to immediately notify the CITY of any suspension, termination, lapses, non-renewals, or restrictions of licenses, permits, certificates, or other documents.

SECTION 18 – ASSIGNMENT DETAILS

When the OWNER-OPERATORS and/or substitute drivers are dispatched from one crew to another, he/she shall notify the Transportation Central Dispatch Section who gave the initial assignment. Upon notification, the CITY will sign the truck out for the time the truck worked for that crew. All daily logs must be properly dated and the hours accurately recorded. CITY personnel overseeing the change shall initial any changes; otherwise, changes will not be accepted.

If OWNER-OPERATORS and/or substitute drivers choose to haul additional loads, he/she must first contact the Transportation Central Dispatch Section (before leaving the jobsite) to verify if his/her services are needed. OWNER-OPERATORS and/or substitute drivers shall not return to the Transportation Central Dispatch Section and/or jobsite without approval from dispatch. Without such approval, OWNER-OPERATORS and/or substitute drivers are released for the day.

SECTION 19 – DRUG/ALCOHOL TESTING

This Offer of Work causes OWNER-OPERATORS and/or substitute drivers to be subject to the 1991 U.S. Department of Transportation (DOT) “Omnibus Transportation Employee Testing Act”, (Federal Motor Carrier Safety Regulations, Title 49 Code of Federal Regulations, Section 382) which mandates transportation organizations, unions, and municipalities to establish drug and alcohol testing and education activities for all drivers who are required by law to hold a commercial driver’s license. OWNER-OPERATOR understands further that under this Federal regulation, he/she must receive substance abuse training and/or counseling prior to employment and every year thereafter. OWNER-OPERATOR must also provide or make provisions for the same training for his/her substitute driver.

SECTION 20 – RECORD RETENTION AND INSPECTION/AUDIT SETTLEMENT

OWNER-OPERATOR shall maintain accurate and complete records of its activities and operations relating to this Offer of Work. OWNER-OPERATOR shall also maintain accurate and complete records relating to his/her Offer of Work. OWNER-OPERATOR
agrees that the CITY, or its authorized representatives, shall have access to and the right to examine, audit, excerpt, copy, or transcribe any pertinent transaction, activity, or record relating to this Offer of Work. All such material shall be kept and maintained by the OWNER-OPERATOR and shall be made available to the CITY immediately upon request.

SECTION 21– SUBSTITUTE DRIVER

OWNER-OPERATOR may utilize one (1) substitute driver as their relief driver for the As-Needed Haul Truck Program. A copy of the driver’s information must be kept in the truck at all times and made available to the CITY immediately upon request. The file must include the following:

1. Substitute Driver Request form
2. Clear and readable copy of the intended Driver’s negative drug and alcohol test dated no more than 5 calendar days of submission
3. Copy of the intended driver’s California Commercial Class “A” or “B” driver’s license. (“Class A” must be obtained for 5-axle drivers)
4. DMV Driver print-out
5. Copy of intended driver’s current medical examiner’s certificate
6. Copy of driver’s enrollment in Drug/Alcohol Testing Consortium Program
7. Copy of Owner’s Automobile Liability and Workers’ Compensation Insurance

OWNER-OPERATOR must provide Workers’ Compensation insurance coverage with the Waiver of Subrogation for the substitute driver of the OWNER-OPERATOR’S truck, protecting the CITY from responsibility arising from an accident or any other act which may be committed or omitted by the OWNER-OPERATOR or his/her substitute driver.

Addition or replacement of substitute drivers during the term of the agreement must be approved by the Program Coordinator in advance by submitting the documents referenced above.

Substitute drivers are employees of the OWNER-OPERATOR.

SECTION 22 – PERFORMANCE

OWNER-OPERATORS and/or substitute drivers agree to perform all work of this Agreement per the terms of the CITY. The CITY shall have the right to take appropriate action, including but not limited to a) meeting with OWNER-OPERATOR to review the Terms of Agreement and resolve matters of concern; b) canceling this Offer of Work as herein set forth.
OWNER-OPERATORS and/or substitute drivers agree that all services shall be performed in a competent, professional, and satisfactory manner in accordance with the standards prevalent in the industry, and that all goods, materials, equipment, or personal property included within the services herein shall be of good quality and fit for the purpose intended.

SECTION 23 – JOBSITE SAFETY

OWNER-OPERATORS and/or substitute drivers shall be solely responsible for ensuring that all work performed under this Offer of Work is performed in compliance with all applicable Federal, State, and local occupational safety regulations. OWNER-OPERATOR shall provide at its expense all safeguards, safety devices, and protective equipment. OWNER-OPERATORS and/or substitute drivers are prohibited from donning protective equipment (hard hat, vest, etc.) with the CITY seal or wording related to the City of Los Angeles StreetsLA while working at a CITY jobsite.

Facility Safety – OWNER-OPERATORS and/or substitute drivers are not to get out of their vehicles while being loaded or unloaded at the jobsite. There are no exceptions.

SECTION 24 – TARPAULIN LAWS

Loads composed entirely of asphalt or petroleum coke, which is covered with a chemical surfactant, are not required to be covered unless directed by a supervisor.

SECTION 25 – TRUCK CLASSIFICATION CHANGE AND VACANCIES

OWNER-OPERATORS and/or substitute drivers are assigned to work only in that truck class for which their services have been requested. OWNER-OPERATORS may change truck classification only when there is a vacancy, and this change must be authorized by the CITY. Any change in truck classification requires a new Offer of Work. No OWNER-OPERATOR in the Program may operate more than one truck at a time.

OWNER-OPERATOR may continue to use his/her current truck until the stated date for the switched truck to operate. That is, if Truck 100, a 10-Wheel, is approved to switch to a High Side, then Truck 100 OWNER-OPERATOR is still able to operate as a 10-Wheel until the date that his/her High Side truck begins work. Once his/her High Side begins work, his/her 10-Wheel is no longer operating in the As-Needed Haul Truck Program.
SECTION 26 – OVERLOADING

OWNER-OPERATORS and/or substitute drivers is solely responsible for the supervision of his/her load. Therefore, he/she is also responsible for any overload of his/her truck and liable for any fines incurred as a result of the overload.

Department of Motor Vehicles California Commercial Driver Handbook, Section 3 which reads in part: “Whether or not you load and secure the cargo, you are responsible for inspecting the load and… recognition of overloads and poorly balanced loads and… you are responsible for making sure that the load is securely tied down and covered… and that the vehicle is not overloaded.”

The CITY will compensate only for the legal limit per load. OWNER-OPERATORS and/or substitute drivers who haul more than the legal load do so at their own risk.

OVERLOADING OF THE TRUCK IS STRICTLY PROHIBITED.

SECTION 27 – FUELING (FOR DIESEL VEHICLES ONLY)

OWNER-OPERATOR whose truck operates on diesel fuel is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator’s removal from the As-Needed Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. The CITY reserves the right to conduct audits of such records at any time, and OWNER-OPERATORS must provide such records to CITY personnel or CITY’S designee upon request.

StreetsLA may periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

SECTION 28 – DEATH OF CONTRACTOR

The death of an OWNER-OPERATOR must be reported to the Program Coordinator immediately. Upon the death of the OWNER-OPERATOR, this Offer of Work is terminated.

SECTION 29 – CANCELLATION OF OFFER OF WORK

The CITY may cancel this Offer of Work at any time, with or without cause.
OWNER-OPERATOR may cancel this Offer of Work in writing at any time.

SECTION 30 – RENEWAL OPTION FOR FY 2022-23

The CITY may exercise a one-year renewal option, which will extend the term of this Offer of Work through FY 2022-23 (July 1, 2022 to June 30, 2023).

SECTION 31 – FY 2021-22 NEW PROGRAM CHANGES

The Program for fiscal year 2021-2022 will have the following OWNER-OPERATOR requirements effective July 1, 2021:

1. All OWNER-OPERATORS must register for an account on the Regional Alliance Marketplace for Procurement (RAMP) website (formerly known as the Los Angeles Business Assistance Virtual Network (LABAVN)) at https://www.rampla.org/. RAMP is a website where business owners and contractors can search and find contracting opportunities with the CITY as well as other agencies and municipalities. StreetsLA will utilize RAMP for Program outreach.

2. All OWNER-OPERATORS shall register the NAICS code 484220 to receive future information about the Program and other hauling business opportunities.

3. All OWNER-OPERATORS must own or have access to an electronic device or computer to communicate with Program staff and other related programs and contracting opportunities.

4. All OWNER-OPERATORS shall have a designated email account that will be used by the CITY and/or Program to communicate with Owner-Operators. The Owner-Operators must give their designated email address to the Program Coordinator.

5. All OWNER-OPERATORS MAY receive notifications of upcoming renewal filing period. All Owner-Operators are recommended to check for the renewal filing period dates and information on https://www.rampla.org/ and https://streetsla.lacity.org/truck.

6. StreetsLA reserves the right to communicate with all Owner-Operators via email regarding trucker's status, requesting documents, etc. The use of the Mail and Phone related services MAY be limited to handling confidential information and documents only.

7. All OWNER-OPERATORS were required to read the MANDATORY PowerPoint Presentation that was sent via email in lieu of attending the mandatory meeting in 2021. The PowerPoint document covered new guidelines and requirements for the Program.
8. All OWNER-OPERATORs will be required to submit and sign their Offers of Work and all required documentation electronically due to health and safety concerns of COVID-19. Documents must be submitted via email to bss.contract@lacity.org. All documents must be submitted as scanned or electronic files or scan-quality images.

9. The Program has activated a designated email for the As-Needed Haul Truck Program. Email: bss.contract@lacity.org. All OWNER-OPERATORS and/or substitute drivers may submit questions or inquiries to the designated Program email.

10. StreetsLA reserves the right to discontinue the use of maintaining a Waiting List at any time. It is anticipated that future Program opportunities will be managed through RAMP. All interested drivers MUST be registered through RAMP.

11. OWNER-OPERATOR whose truck operates on diesel fuel is required to fuel at pumps that dispense renewable diesel during the entire term of this Offer of Work. Failure to comply may lead to Owner-Operator’s removal from the As-Needed Haul Truck Program. This requirement will be waived in the event of any emergency endangering life or property, or extenuating circumstances. OWNER-OPERATORS shall retain all renewable diesel fuel receipts as records of compliance with this fueling requirement. The CITY reserves the right to conduct audits of such records at any time, and OWNER-OPERATORS must provide such records to CITY personnel or CITY’S designee upon request. StreetsLA may periodically update and distribute to OWNER-OPERATORS maps and addresses of fueling stations known to dispense renewable diesel.

12. The Program will have a one-year renewal option effective July 1, 2022 to June 30, 2023.

**SECTION 32 – RATIFICATION CLAUSE**

Due to the urgent need for the OWNER-OPERATOR’S services to be provided, the OWNER-OPERATOR may have provided services prior to the execution of this Offer of Work. To the extent that said services were performed in accordance with the terms and conditions of this Offer of Work, those services are hereby ratified and accepted.
SIGNATURE PAGE

This Offer of Work supersedes all previously executed Offers of Work and Extensions of the Offer of Work and is in full force and effect upon issuance of a Notice to Proceed through June 30, 2022, or through June 30, 2023 if the one-year renewal option is exercised.

OWNER-OPERATOR  DATE

PROGRAM COORDINATOR  DATE

BOARD OF PUBLIC WORKS  DATE

CITY ATTORNEY’S OFFICE  DATE

For City Use Only
Truck Number
A. HAUL RATES PER ZONE:

1. Intra-zone = Hourly rate of $86.95.
2. Inter-zone = Price / Ton as shown in the table below.

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B. STAND-BY TIME:

Stand-by time will be paid to all Contractors (Owner-Operators) only after they have been at each job site 30 minutes whether or not they are waiting to be unloaded or loaded. One half hour will not count towards standing time when the crew is at lunch. Contractors should ask crew supervisors when lunch begins and when it ends to refrain from dumping during that time.

C. STAND-BY RATE:

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D. MINIMUM RATE:

Contractor will be paid a minimum rate of $157 for each day, Contractor is dispatched to a jobsite. If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $157.

E. RE-ROUTING / DIVERSION OF TRUCKS:

1. When a non-loaded truck arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $56.53 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location.
2. Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate at the highest of the two rates comparing the original rate with the rate to the diverted destination. Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if that were the original assignment.

F. WEEKEND AND HOLIDAY RATES:

Weekend and holiday rates are as follows:
1. Saturday = 12% above the regular weekday rate.
2. Sunday / Holiday = 32% above the regular weekday rate.
3. The 12% and 32% increase for weekend and holiday rates will not be applied to the $157 minimum rate or show up flat rate.

G. ALTERNATE RATE:

In instances where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:
1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. Ton / Mile Rate = $0.34 per ton per mile.
3. Hourly Rate = Hourly rate of $86.95.

* Ton / Mile Rates for Special Projects: The determination of a "Special Project" and its rate of pay will be made by the Bureau of Street Services. A $0.34 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will select the route and establish mileage in all Special Projects.
### A. HAUL RATES PER ZONE:

| Div          | 101  | 102  | 103  | 104  | 105  | 106  | 107  | 108  | 109  | 110  | 111  | 112  | 113  | 114  | 115  | 116  | 117  | 118  | 119  | 120  | 121  | 122  | 123  | 124  | 125  | 126  | 127  | 128  | 129  | 130  | 131  | 132  | 133  | 134  |
|--------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|

### F. ALTERNATE RATE:

- **WEEKEND AND HOLIDAY RATES:**
  1. **Intra-zone = Hourly rate of $93.03.**
  2. **Inter-zone = Price / Ton as shown in the table below.**

| Div          | 101  | 102  | 103  | 104  | 105  | 106  | 107  | 108  | 109  | 110  | 111  | 112  | 113  | 114  | 115  | 116  | 117  | 118  | 119  | 120  | 121  | 122  | 123  | 124  | 125  | 126  | 127  | 128  | 129  | 130  | 131  | 132  | 133  | 134  |
|--------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|

### B. STAND-BY TIME:

1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. Ton / Mile Rate = $0.37 per ton per mile.
3. Hourly Rate = Hourly rate of $93.03.

### D. MINIMUM RATE:

- Contractor will be paid a minimum rate of $169 for each day Contractor is dispatched to a job site.

### E. RE-ROUTING / DIVERSION OF TRUCKS:

1. When a non-truck load arrives at a job site and is sent to a new location to be loaded, the Contractor will be paid $60.76 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location.
2. Contract trucks diverted to a new job site, when loaded, will be paid the ton hatch rate at the highest of the two rates comparing the original rate with the rate to the diverted destination.
3. Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if that were the original assignment.

### F. WEEKEND AND HOLIDAY RATES:

- **Weekend and holiday rates are as follows:**
  1. Saturday = 12% above the regular weekday rate.
  2. Sunday / Holiday = 32% above the regular weekday rate.
  3. The 12% and 32% increase for weekend and holiday rates will not be applied to the $169 minimum rate or show-up flat rate.

### F. ALTERNATE RATE:

- In instances where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:

  - **Additional Zone Rate:**
  1. Where the City will establish a new zone and rate to be added to the contract.
  2. **Ton / Mile Rate:**
  3. **Hourly Rate:**
### Board of Public Works Meeting
- June 3, 2022 - PAGE 249

**A. Haul Rates per Zone:**
1. Intra-zone = Hourly rate of $97.50.
2. Inter-zone = Price / Ton as shown in the table below.

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**B. Stand-by Time:**
Stand-by time will be paid to all Contractors (Owner-Operators) only after they have been at each job site 30 minutes whether or not they are waiting to be unloaded or loaded. One half hour will not count towards standing time.

- **Stand-by rates are as follows:**
  1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
  2. Ton / Mile Rate = $0.39 per ton per mile.
  3. Hourly Rate = Hourly rate of $97.50.

**C. STAND-BY RATE:**
Stand-by time will be paid to all Contractors (Owner-Operators) only after they have been at each job site 30 minutes whether or not they are waiting to be unloaded or loaded. One half hour will not count towards standing time.

**D. Minimum Rate:**
Contractor will be paid a minimum rate of $177 for each day Contractor is dispatched to a jobsite. If the City decides to cancel the haul after Contractor shows up to the dispatched location and there is no other assignment available for the day, Contractor will be paid a show-up flat rate of $177.

**E. Re-routing / Diversion of Trucks:**
1. When a non-loaded truck arrives at a jobsite and is sent to a new location to be loaded, the Contractor will be paid $63.74 per hour (or fraction thereof) from the arrival time at the original location to arrival time at the new location.
2. Contract trucks diverted to a new job site, when loaded, will be paid the ton haul rate at the highest of the two rates comparing the original rate with the rate to the diverted destination.
3. Contract trucks that are diverted en route will be paid the ton haul rate to the new location as if that were the original assignment.

**F. Weekend and Holiday Rates:**
Weekend and holiday rates are as follows:
1. Saturday = 12% above the regular weekday rate.
2. Sunday / Holiday = 32% above the regular weekday rate.
3. The 12% and 32% increase for weekend and holiday rates will not be applied to the $177 minimum rate or show-up flat rate.

**G. Alternate Rates:**
In instances where there is no established rate, the City shall have the unilateral right to choose one of the following methods of payment:

1. Additional Zone Rate = Where the City will establish a new zone and rate to be added to the contract.
2. Ton / Mile Rate = $0.39 per ton per mile.
3. Hourly Rate = Hourly rate of $97.50.

*Ton / Miles for Special Projects: The determination of a "Special Project" and its rate of payment will be made by the Bureau of Street Services. A $0.39 per ton per mile is the base rate for Special Projects plus any standing time. This rate will be paid for all miles driven, loaded and unloaded, and the Bureau of Street Services will select the route and establish mileage in all Special Projects."
## A. HAUL RATES PER ZONE:

1. Intra-zone = Hourly rate of $106.38.
2. Inter-zone = Price / Ton as shown in the table below.

### E. RE-ROUTING / DIVERSION OF TRUCKS:

- Div. 101 (High-Side Vehicles)
  - 2. Inter-zone = Price / Ton as shown in the table below.

### F. WEEKEND AND HOLIDAY RATES:

- Weekend and holiday rates are as follows: (1) Saturday = 12% above the regular weekday rate. (2) Sunday / Holiday = 32% above the regular weekday rate. (3) The 12% and 32% increase for weekend

### C. STAND-BY RATE:

- Stand-by time rates are as follows:

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**Hours are subject to change**
CITY OF LOS ANGELES

AUTHORITY FOR EXPENDITURE

TO: (NAME AND ADDRESS)

TRUCK OWNERS ON FILE

PLEASE FURNISH TO THE CITY OF LOS ANGELES, CARE OF (GIVE ADDRESS)

PW - Bureau of Street Services
Materials Management Section
1149 S. Broadway, 4th Floor
Los Angeles, CA 90015

FOR:

This AFE encumbers funds for the Bureau of Street Service's As-Needed Trucking program. As part of this AFE, the Bureau requests that the Board authorize the President or two members of the Board to execute the AFE and any As-Needed Trucker agreements requested to meet the service demands of the program. As-Needed Truckers supplement existing staff in the transportation of materials, equipment, and debris throughout the City to maintain service levels provided by the Bureau.

AFN-001

TO THE OFFICE OF THE CONTROLLER:

PURSUANT TO PROVISIONS OF THE CITY CHARTER AND TO THE ANNUAL DEPARTMENTAL BUDGET APPROPRIATIONS OR OF APPROPRIATIONS MADE SUBSEQUENT TO THE BUDGET. THIS IS AUTHORITY TO ISSUE A DEMAND ON THE FUND AND DEPARTMENT DESCRIBED ABOVE.

ORIGINAL/ADJUSTED AUTH. TOTAL

$ 15,000,000.00

BUREAU OR DIVISION HEAD
Digitally signed by Rose Karagezyan
Date: 2022.05.12 11:38:37 -07'00'

HEAD OF DEPARTMENT

ACCOUNTING

CITY ATTORNEY APPROVAL OF AFE OVER $5,000

5/13/2022

READ THIS CAREFULLY: THIS A.F.E. MUST BE APPROVED FOR FUNDS BY THE CITY CONTROLLER BEFORE SERVICE IS RENDERED. THIS FORM SHALL NOT BE USED FOR THE PURCHASE OF MATERIALS, SUPPLIES OR RENTAL OF EQUIPMENT. INVOICES IN DUPLICATE MUST BE FORWARDED TO THE DEPARTMENT TO WHICH SERVICES WERE RENDERED.

(1) DOCUMENT NUMBER, NAME AND ADDRESS OF DEPARTMENT MUST APPEAR ON ALL INVOICES.

(2) IN CASE OF A DELAY IN PAYMENT OF INVOICE BEYOND 30 DAYS FOLLOWING THE DATE OF INVOICE, PLEASE NOTIFY THE CONTROLLER IN WRITING GIVING REFERENCE TO A.F.E. NUMBER, AND STATE TO WHAT DEPARTMENT SERVICE WAS RENDERED.

Board of Public Works Meeting - June 3, 2022 - PAGE 251
Recommending the Board, subject to approval by the Mayor:

1. APPROVE the proposed sole source Memorandum of Agreement (MOA), in substantial form, for two years with one, one-year renewal option, to create and implement the Los Angeles Workforce Equity Demonstration Project, subject to approval by the City Attorney;

2. AUTHORIZE the President or two commissioners to execute the proposed MOA; and

3. AUTHORIZE the Board of Public Works, Executive Officer to make technical corrections, if any.

ATTACHMENTS:

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AUTHORIZATION TO AWARD AND EXECUTE A MEMORANDUM OF AGREEMENT WITH THE LOS ANGELES BLACK WORKER CENTER TO CREATE AND IMPLEMENT THE LOS ANGELES WORKFORCE EQUITY DEMONSTRATION PROJECT

RECOMMENDATION

Recommending the Board of Public Works, subject to approval by the Mayor:

1. APPROVE the proposed sole source Memorandum of Agreement (MOA), in substantial form, for two years with one, one-year renewal option, to create and implement the Los Angeles Workforce Equity Demonstration Project, subject to approval by the City Attorney (Transmittal 2); and

2. AUTHORIZE the President or two commissioners to execute the proposed MOA; and

3. AUTHORIZE the Board of Public Works, Executive Officer to make technical corrections, if any.

TRANSMITTALS

1. Motion BPW-2021-0138, requesting the Board of Public Works to initiate the Workforce Racial Equity Demonstration Project.

2. Proposed MOA between City of Los Angeles, Board of Public Works and Los Angeles Black Worker Center (LABWC), in substantial form subject to any technical corrections.

3. Los Angeles Workforce Equity Demonstration Project “Goals and Activities” Sheet.

4. Business Inclusion Program Waiver Request.

BACKGROUND

On February 26, 2021, the Board of Public Works (Board) introduced the “Career Pathways – Workforce Equity Demonstration Project” (WED) Motion authorizing the Board of Public Works to recommend a framework and action plan to begin the implementation of the WED pilot Program (Transmittal #1).

The Board received an appropriation in the amount of $150,000 from the 2021-2022 Fiscal Year Budget to launch this pilot program and concept. Additional funds requested in the proposed Fiscal Year 2022-2023 budget were not included. The initial appropriation of $150,000 was intended to start the development on how to operationalize the concept, identify deliverables and resources needed to launch a pilot program, develop a training...
multi-craft/multi-discipline, and most important explore options on creating a full-time employment pathway for those participating in the program and gaining the necessary skill set and training to qualify for City employment/jobs, gain employment with Community Based Organizations/Non-Profits/Private Sector, and/or enroll into a crafts and trades apprentice or journey program. To supplement the initial investment into the WED pilot program, the Los Angeles Mayor’s Fund has supported this program with a total of $250,000 in grant funding, which will pay for project management, coordination support, and some material and supply expenses. Other funding sources will be identified as available to support this work.

The Board, in coordination with the Personnel Department, Economic and Workforce Development Department, Office of the Mayor, as well as the Bureaus – Sanitation and Contract Administration - within the DPW collaborated with community stakeholders including the Los Angeles Black Worker Center and the Los Angeles County Federation of Labor to begin the process of creating the action plan to ultimately implement the WED pilot Program. After discussion, the best course of action was to enter into an MOA with the Los Angeles Black Worker Center to establish the Scope of Work agreed upon by the parties in the MOA.

Program graduates would gain the tools and training needed to seek employment not only for qualifying jobs (vacancies) with the Bureaus of Sanitation or Contract Administration but also at the Bureaus of Street Services, Street Lighting, and Engineering, including other City departments, such as Airports, Harbor, Animal Services, and General Services. The proposed training curriculum could also provide training for classifications as electrical craft helper, maintenance laborer, garden caretaker, security, animal care technicians, etc. These classifications are only examples and listed to demonstrate the multi-discipline nature of the training curriculums being proposed for exploration/development. These classifications is not intended to be finite or final as further discussion and consensus building is required to bolster the proposed WED pilot program.

MEMORANDUM OF AGREEMENT

The Board and Los Angeles Black Worker Center (LABWC) negotiated the services set forth in the MOA (Transmittal #2). Below is an overview of the tasks for each party. A full Statement of Work is outlined in Attachment A of the proposed MOA, in substantial form subject to any technical corrections (Transmittal #2).

The main goals for the Los Angeles Black Worker Center include:

- Execute a targeted, equity-based recruitment process focused on local disadvantaged and/or low income communities;
- Design and implement classification-specific pre-employment curricula and training for prospective and/or incumbent workers;
- Design and implement mentorship programming for incumbent workers; and
- Provide ongoing case management for each trainee that supports their success in the classroom and during their probation on the job.
The main goals for the Department of Public Works include:

- Establish hiring and promotion forecasts for the five DPW bureaus and establish a process to set budgeted positions aside for the Demonstration Project as economic recovery improves the City’s ability to hire; and
- Hire jobseekers from the Demonstration Project into City jobs and promote incumbents with barriers to advancement.

A detailed list of goals and activities are provided in Transmittal #3.

**PROPOSED TERM OF AGREEMENT**

The term of the proposed agreement with LABWC shall be two years from execution date, with a one-year renewal option, subject to funding availability in the future. Work will be authorized via a Notice to Proceed and issued to the LABWC based on funding available. As additional funds are identified and secured, then at that time additional work could be authorized. The City retains the right to terminate the contract at its discretion by providing written notice to LABWC.

**SOLE SOURCE JUSTIFICATION**

The proposed MOA is unique in nature inasmuch as the WED pilot program intends to explore alternative options for recruitment, hiring, and training that could lead to civil service employment for workers from local disadvantaged and/or low-income communities. The WED pilot program will be co-designed by community, unions (labor partners), and Department and Bureau leadership, including local advocacy groups, to assist in hiring of future Department of Public Works employees; therefore, a competitive selection was not desirable or practical. The LA Black Worker Center is also in a unique position to not only develop a multi-craft/discipline curriculum and partner with the City to facilitate training based on its network and local support as part of its portfolio but also its understanding and knowledge of the communities it serves, both geographically and demographically, making this non-profit organization a critical partner to explore and create the proposed pre-employment, employment, and career advancement WED pilot program.

**NOTIFICATION OF INTENT TO CONTRACT AND CHARTER SECTION 1022 DETERMINATION**

A Notification of Intent to Contract was filed to CAO contract clearing house on April 21, 2021. In accordance with Charter Section 1022, on May 26, 2022, the Personnel Department determined that there are no City employees with the expertise to perform this work.

**CITY ATTORNEY REVIEW**

This contract is in substantial form pending City Attorney’s review and approval, subject to any technical corrections.
BUSINESS INCLUSION PROGRAM (BIP)

The Board submitted a BIP waiver request from the Mayor’s Office and anticipates approval for implementing the Executive Directive No. 14, Business Inclusion Program requirements (Transmittal #4).

STATUS OF FUNDING

The initial funding for the program, in the amount of $150,000, is available in the Board of Public Works, Fund No. 100, Department No. 74, Account No. 003040. The renewal option will be subject to the availability of funding in the future.

Statement as to Funds approved by:

Miguel De La Pena,
Director of Office of Accounting
100/74/003040, $150,000

6/1/2022

Respectfully Submitted,

DR. FERNANDO CAMPOS,
Executive Officer, Board of Public Works

Authorized by and for any questions related to this Board Report, please contact Devon Zatorski, Sr. Management Analyst at Devon.Zatorski@lacity.org.

FC/TJK: fc/dz
MEMORANDUM OF AGREEMENT

BY AND BETWEEN THE

CITY OF LOS ANGELES

AND

LOS ANGELES BLACK WORKER CENTER

Project Title:

LOS ANGELES WORKFORCE EQUITY DEMONSTRATION PROJECT

Contract No. _____________________
MEMORANDUM OF AGREEMENT

BETWEEN

THE CITY OF LOS ANGELES, BOARD OF PUBLIC WORKS
AND
THE LOS ANGELES BLACK WORKER CENTER

TO ESTABLISH THE LOS ANGELES WORKFORCE EQUITY DEMONSTRATION PROJECT AS A DURABLE LABOR-COMMUNITY-MANAGEMENT PARTNERSHIP THAT DESIGNS AND ESTABLISHES AN INFRASTRUCTURE FOR A PRE-EMPLOYMENT, EMPLOYMENT, AND CAREER ADVANCEMENT PATHWAY WITHIN THE CITY OF LOS ANGELES, AND SPECIFICALLY AT THE DEPARTMENT OF PUBLIC WORKS

This Memorandum of Agreement (MOA), made and entered into this ____ day of ____2022 by and between the CITY OF LOS ANGELES, BOARD OF PUBLIC WORKS (“hereinafter referred to individually as “BPW” or “CITY”), and the LOS ANGELES BLACK WORKER CENTER (hereinafter referred to individually as “LABWC” and collectively, with “BPW”, as the “Parties”)

RECITALS

WHEREAS, The Los Angeles Department of Public Works (DPW) is the 2nd largest City Department with a budget of more than $1.4 billion, comprising more than 5,500 employees within five Bureaus and various Board Offices; and

WHEREAS, The Los Angeles Department of Public Works acknowledges the importance of ensuring equity and opportunity for all Angelenos - particularly those from economically and environmentally vulnerable backgrounds - necessitates continuing to build on those programs as increased demands for services, equity, and quality jobs converge into one overwhelming urgent demand; and

WHEREAS, On February 26, 2021, BPW President and President Pro Tempore introduced and adopted a motion (BPW-2021-0138) to report to the Board with a recommended framework and action plan for a DPW Workforce Equity Demonstration Project (WED), including seeking input from, (1) Personnel Department; (2) Economic & Workforce Development Department.; (3) Office of the Mayor; and (4) Office of the City Council President or their designee; as well as Bureaus within the DPW, other Board of Public Works offices, and vital community stakeholders such as the Los Angeles Black Worker Center, the Los Angeles County Federation of Labor, and the City Coalition of Unions; and

WHEREAS, the projected cost to implement the desired initial, WED pilot program may total up to $1,000,000. BPW has allocated $150,000 from its Fiscal Year 2021-2022
budget towards this effort and has requested additional funds in Fiscal Year 2022-2023, subject to inclusion in the proposed budget. Additional funding totaling $250,000 has been secured through non-profits. Other funding amounts and sources, totaling the $1,000,000 project cost, are yet to be determined and nothing herein shall guarantee full funding or approval to proceed absent of pre-identified available funding; and

WHEREAS, the Department of Public Works shall collaborate with the City’s Personnel and Economic & Workforce Development Departments, including the Offices of the Mayor, City Administrative Officer, Chief Legislative Analyst, and Council Districts, to review and provide critical feedback relative to the development of a training consistent with the respective job analyses development WED pilot program/curriculum to increase the likelihood of skill building, career advancement, and ultimately a pathway to gain full time employment for the WED pilot program participants/graduates. Staff from the Department of Public Works intends to report back to the Board of Public Works on results from the WED pilot program in approximately two years; and

WHEREAS, LABWC, shall collaborate with the City of Los Angeles, specifically the DPW, to create the curriculum to prepare participants with on the job-readiness skills and other curriculum programs as needed, including but not limited to, multi-craft core curriculum and other curriculum programs to meet the City’s needs for vacant positions.

WHEREAS, LABWC, in coordination with the Los Angeles County Federation of Labor, is desirous of collaborating with BPW to establish and coordinate the desired program.

NOW, THEREFORE, in consideration of the terms, covenants and conditions in this agreement, IT IS MUTUALLY AGREED AS FOLLOWS:

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I. PURPOSE OF MEMORANDUM OF AGREEMENT

The purpose of this Memorandum of Agreement (MOA) between BPW and LABWC is to establish roles and responsibilities for both agencies in the creation and management of a pilot Workforce Equity Demonstration Project (WED). The BPW and LABWC agrees to execute the necessary tasks that will effectuate the project creation and adoption through the Board of Public Works approval.

Parties agree that the intent of this MOA is to recruit and train Angelenos on specific job classifications identified at the Department of Public Works, with the desired end goal of transitioning and hiring those trained through WED at the earliest and most practical time. Parties desire to fill up to 200 vacant roles and target the recruitment of the necessary amount of individuals to train cohorts commensurate with the job classifications identified.

In return, BPW will pay the LABWC for deliverables and/or reimbursement of staff time and expenses related to this service as described herein, including the Statement of Work (Attachment A).

II. ROLES AND RESPONSIBILITIES

The LABWC will be responsible for coordinating with BPW, and in close coordination with other agencies including but not limited to LA County Federation of Labor (LA FED), the undertaking and necessary tasks that would allow for the Workforce Equity Demonstration Project to be created, implemented, and managed. A full description of the services to be provided by the LABWC is described in the Statement of Work (Attachment A).

III. STAFFING AND PERSONNEL

The LABWC shall assign staff to provide the technical expertise and support needed to perform the Statement of Work as set forth in this MOA. BPW shall compensate LABWC for specified deliverables, staff time, and expenses pursuant to the conditions set forth in Sections V and VI below.

BPW, shall recruit and designate a full–time dedicated Project Manager level position for the initial first year only to liaise between BPW and LABWC on critical actions needed to implement the WED program, collect data, and problem solve potential challenges and unforeseen setbacks in recruitment, training, and/or employment placement of WED program participants/graduates. Said Project Manager level dedicated resource may be extended upon funding availability. CITY will pay for salary and benefits associated with said Project Manager level position, including some funding allocated for marketing, outreach, and data collection.

LABWC will use its best efforts to assure the continuity of the staff assigned. LABWC shall inform BPW of staff assigned to the work set forth in this MOA, as well as notify BPW of any change in staff after work has commenced. To the extent possible, the
LABWC shall inform BPW of any change in assignment in writing 15 days in advance of such change taking effect.

IV. INDEPENDENT CONTRACTOR

LABWC is acting hereunder as an independent contractor and not as an agent or employee of the City. No employee of LABWC is or shall be an employee of the City by virtue of this Agreement. LABWC shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the City.

V. REPRESENTATIVES OF THE PARTIES AND SERVICE OF NOTICES

The representative of the BPW shall be, unless otherwise stated in the Agreement:
   Aura Garcia, President
   Board of Public Works
   200 North Spring Street, #361
   Los Angeles, CA 90012

The representative of the LABWC shall be, unless otherwise stated in the Agreement:
   La Tonya Harris, Co-Executive Director
   Los Angeles Black Worker Center
   5350 Crenshaw Blvd
   Los Angeles, CA 90043

VI. TERM AND TERMINATION

The term of this MOA shall be for one (1) year commencing on the date of execution, or expire upon completion of the services as set forth in this MOA, whichever occurs first; subject, however, to earlier termination by either party to this MOA upon giving written notice 60 days in advance of termination. The term of this MOA may be extended by two additional one year terms by written agreement and acceptance by both parties to this MOA.

VII. COMPENSATION FOR SERVICES AND BILLING

The LABWC shall submit, on a monthly basis, an invoice and, on a quarterly basis, status report for services completed during the billing period.

Invoices and status reports shall be submitted to:

   City of Los Angeles, Board of Public Works
   Attn: Dr. Fernando Campos, Executive Officer
   200 N. Spring Street, Room 361
   Los Angeles, CA 90012
In lieu of a printed report, invoices and status reports may also be submitted electronically to Fernando.Campos@lacity.org.

LABWC shall submit monthly invoices detailing the services performed and/or completed during the billing period, including the assigned personnel involved with their time charges reflecting the number of hours expended, and the cumulative total of the monthly bill. LABWC shall also submit a quarterly (every 3 months) Status Report detailing the progress on the Statement of Work (Attachment A).

For all services rendered and/or completed during the billing period, BPW shall pay to or reimburse LABWC for services on a deliverable basis (Fee For Service) and as agreed to by the Parties, staff time on an hourly basis and at an hourly rate as agreed upon by LABWC and BPW, including materials and out of pocket expenses at cost. Attachment A provides the total compensation for Fee-For-Services deliverables and shall represent the total compensation to be paid by the City to the LABWC Contractor for services to be performed as designated by this MOA.

All requests for payment or reimbursement submitted pursuant to this MOA shall be certified by a duly authorized officer of the LABWC under penalty of perjury that the information submitted is true and correct. BPW reserves the right to require additional substantiation of any payment request submitted if, in the opinion of the Executive Officer of the Board of Public Works, if it would be in the best interest of BPW and the City. The Executive Officer of the Board of Public Works, or designated representative, shall make the final determination as to whether the particular services rendered are consistent with the Statement of Work (Attachment “A”).

Payments to LABWC may be unilaterally withheld or reduced by the City if LABWC fails to comply with the provisions of this MOA. It is understood 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 of the extension options, the City’s liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract.

The parties acknowledge that the $1,000,000 sum may not be adequate to complete the project. In that event, BPW will work with LABWC to identify additional funding necessary to complete the project. The total sum will compensate all appropriate staff as deemed necessary by BPW and the LABWC to perform the required services, as outlined in the attached Statement of Work (Attachment “A”).

VIII. ISSUANCE OF NOTICE TO PROCEED

The City will issue a Notice to Proceed to commence work in the attached Statement of Work (Attachment “A”). The parties acknowledge that as funding becomes available, work will be authorized through a Notice to Proceed document detailing the funding available and work authorized for that period. No work shall be performed without prior authorization from the City.
Notice to Proceed will authorize LABWC to begin work and specify a "not to exceed" compensation amount. LABWC shall complete the work within the "not to exceed" amount unless changes to the Notice to Proceed are made by the City. Any change to the Notice to Proceed must be requested in writing and approved by the City in writing. The LABWC shall not proceed with any work or incur any cost until a Notice to Proceed is issued.

The Notice to Proceed will be submitted electronically to La Tonya Harris at lharris@labwc.org. Notice to Proceed issuance will not exceed reasonable timeframes to complete Statement of Work activities within the life of the agreement.

**IX. REQUEST FOR ADVANCE PAYMENT**

Upon this Agreement becoming effective, the LABWC may submit a first request for advance payment. The first request for advance payment will be in an amount not to exceed $150,000. Once the first advance has been provided to the LABWC, no further payments will be disbursed to the LABWC until the first advance has been expended.

The LABWC may submit a subsequent request(s) for advance payment after the CITY’s representative has approved documentation that substantiates the first payment and every advance payment to follow. Subsequent request(s) for advance payment will be in an amount not to exceed $150,000. Copies of documentation to support all the expenditures of the first advance and all subsequent advances to follow must be submitted to and approved by the CITY’s representative prior to disbursement by the CITY of any additional advance payments.

REQUESTS FOR PAYMENT submitted by the LABWC must include a budget that indicates the estimated costs to be incurred by the LABWC for which payment is requested. REQUESTS FOR PAYMENT must be submitted in a form substantially similar to Attachment C [Sample Invoice] and must be signed under PENALTY OF PERJURY by the CONTRACTOR’S representative designated in this Agreement.

Documentation submitted by the CONTRACTOR to support expenditures includes but is not limited to copies of such items a receipts; invoices matched with canceled checks, invoices marked “Paid”, payroll registers, internal hiring documents and time sheets. Bank statements may be requested and shall be provided to support submitted documentation at the discretion of the CITY.

Any portion of any advance payment made and not expended or obligated by the LABWC or not approved by the CITY’s representative must be paid back to the CITY no later than the end of term of the Agreement. Such payment will accompany the CLOSE-OUT INVOICE/STATEMENT."
X. FAIR OPERATION OF MEMORANDUM OF AGREEMENT

In entering into this MOA, BPW and LABWC recognize that it is impracticable to make provisions for every contingency that may arise during the life of the MOA. Parties concur on the principle that the MOA shall operate between them with fairness and without detriment to the interest of either BPW or the LABWC, and if in the course of the performance of this MOA, an infringement of this principle is anticipated or disclosed, BPW and the LABWC shall promptly consult together in good faith and shall endeavor to agree upon action that may be necessary to remove the cause or causes of the infringement.

XI. INDEMNIFICATION

LABWC shall indemnify, defend and hold harmless the BPW, its officers, directors, employees and agents from and against any and all claims (including attorney’s fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, worker’s compensation subrogation claims, damage to or loss of use of property alleged to be caused by the negligent acts, omissions or willful misconduct by LABWC, its officers, directors, employees or agents in connection with or arising out of the performance of this MOA.

The indemnification and defense obligations of this MOA shall survive its expiration or termination.

XII. AUDIT

BPW, and/or its designee, shall have the right to conduct audits of the Project, as deemed appropriate, such as financial and compliance audits; interim audits; pre-award audits, performance audits and final audits. The LABWC agrees to establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). LABWC shall reimburse BPW for any expenditure not in compliance with this MOA. Any use of the Funds which is expressly prohibited under this Agreement shall be an ineligible use of the Funds and may be disallowed by BPW audit. Findings of the BPW audit are final.

These records must be retained by LABWC for three (3) years following final payment under this MOA.

XIII. ADDITIONAL TERMS

A. Standard Provisions for City Contracts

The LABWC agrees to comply with the Standard Provisions for City Contracts, (Rev. 10/17 v.3) (“Standard Provisions”), which are attached hereto as Attachment B and incorporated herein. The order of precedence for interpretative purposes shall be (a) any particular Notice to Proceed; (b) this Agreement; and (c) the Standard Provisions.
B. Disclosure of Border Wall Contracting

The LABWC shall comply with Los Angeles Administrative Code Section 10.50 et seq., 'Disclosure of Border Wall Contracting.' City may terminate this Contract at any time if City determines that Contractor failed to fully and accurately complete the required affidavit and disclose all Border Wall Bids and Border Wall Contracts, as defined in LAAC Section 10.50.1.

XIV. INTEGRATED AGREEMENT

This MOA shall constitute the entire agreement between the parties and shall only be modified by a written amendment to this MOA duly executed by both BPW and the LABWC.

This MOA may be executed in one or more counterparts, and by the parties in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same agreement. The parties further agree that facsimile signatures or signatures scanned into .pdf (or signatures in another electronic format designated by City) and sent by e-mail shall be deemed original signatures.

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IN WITNESS WHEREOF, the City of Los Angeles, Board of Public Works and the Los Angeles Black Worker Center have caused this MOA to be entered into by the duly authorized officers on the day and year herein written.

THE CITY OF LOS ANGELES, A Municipal Corporation

By: ________________________
    AURA GARCIA, President
    Board of Public Works

Date: _______________________

LOS ANGELES BLACK WORKER CENTER

By: ________________________
    LA TONYA HARRIS, Co-Executive Director of Operations & Finance
    Los Angeles Black Worker Center

Date: _______________________

APPROVED AS TO FORM:

MICHAEL N. FEURER, City Attorney

By: ________________________
    EDWARD M. JORDAN
    Assistant City Attorney

Date: _______________________

ATTEST:

HOLLY L. WOLCOTT, City Clerk

By: ________________________
    Deputy City Clerk

Date: _______________________

City Business Tax Registration Certificate Number:______________________

Internal Revenue Service ID Number:______________________

Contract No.:__________________________________________
ATTACHMENT A
Statement of Work

The purpose of this Statement of Work (SOW) is to describe the partnership between the BPW and the LABWC as it pertains to:

- Establishment of the Los Angeles Workforce Equity Demonstration Project as a durable labor-community-management partnership that designs and establishes an infrastructure for a pre-employment, employment, and career advancement pathway within the City of Los Angeles, and specifically at DPW.
- Creation and implementation of a pre-employment, employment, and career advancement program that trains, skills-up, retains, and promotes workers in DPW and provides a skilled, green workforce for the City of Los Angeles.

The program will be effectuated through the following approach:

- Adoption of final program through the Board of Public Works or Los Angeles City Council.

BPW shall be the lead agency for program adoption.

Task 1: Establishment of Los Angeles Workforce Equity Demonstration Project
Establish the Los Angeles Workforce Equity Demonstration Project as a durable labor-community-management partnership that designs and establishes an infrastructure for a pre-employment, employment, and career advancement pathway within the City of Los Angeles, and specifically at DPW.

As the lead Agency, BPW, in close coordination with LABWC, shall,

- 1.1 – Continue a formal working coalition consisting of WERC, DPW, LA BWC, SEIU Local 721, AFSCME DC 36, and the City of Los Angeles Workforce Development Board.
- 1.2 – Convene the partnership monthly and establish working groups as necessary to move project forward.
- 1.3 – Develop decision making processes, protocols, and agreed-upon metrics for the program.

BPW shall,

- 1.4 – Review the existing civil service process and the Personnel Department’s Civil Service Rules to understand job access, promotion, and retention for job seekers and incumbents. This shall include, but not be limited to, the feasibility and exploration of Selective Certification for existing vacancies and creating new classifications leading up from the pilot WED program to employment placement.
and comparing said new classifications to existing or similar existing classifications used by the City.

- **1.5** – Identify vacancies, green/sustainable job classifications, and promotion opportunities within DPW in quarters one and three.
- **1.6** – Pursue policymaking, including City Council and Board of Public Works motions, which will establish pre-employment, employment and career advancement pathways.
- **1.7** – Establish hiring and promotion forecasts for each of the five DPW Bureaus and establish a process to set budgeted positions aside for the Workforce Equity Demonstration Project as economic recovery improves the City’s ability to hire.

LABWC shall,

- **1.8** – Commencement of work with department managers, personnel, unions, and community to identify and finalize soft and hard skills for the identified classifications. [Payment upon Milestone: $20,000]
- **1.9** – Present recommendations for diversity and inclusion strategies with measurements that will support retention and promotion of racial equity in targeted classifications, working alongside DPW department managers, community, and unions, for program implementation. [Payment upon Milestone: $34,000].
- **1.10** – Determine DPW’s needs for skills training in green, sustainable jobs classifications, and design core curriculum and up to 5 supplemental instructional modules that meets this need. Rooted in the values of popular education, this culturally competent curriculum will prepare participants for public sector jobs by building leadership, confidence, and understanding of the role of public sector work as it relates to the City, Black communities, and Priority Populations. [Payment upon Milestone: $20,800 – May include additional supplemental modules for an additional fee of $10,000 per 5 supplemental modules.]
- **1.11** – Contingent upon receiving the identified job classifications and notice to proceed from BPW, conduct quarterly outreach to Priority Populations by including, but not limited to, canvassing and door knocking, and other virtual and/or in-person activities to prepare recruits for those specific job classifications. [Payment upon Milestone: $45/hour]

**Task 2: Creation and Implementation of Career Advancement Program**

Create and implement a pre-employment, employment, and career advancement program that trains, skills-up, retains, and promotes workers in DPW and provides a skilled, green workforce for the City of Los Angeles.

As the lead Agency, LABWC, in close coordination with BPW, shall,
• **2.1** – Enroll up to 200 new trainees into soft skills training and subject-based classroom learning that prepares them for civil service employment, and skills training for new and incumbent workers that prepares them for job specificities and promotional opportunities. [Payment upon Milestone: $3,710 per participant]

• **2.2** - Develop a mentorship training program as a retention strategy that prepares rank-and-file union members at DPW to become mentors to new DPW employees, as well as incumbent workers in entry-level positions who have barriers to advancement. [Payment Upon Milestone: $43,200]

• **2.3** - Partner with the WDB (Workforce Development Board) and develop a model of "co-case management" with WERC (Workforce Education Resource Center), in support of task 2.1. [No Payment Due]

**TENTATIVE TIME SCHEDULE (COMPLETION MILESTONE DATES)**

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MOTION

CAREER PATHWAYS: WORKFORCE EQUITY DEMONSTRATION PROJECT

The Los Angeles Department of Public Works holds a unique position in the City of Los Angeles. It is the 2nd largest City department with a budget of more than $1.4 billion, comprising more than 5,500 employees. It is a dynamic economic engine - annually awarding more than 100 contracts, valued at $350-500 million per year. The Department creates jobs and, in normal times, hires for an incredibly diverse field of occupations. The Department is also the primary protector and steward of our environment and natural resources; it is the watchdog for ensuring that those who do business with our City treat workers and each other justly, legally, and fairly; and it is, in the parlance of pandemic times, the essential department for ensuring Los Angeles’ built and grown infrastructure is maintained, protected, and evolved in a way that ensures a quality of life that all Angelenos deserve, particularly as this pandemic has exposed and exacerbated the fractures in our society along race, class and gender lines.

As an aspirational matter, the Los Angeles Department of Public Works’ footprint affords the City an equally unique platform from which to innovate, address local service disparities, challenge gender and racial norms, and build on the good work of others - inside and outside the City of Los Angeles family. Few areas provide more fertile ground for building on the leadership and groundbreaking work already happening in the City and innovating to take that work to another level than workforce development and targeted local hire. Moreover, as successful as the City has been in establishing groundbreaking programs in these areas, the importance of ensuring equity and opportunity for all Angelenos - particularly those from economically and environmentally vulnerable backgrounds - necessitates continuing to build on those programs as increased demands for services, racial equity, and quality jobs converge into one overwhelming urgent demand.

Public sector jobs and careers have been critical lifelines for disadvantaged communities in Los Angeles, especially for black and brown communities, women and other communities of color. That said, the anticipated retirement of large numbers of City employees, compounded by the pandemic-induced 2020 Separation Incentive Program (SIP), will result in large swaths of those jobs being vacated - and left unfilled - over the next several years. However, though the City is currently in a hiring freeze and unable to fill those positions due to the budgetary impacts of the COVID-19 global pandemic, the City and the Department of Public Works will recover economically - and begin hiring once again. Preparing for that moment with intention is imperative - and that intention should be to build upon existing targeted local hire and workforce development programs to provide maximum opportunity and equity in hiring, mentorship, and promotion for Angelenos from economically vulnerable communities.

Since July 2015, Mayor Eric Garcetti has released a series of Executive Directives (EDs) focused on workforce development (job creation/retention) and equity. On July 8, 2015, he
signed ED No. 9 (Support for Hire LA’s Youth/Summer Youth Employment Program), focused on recognizing “...the value of early work experience and the importance of fostering skill development, education, and economic success.” These opportunities are a “critical entry point on the continuum to long-term employment success” for both teens and young adults. On August 25, 2015, ED No. 11 (Gender Equity in City Operations) called for good governance in our City that is both “inclusionary and non-discriminatory” for all genders. Per ED No. 11, gender equity requires “recognizing and providing equal rights, responsibilities, and opportunities to all people no matter their sex or gender” as a fundamental human right. On April 29, 2016, ED No. 15 (Equitable Workforce and Service Restoration) required equitable delivery of fundamental services for all Angelenos, while mandating the creation of alternative career pathways, such as the Targeted Local Hiring (TLH) program. The TLH provides a pathway to “…City workforce[s] through trainee and vocational worker programs…” and ensures “…everyone [has] a fair chance at success…to be employed” by the City. Most recently, on June 19, 2020, ED No. 27 (Racial Equity in City Government) invokes our public duty to “make Los Angeles reflect the hallowed but often elusive principles that underlie our Republic: that we are created equal and that each of us is entitled to life, liberty, and the pursuit of happiness” and “ensure that people of color, women, persons with disabilities, and veterans may equally participate and prosper in public life and society,” including City employment. Prior to the COVID-19 pandemic, these EDs and the accompanying work by countless City employees (particularly the Personnel Department), our labor partners and other external stakeholders, resulted in groundbreaking Targeted Local Hire (TLH) and Bridge to Jobs programs. Last Spring, the Mayor and City Council joined together to realign public safety funding to bolster economic security by reallocating $100-150 million to invest in Black communities and other communities of color for jobs, education, and healing.

Meanwhile, the Department of Public Works, which will be disproportionately impacted by the previously discussed loss of City jobs, will be a central catalyst for the City’s recovery and home to a disproportionate amount of resulting opportunities. Therefore, the Department is uniquely positioned to build upon the success of the Mayor’s Executive Directives and accompanying hiring programs - and to pilot and incubate new models of hiring, training, mentorship, and promotion for disadvantaged workers. A pilot demonstration that expands on hiring opportunities, training, mentorship, and promotional pathways for disadvantaged workers will help ensure equity and opportunity in the Department of Public Works of the future, while also providing a potential model for other departments - and maximizing the efficacy of the Department.

This pilot demonstration should build upon the success and lessons learned in the Citywide Targeted Local Hire and Bridge to Jobs programs, in order to test a potential next-generation high road training partnership model for recruitment, hiring, training, mentoring, and civil service employment for workers from local disadvantaged and/or low-income communities. This workforce development program will be co-designed by community, unions, and Department and Bureau leadership.
Program elements for consideration should include, but not be limited to:

1. A targeted, equity-based recruitment process focused on local disadvantaged and/or low income communities, carried out by third-party certified outreach organizations;
2. Front-end vacancy guarantee for apprentice-type trainees, contingent on successful matriculation from the demonstration program and agreement from Dept. Bureaus;
3. Creation of a “City 101”, 24-month training program, to serve as an alternative pathway to employment, encompassing both global training on topics such as civil service, City operations, City budgeting, City history, pathways for promotion, etc., as well as classification-specific training based on the trainee position an individual is hired into;
4. Pilot expansion of job classifications available for hire as trainees and apprentice-type training in the Department of Public Works pilot, to include but also supplement those available in the Citywide Targeted Local Hire and Bridge to Jobs program;
5. Potential additional job classifications, including new entry level or training level positions, to include in the demonstration project, above and beyond those approved for the Citywide Targeted Local Hire and Bridge to Jobs program;
6. Use of bridging classifications (i.e. management aide, accounting aide, etc.) that provide an opportunity to those with work experience, but who do not possess a degree (or meet the minimum educational requirements) to gain employment in a professional, scientific, or technical classification;
7. Full-time employment in the City, as a trainee, during the program;
8. Exemption from Civil Service exam requirement, contingent on matriculation from the trainee program and express desire of supervising Bureau to retain the trainee as a Civil Service employee;
9. Partnership with local academic institutions to provide Citywide “City 101” and classification-specific apprenticeship-type training;
10. External funding possibilities to pay for the training partnership/program;
11. Third-party partnership to design and implement mentorship programming;
12. Data collection on recruitment, hiring, retention, promotion, etc.;
13. Data collection on demographics, relative to race, socioeconomic status, ethnicity, gender, sexual orientation, etc.;
14. Data collection on disciplinary equity in classifications and promotions, including the classifications of clerical, para-professional, professional, scientific, and technical, such as Administration Clerks, Administrative Interns or Student Professional Workers, Accountants, Engineers, Architects, Inspectors, Trades and Crafts, etc.
15. At least two cohorts of 100 trainee apprentices, recruited and hired in consecutive years.

I THEREFORE MOVE that the Board of Public Works: Request the Board President to report to the Board with a recommended framework and action plan for a DPW Workforce Equity Demonstration Project, after seeking input from any entities the President deems appropriate, which may include, for example, senior representatives from the (1) Personnel Department; (2) Economic & Workforce Development Dept.; (3) Office of the Mayor; and (4) Office of the City Council President or their designee; as well as Bureaus within the DPW,
Workforce Equity Demonstration Motion  
Board of Public Works  
February 26, 2021

CD No.: All

other Board of Public Works offices, and vital community stakeholders such as the Los Angeles Black Worker Center, the Los Angeles County Federation of Labor, and the City Coalition of Unions.

I FURTHER MOVE that the Board of Public Works take this Workforce Racial Equity Demonstration Project under consideration as a portable plan. The City’s current financial crisis - and attendant hiring freeze - may preclude immediate implementation. However, in light of the ultimate inevitability of the City eventually resuming hiring, it is imperative that the Department of Public Works, as a powerful engine of economic activity and a potential leader in workforce equity innovation, prepare for the opportunity to explore new models with the greatest urgency possible.

Respectfully Submitted,

[Signature]
GREG GOOD,
President, Board of Public Works

Seconded,

[Signature]
MIKE DAVIS,
President Pro Tempore, Board of Public Works
GOAL 1:
Establish the Los Angeles Workforce Equity Demonstration Project as a durable labor-community-management partnership that designs and establishes an infrastructure for a pre-employment, employment, and career advancement pathway within the City of Los Angeles, and specifically at DPW.

Activities:
1. Build a formal working coalition consisting of WERC, DPW, LA BWC, SEIU Local 721, AFSCME DC 36, and the City of Los Angeles Workforce Development Board.
2. Review the existing civil service process and the Personnel Department’s Civil Service Rules to understand job access, promotion, and retention for job seekers and incumbents.
3. Develop decision making processes, protocols, and agreed-upon metrics for the program.
4. Identify vacancies, green/sustainable job classifications, and promotion opportunities within DPW.
5. Work with department managers, personnel, unions, and community to identify soft and hard skills “pre-apprenticeship to apprenticeship public sector training needed for specific green job classifications.
6. Work with DPW department managers, community, and unions to determine diversity and inclusion strategies that will ensure racial equity in targeted classifications.

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<th>OUTCOME</th>
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<td>Pursue policymaking, including City Council and Board of Public Works motions, that will establish pre-employment, employment and career advancement pathways.</td>
<td>Training and Mentorship Post-Training, Mentorship, and Promotion</td>
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<tr>
<td>Determine DPW’s needs for hard skills training in green, sustainable jobs classifications, and design curriculum and instruction that meets this need. Rooted in the values of popular education, this culturally competent curriculum will prepare participants for public sector jobs by building leadership, confidence, and understanding of the role of public sector work as it relates to the City, Black communities, and Priority Populations.</td>
<td>Training and Mentorship</td>
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<td>Establish hiring and promotion forecasts for the five DPW bureaus and establish a process to set budgeted positions aside for the Demonstration Project as economic recovery improves the City’s ability to hire.</td>
<td>Post-Training, Mentorship, and Promotion Position Guarantees Data</td>
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<td>Convene the partnership monthly and establish working groups as necessary to move project forward.</td>
<td>ALL</td>
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<td>Conduct outreach through credible community partnership to Priority Populations by canvassing and door knocking, and other virtual--post-pandemic--in-person activities to prepare recruits for high-quality career pathways in mission-critical occupations in the public sector.</td>
<td>Recruitment</td>
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GOAL 2: Create and implement a pre-employment, employment, and career advancement program that trains, skills-up, retains, and promotes workers in DPW and provides a skilled, green workforce for the City of Los Angeles.

Activities:
1. Carry out soft skills training and subject-based classroom learning for new trainees that prepares them for civil service exams and employment, and hard skills training for new and incumbent workers that prepares them for job specificities and promotion opportunities.

2. Develop a mentorship training program as a retention strategy that prepares rank-and-file union members at DPW to become mentors to new DPW employees, as well as incumbent workers in entry-level positions who have barriers to advancement.

3. Partner with the WDB and develop a model of “co-case management” with WERC. WorkSource Centers alone are not positioned to prepare workers for career employment with the City but are key partners in leveraging supportive services and other resources.

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<td>A pre-employment and employment training curriculum that prepares incoming trainees with soft skills and new and incumbent workers with hard skills specific to DPW green job classifications and prepares workers for promotion within civil service.</td>
<td>Training and Mentorship</td>
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<td>A culturally competent and trauma informed training curriculum for mentors that focuses on leadership development, coaching, skills development, and retention.</td>
<td>Post-Training, Mentorship, and Promotion</td>
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<td>Ongoing case management for each trainee that supports their success in the classroom and during their probation on the job and are able to connect trainees to the services and resources needed for full engagement and participation in the training program.</td>
<td>Post-Training, Mentorship, and Promotion</td>
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<td>DPW will hire jobseekers from the Demonstration Project into City jobs and promote incumbents with barriers to advancement.</td>
<td>Position Guarantees</td>
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Identified Metrics

Workplan
- Conduct outreach to underrepresented Black workers by canvassing and door knocking, attending job fairs, and tabling at community events, churches, and colleges and universities.
- Perform one-on-one interviews and assessments and conduct Ready2Work orientations with participants (4 cohorts of 40)
- Conduct Ready2Work Boot Camp for participants (4 cohorts of 30)
- Conduct resume and interview workshops for participants

- Conduct meetings/ events that bring workers together to discuss workplace readiness & retention.
- Facilitate and manage referrals for employment and apprenticeships for 1000 Strong program graduates.
- Manage mentorship and career and leadership development activities for 1000 Strong program graduates.

Board Motion
- At least two cohorts of 100 trainee apprentices, recruited and hired in consecutive years.
**Business Inclusion Program Waiver Request**

The Board of Public Works is requesting a BIP Waiver Request for a Memorandum of Agreement with the Los Angeles Black Worker Center for the Los Angeles Workforce Equity Demonstration Project.

**General Scope of Work**

The purpose of this Statement of Work (SOW) is to describe the partnership between the BPW and the LABWC as it pertains to:

- Establishment of the Los Angeles Workforce Equity Demonstration Project as a durable labor-community-management partnership that designs and establishes an infrastructure for a pre-employment, employment, and career advancement pathway within the City of Los Angeles, and specifically at DPW.
- Creation and implementation of a pre-employment, employment, and career advancement program that trains, skills-up, retains, and promotes workers in DPW and provides a skilled, green workforce for the City of Los Angeles.

The program will be effectuated through the following approach:

- Adoption of final program through the Board of Public Works or Los Angeles City Council.

BPW shall be the lead agency for program adoption.

**Task 1: Establishment of Los Angeles Workforce Equity Demonstration Project**

Establish the Los Angeles Workforce Equity Demonstration Project as a durable labor-community-management partnership that designs and establishes an infrastructure for a pre-employment, employment, and career advancement pathway within the City of Los Angeles, and specifically at DPW.

As the lead Agency, BPW, in close coordination with LABWC, shall,

- **1.1** – Continue a formal working coalition consisting of WERC, DPW, LA BWC, SEIU Local 721, AFSCME DC 36, and the City of Los Angeles Workforce Development Board.
- **1.2** – Convene the partnership monthly and establish working groups as necessary to move project forward.
- **1.3** – Develop decision making processes, protocols, and agreed-upon metrics for the program.

BPW shall,

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exploration of Selective Certification for existing vacancies and creating new classifications leading up from the pilot WED program to employment placement and comparing said new classifications to existing or similar existing classifications used by the City.

- **1.5** – Identify vacancies, green/sustainable job classifications, and promotion opportunities within DPW in quarters one and three.
- **1.6** – Pursue policymaking, including City Council and Board of Public Works motions, which will establish pre-employment, employment and career advancement pathways.
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LABWC shall,

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- **1.10** – Determine DPW’s needs for skills training in green, sustainable jobs classifications, and design core curriculum and up to 5 supplemental instructional modules that meets this need. Rooted in the values of popular education, this culturally competent curriculum will prepare participants for public sector jobs by building leadership, confidence, and understanding of the role of public sector work as it relates to the City, Black communities, and Priority Populations.
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**Task 2: Creation and Implementation of Career Advancement Program**

Create and implement a pre-employment, employment, and career advancement program that trains, skills-up, retains, and promotes workers in DPW and provides a skilled, green workforce for the City of Los Angeles.

As the lead Agency, LABWC, in close coordination with BPW, shall,

- **2.1** – Enroll up to 200 new trainees into soft skills training and subject-based classroom learning that prepares them for civil service employment, and skills
training for new and incumbent workers that prepares them for job specificities and promotional opportunities. [Payment upon Milestone: $3,710 per participant]

- **2.2** - Develop a mentorship training program as a retention strategy that prepares rank-and-file union members at DPW to become mentors to new DPW employees, as well as incumbent workers in entry-level positions who have barriers to advancement.

- **2.3** - Partner with the WDB (Workforce Development Board) and develop a model of “co-case management” with WERC (Workforce Education Resource Center), in support of task 2.1.
CONTRACT ACCEPTANCE - EMERGENCY SEWER/STORM DRAIN REPAIR - QUARTERLY ACCEPTANCE REPORT

Recommending the Board:

1. ACCEPT the 176 sewer and 14 storm drain projects of the Emergency Sewer and Storm Drain Repair Program as indicated in the attached Project Summaries Tables.

(C-130413, C-130414, C-130415, C-130416, C-130417, C-130418, C-130419, C-130420, C-130421, C-130422, C-130423, C-130424, C-130425, C-130426, C-130427, C-130428, C-130429, C-130430, C-130431, C-130432, C-130433, C-130434, C-130594)

ATTACHMENTS:

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DEPARTMENT OF PUBLIC WORKS

BUREAU OF CONTRACT ADMINISTRATION
BUREAU OF ENGINEERING
JOINT REPORT NO. 1
June 3, 2022

C.D. No. All

EMERGENCY SEWER / STORM DRAIN REPAIR – QUARTERLY ACCEPTANCE REPORT

RECOMMENDATION

Accept the 176 sewer and 14 storm drain projects of the Emergency Sewer and Storm Drain Repair Program as indicated in the attached Project Summaries Tables.

TRANSMITTALS


2. Summary Table of Emergency Sewer Repair projects completed, sorted by Contractor, for work performed from 4/18/2016 to 11/22/2021.

3. Summary Table of Emergency Storm Drain Repair projects completed, sorted by Contractor, for work performed from 8/23/2018 to 10/22/21.

DISCUSSION

On November 21, 2007, November 14, 2012 and November 15, 2017, your Board adopted Joint Reports which established a program authorizing the City to enter into a contract with on-call contractors to perform emergency sewer and storm drain repair work. On April 2, 2014, the Board of Public Works directed the Bureau of Contract Administration (BCA) to provide a quarterly acceptance report on all completed emergency sewer and/or storm drain repair projects. This report represents 191 construction orders that were completed between June 2017 and November 2021 utilizing 18 on-call contractors (Transmittals 2 & 3). These 190 construction orders represent a subset of the emergency sewer and storm drain work inspected by BCA during this reporting period.

These construction orders are emergency projects initiated by the Bureau of Sanitation to make necessary and expeditious repairs to the City’s damaged sewer and storm drain systems. The cost and scope of work were valued from $1,592.71 to $5,332,487.21, and ranged from sewer and storm drain mainline cleaning, small spot repairs to complete removal and replacement of mainline pipe (scope description can be found on each respective construction order). Projects were performed either on a Time and Material and/or an Agreed-Price basis. All invoices for payments were verified by both the Bureaus of Contract Administration and Engineering.

There were no funds disputed or withheld. Therefore, no funds are due the contractor.
The contractors have complied with the Equal Employment Opportunity and labor compliance requirements of their respective contracts.

The agreements contain a requirement for the Non-Discrimination and Affirmative Action Program, and all contractors have been encouraged to include MBE/WBE subcontractors. No specific MBE/WBE participation levels were established for these on-call contracts due to the emergency nature of the work.

There are no unresolved property owners' complaints in connection with these projects.

Contractor Performance Evaluation Reports (CPERs) for Emergency Sewer Repair Projects are submitted by the Bureau of Engineering and the Bureau of Contract Administration once annually for each on-call contractor performing work on Emergency Sewer and/or Storm Drain Repair Projects, in accordance with Board of Public Works Policy adopted May 7, 2008.

The Inspector of Public Works, John L. Reamer, Jr., in accordance with generally accepted quality assurance/control procedures and construction inspection methods and practices, including such special inspections that were deemed necessary and prudent, hereby attests that these projects were constructed in accordance with the plans, specifications, change orders, and contract provisions.

( RM – BOE )

Report Prepared by:

A. Martinez

Angela Martinez, Chief Construction Inspector
General Services Division
213-798-5543

George “Chen-Min” Huang, Project Manager
213-485-1159/ Mail Stop 538

Elvin Yeck, Project Manager
213-847-0359 / Mail Stop 494

Respectfully submitted,

JOHN L. REAMER, JR.
Inspector of Public Works

[Signature]

For

GARY LEE MOORE, PE, ENV SP
City Engineer
DEPARTMENT OF PUBLIC WORKS

BUREAU OF CONTRACT ADMINISTRATION
BUREAU OF ENGINEERING
JOINT REPORT NO. 1
April 2, 2014

C.D. Nos. All

Honorable Board of Public Works

ADOPT THE STANDARDIZED CONTRACT ACCEPTANCE POLICY FOR THE EMERGENCY SEWER AND STORM DRAIN REPAIR CONTRACTS

RECOMMENDATIONS

1. Adopt the Standardized Contract Acceptance Policy for the Emergency Sewer and Storm Drain Repairs Contracts to be consistent with current procedures for similar contracts.

2. Direct the Bureau of Contract Administration to report to the Board of Public Works on the status of completed Emergency Sewer and Storm Drain Repair Projects on a quarterly basis, effective upon adoption of this Board Report.

TRANSMITTAL

1. Sample reporting form for quarterly report to the Board of Public Works.

DISCUSSION

The Board of Public Works (BPW) has established 5-year construction contracts with pre-qualified contractors to make necessary and expeditious repairs to damaged sewers and storm drains throughout the City. The Bureau of Engineering (BOE) manages the contracts for Emergency Sewer and Storm Drain Repairs and issues Construction Orders to the contractors to perform emergency work on an as-required basis using a rotational Emergency On-Call Contractor List. For these contracts, the current procedure is for the Bureau of Contract Administration (BCA) to prepare and submit to the BPW a separate Project Acceptance Board Report for each completed Construction Order. This procedure is not consistent with the current standard procedure utilized by other similar specialty contracts; such as the SEWERS and CiSco Contracts. At the expiration of the SEWERS and CiSco contracts, the BCA/BOE submit a Summary Contract Acceptance Report to the BPW for their acceptance of the projects completed during the term of the contract(s).

Similar to the SEWERS and CiSco Contract project work, the majority of emergency projects consist of traffic control, sewage bypassing, excavation, shoring, removal and replacement of damaged sewer or storm drain pipes, reconstruction of damaged or failed wastewater or storm
Joint Report No. 1
Page 2

water facilities, reconstruction and restoration of streets and easements, and other related work. Because the number of projects completed during the 5-year duration of the Emergency Sewer and Storm Drain Repair contract is so great, it would be more efficient to provide quarterly reports during the duration of the contract and prepare one final report for acceptance at the completion of the current contract.

Therefore, it is recommended that the BPW adopt a standardized Contract Acceptance Policy for the Emergency Sewer and Storm Drain Repairs Contracts such that acceptance procedures are consistent with the current procedures utilized for similar contracts and the BCA report to the BPW on the status of completed Emergency Sewer and Storm Drain Repair Project Construction Orders on a quarterly basis.

Report prepared by:  

General Services Division
Walter Bradley
Assistant Director
213-847-2323

Respectfully submitted,

JOHN L. REAMER, JR.
Inspector of Public Works

DEBORAH WEINTRAUB, AIA, LEEDAP
Interim City Engineer

WB:bes
ear standardized reports
<table>
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<th>PROJECT TITLE</th>
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Quarterly Report - Emergency Sewer Contract

- June 3, 2022 -

Board of Public Works Meeting

Transmittal No. 2
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| 23   | SWC05263 | ESR: Norman Place (1100 N. Block) | C-130423   | 05/03/19   | 05/19/21   | $3,086.75    | $500.00     | 05/20/21   | KEC Engineering               |
| 5    | SWC05471 | ESR: Mariposa Ave RW (1900 N. Block) | C-130423   | 07/29/19   | 05/06/21   | $40,204.99   | $2,010.25   | 05/07/21   | KEC Engineering               |
| 5    | SWC05487 | ESR: Kinross Ave (1000 Block) | C-130423   | 08/05/19   | 07/22/21   | $46,951.57   | $2,347.58   | 07/23/21   | KEC Engineering               |
| 9    | SWC05789 | ESR: 8400 Olive St & W. 84th Place | C-130423   | 01/30/20   | 04/21/21   | $112,178.39  | $5,608.92   | 04/22/21   | KEC Engineering               |
| 5    | SWC05823 | ESR: Veteran Ave (2300 S. Block) | C-130423   | 03/09/20   | 05/19/21   | $24,181.91   | $1,209.10   | 05/20/21   | KEC Engineering               |
| 4    | SWC06021 | ESR: Inwood Drive (13300 Block) | C-130423   | 07/08/20   | 09/03/21   | $21,574.31   | $1,078.72   | 09/08/21   | KEC Engineering               |
| 7    | SWC06036 | ESR: Tahoe Drive (6400 Block) | C-130423   | 07/24/20   | 09/21/21   | $10,514.91   | $520.75     | 09/22/21   | KEC Engineering               |
| 15   | SWC06053 | ESR: 166 Street (600 W. Block) | C-130423   | 08/09/20   | 07/12/21   | $43,551.83   | $2,177.59   | 07/12/21   | KEC Engineering               |
| 9    | SWC06085 | ESR: Avalon Blvd R/W (800 Block) | C-130423   | 09/20/20   | 04/19/21   | $70,015.27   | $3,500.76   | 04/20/21   | KEC Engineering               |
| 13   | SWC06153 | ESR: Cole Avenue (700 Block) | C-130423   | 09/28/20   | 06/23/21   | $9,315.70    | $500.00     | 06/25/21   | KEC Engineering               |
| 13   | SWC06273 | ESR: Strathern Street (20700 W. Block) | C-130423   | 12/10/20   | 04/12/21   | $51,389.65   | $2,569.48   | 04/12/21   | KEC Engineering               |
| 12   | SWC05355 | ESR: Mission Road (4140 Block) | C-130423   | 02/03/21   | 05/26/21   | $22,393.96   | $1,119.70   | 05/27/21   | KEC Engineering               |

**Quarterly Report - Emergency Sewer Contract**

- June 3, 2022 -

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   - Contract #: C-130427  
   - Date: 01/29/81  
   - Final Cost: $36,696.54  
   - Retention: $1,834.83  
   - Date: 09/10/21  
   - Contractor: Mike Prlich & Sons, Inc.  

2. **SWCO0462**: Council St. (2700 Block)  
   - Contract #: C-130427  
   - Date: 08/02/21  
   - Final Cost: $16,446.96  
   - Retention: $822.35  
   - Date: 07/13/21  
   - Contractor: Mike Prlich & Sons, Inc.  

3. **SWCO5273**: ESR: Swarthmore Ave (1000 Block)  
   - Contract #: C-130427  
   - Date: 06/06/19  
   - Final Cost: $2,555.53  
   - Retention: $0.00  
   - Date: 04/08/20  
   - Contractor: N/A  

4. **SWCO5284**: Cazador Canyon Dr. (6000 Block)  
   - Contract #: C-130427  
   - Date: 08/01/19  
   - Final Cost: $22,295.55  
   - Retention: $500.00  
   - Date: 03/21/21  
   - Contractor: N/A  

5. **SWCO5511**: Glover Place (2200 Block)  
   - Contract #: C-130427  
   - Date: 09/17/21  
   - Final Cost: $64,749.97  
   - Retention: $3,237.50  
   - Date: 11/19/21  
   - Contractor: Mike Prlich & Sons, Inc.  

6. **SWCO5597**: ESR: Hillhaven Ave (10600 Block)  
   - Contract #: C-130427  
   - Date: 11/06/19  
   - Final Cost: $4,702.24  
   - Retention: $500.00  
   - Date: 06/01/21  
   - Contractor: Mike Prlich & Sons, Inc.  

7. **SWCO13793**: ESR: Oakwood Ave (3700 Block)  
   - Contract #: C-130427  
   - Date: 09/10/21  
   - Final Cost: $43,455.11  
   - Retention: $2,172.76  
   - Date: 05/12/21  
   - Contractor: Mike Prlich & Sons, Inc.  

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**Quarterly Report - Emergency Sewer Contract 3 of 5 Transmittal No. 2**

1. **ESR: Avenue 56 (1200 Block)**
2. **ESR: Reseda Blvd (8900 N. Block)**
3. **ESR: Grand Ave (2000 S. Block)**
4. **ESR: 81st Street (6600 Block)**
5. **ESR: Hesby Street (14900 Block)**
6. **ESR: Woodshire Dr (2800 Block)**
7. **ESR: Keswick St (2800 E. Block)**
8. **ESR: Puerto Del Mar (4000 N. Block)**
9. **ESR: 149th Street (10600 W. Block)**
10. **ESR: Cazador St (3000 Block)**
11. **ESR: Woodside Dr (2800 Block)**
12. **ESR: Hasby Street (14900 Block)**
13. **ESR: Pacific Avenue (5500 Block)**
14. **ESR: 81st Street (8600 Block)**
15. **ESR: Adams Blvd (5000 Block)**
16. **ESR: Jasmine St (3700 Block)**

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**Board of Public Works Meeting**

**Quarterly Report - Emergency Sewer Contract**

3 of 5  
**Transmittal No. 2**
<table>
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14 ESR: Santa Fe Ave (700 Block) C-130421 11/02/18 $6,153.22 500.00 09/30/21 Valverde Construction, Inc.

15 ESR: Seaside Ave (300 N. Block) C-130421 01/29/19 $43,271.75 2,163.59 09/28/21 Valverde Construction, Inc.

9 ESR: 41st Place (1400 Block) C-121387 04/20/17 $2,959.40 1,098.47 09/03/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

3 ESR: Fallbrook Ave (6100 N. Block) C-121387 06/06/17 08/13/21 $42,970.09 2,134.50 08/16/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

9 ESR: 23rd St & San Pedro St C-121387 06/23/17 08/16/21 $39,820.77 1,991.04 08/17/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

4 ESR: Horsethief Canyon Rd (2400 N. Block) C-121387 07/11/17 08/23/21 $25,889.88 1,294.49 08/24/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

4 ESR: Clayton & Mayview (2100 Block) C-130420 05/07/18 08/10/21 $66,671.15 2,333.56 08/11/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

4 ESR: Whitley Terrace (6800 Block) C-130420 05/14/18 07/16/21 $25,948.83 81,981.02 07/20/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

11 ESR: Channel Rd R/W (E. 668) C-130420 10/01/20 07/21/21 $143,749.36 7,187.47 07/22/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

4 ESR: Lowry Rd R/W (3600 N. Block) C-130420 10/17/20 05/24/21 $113,003.24 56,650.16 05/25/21 Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

5 ESR: Sarbonne Road (7000 Block) C-130420 12/30/20 04/09/21 $29,197.15 0.00 N/A Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

13 ESR: Yucca Street RW (6500 Block) C-130420 02/05/21 04/21/21 $36,983.80 0.00 N/A Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

12 ESR: Vaniladen Avenue (6700 N. Block) C-130420 12/14/20 03/22/21 $33,804.05 0.00 N/A Vido Artukovich & Son, Inc./VIDMAR, Inc. A JV

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Quarterly Report - Emergency Sewer Contract
Transmittal No. 2
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<tr>
<td>1</td>
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<td>SZS11779</td>
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<td>01/15/20</td>
<td>11/13/20</td>
<td>$34,159.37</td>
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<td>C-130417</td>
<td>08/23/18</td>
<td>12/18/19</td>
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<td>$1,701.57</td>
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<td>SZS11784</td>
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<td>01/07/20</td>
<td>10/22/21</td>
<td>$24,924.55</td>
<td>$1,246.23</td>
<td>10/22/21</td>
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<td>10/13/21</td>
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<td>10/13/21</td>
<td>Spiniello Companies</td>
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<tr>
<td>1</td>
<td>4</td>
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<td>C-130420</td>
<td>09/03/20</td>
<td>09/03/21</td>
<td>$1,636.15</td>
<td>$500.00</td>
<td>09/07/21</td>
<td>Vido Artukovich &amp; Son, Inc./VIDMAR, Inc. A JV</td>
</tr>
</tbody>
</table>
BPW Meeting - Item (7)

BPW-2022-0367

CD 1, 4, 8, 13, 14, 15

CONTRACT ACCEPTANCE - SIDEWALK REPAIR PROGRAM PACKAGE NO. 46

Recommending the Board:

1. ACCEPT this contract.

(W.O. E1908523, C-133000)

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCA BOE 2</td>
</tr>
</tbody>
</table>
DEPARTMENT OF PUBLIC WORKS
BUREAU OF CONTRACT ADMINISTRATION
BUREAU OF ENGINEERING
JOINT REPORT NO. 2
June 3, 2022

C.D. Nos. 1, 4, 8, 13, 14, and 15

SIDEWALK REPAIR PROGRAM PACKAGE NO. 46

RECOMMENDATION

Accept this contract.

DISCUSSION

On February 25, 2019, the Board adopted Bureau of Engineering and Bureau of Contract Administration Joint Report No. 2, which established a program authorizing the City to enter into a contract with on-call contractors to perform emergency geotechnical/structural construction services for public works projects.

On December 18, 2019, an emergency geotechnical/structural construction services contract was awarded on a competitive basis in the amount of $2,107,936.25 to Mike Prlich and Sons, Inc., for the “Sidewalk Repair Program Package No. 46” project. The contract was executed and its Notice to Proceed was issued on February 18, 2020. The construction, under Contract No. C-133000, Bond No. 803575, was completed on August 12, 2021.

This project provided for the repair of damaged sidewalks to meet Americans with Disabilities Act (ADA) standards. The repair work included: sidewalk replacement, curb ramp replacement/installation, driveway replacement, curb/curb and gutter replacements, asphalt concrete and patch replacement, tree root pruning, tree canopy pruning, tree removals, new tree planting, tree well modifications, root barrier installation, utility box/vault adjustments, traffic control, furnish/removal/installation/relocation of traffic signal system equipment and street lighting system equipment.

This project was awarded for $2,107,936.25 with a not-to-exceed amount of $2,529,524.00. Five (5) change orders were executed increasing the contract amount by $294,348.13, bringing the total cost of this project to $2,402,284.38. The project was completed at 13.96 percent above the awarded amount and 5.03 percent below its authorized budget. The total change order amount exceeds 5 percent of the original contract amount due to an addition in the quantities of work items to match actual construction.

Final corrections were completed on August 12, 2021. A request for release of $119,264.22 in retention funds was processed on January 5, 2022 via Progress Payment No. 9 (final) from the Bureau of Contract Administration to the Office of Accounting.

Funds were provided in the following:
There were no funds disputed or withheld. Therefore, no funds are due the contractor.

The contractor has complied with the Equal Employment Opportunity and labor compliance requirements of the contract.

The agreements contain a requirement for the Non-Discrimination and Affirmative Action Program, and all contractors have been encouraged to include MBE/WBE subcontractors. No specific MBE/WBE participation levels were established for this contract due to the emergency nature of the work.

There are no unresolved property owners’ complaints in connection with this project.

The Contractor Performance Evaluation Reports (CPERs) have been submitted to the Bureau of Contract Administration as required for compliance with Article 13, Chapter 1, Division 10 of the City of Los Angeles Administrative Code.

The Inspector of Public Works, John L. Reamer, Jr., in accordance with generally accepted quality assurance/control procedures and construction inspection methods and practices, including such special inspections that were deemed necessary and prudent, hereby attests that this project has been constructed in accordance with the plans, specifications, change orders, and contract provisions.

Report Prepared by:
A. Martinez
Angela Martinez, Chief Construction Inspector
General Services Division
213-798-5543

Sophea Ek, Project Manager
213-485-5846 / Stop No.: 494

Respectfully submitted,

JOHN L. REAMER, JR.
Inspector of Public Works

GARY LEE MOORE, PE, ENV SP
City Engineer
BPW Meeting - Item (8)

BPW-2022-0368

CD 7

**CONTRACT ACCEPTANCE - COLLECTION SYSTEMS SIERRA BONITA CARBON FACILITY UPGRADE CIP 7193**

Recommending the Board:

1. ACCEPT this contract.

(W.O. SZC13275, C-130183)

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCA BOE 3</td>
</tr>
</tbody>
</table>
DEPARTMENT OF PUBLIC WORKS
BUREAU OF CONTRACT ADMINISTRATION
BUREAU OF ENGINEERING
JOINT REPORT NO. 3
June 3, 2022

C.D. No. 7

COLLECTION SYSTEMS SIERRA BONITA CARBON FACILITY UPGRADE (CIP 7193)

RECOMMENDATION
Accept this contract.

DISCUSSION

On October 4, 2017, the Board adopted Bureau of Engineering and Bureau of Contract Administration Joint Report No. 1, which established a program authorizing the City to enter into a contract with on-call contractors to provide emergency repairs and construction services at the City’s wastewater treatment plants and other wastewater facilities.

On July 18, 2018, the Board authorized the City Engineer to negotiate with the top contractor on the Wastewater Treatment Plant Program Emergency Contractors On-Call Contractors list for CIP 7193, for an amount not-to-exceed $1,914,590.00 respectively, including contingency. Subsequently, on July 25, 2018, a Construction Order was issued to Murray Plumbing and Heating Co., under Contract No. C-130183. The Notice to Proceed was issued on September 10, 2018.

This project provided for the replacement of corroded carbon vessels including the associated ducting, isolation dampers, demisters, blowers and differential pressure gauges at the Sierra Bonita carbon scrubber sites. A soundproof enclosure for fans and ducting was also installed.

CIP 7193 was awarded with a not-to-exceed amount of $1,914,590.00. Twenty-three (23) task work orders were issued bringing the total cost of this project to $1,722,331.89. The project was completed at 10.04 percent below the not-to-exceed amount.

Final corrections were completed on April 20, 2021. A request for release of $86,116.59 in retention funds was processed on May 11, 2021 via Progress Payment No. 9 (final).

There were no funds disputed or withheld. Therefore, no funds are due the contractor.

Funds were provided in the following:

- Wastewater Capital Improvement Budget.
- Sewer Capital Fund, Fund No. 761, Dept. 50, Appropriation Unit Nos. 50RAHS and 50RAHG.
The contractor has complied with the Equal Employment Opportunity and labor compliance requirements of the contract.

This contract contains a requirement for the Non-Discrimination and Affirmative Action Program, and all contractors have been encouraged to include MBE/WBE participation. Due to the emergency nature of this contract, MBE/WBE subcontractor participation levels could not be established in advance.

There are no unresolved property owners' complaints in connection with this project.

The Contractor Performance Evaluation Reports (CPERs) have been submitted to the Bureau of Contract Administration as required for compliance with Article 13, Chapter 1, Division 10 of the City of Los Angeles Administrative Code.

The Inspector of Public Works, John L. Reamer, Jr., in accordance with generally accepted quality assurance/control procedures and construction inspection methods and practices, including such special inspections that were deemed necessary and prudent, hereby attests that this project has been constructed in accordance with the plans, specifications, change orders, and contract provisions.

( RM – AM )

Report Prepared by:
A. Martinez

Angela Martinez, Chief Construction Inspector
General Services Division
213-798-5543

Faiz Malik, Project Manager
310-648-6224 / Mail Stop 623

Respectfully submitted,

GARY LEE MOORE, PE, ENV SP
City Engineer

AM:lg
T,WW,OCC,L,Clerical,File
CS Sierra Bonita Carbon Facility Upgrade CIP 7193 SZC13275
CONTRACT AWARD - ADJUL CORPORATION DBA LEE CONSTRUCTION CO. - COLLIER STREET AT WINNETKA AVENUE STORM DRAIN

Recommending the Board:

1. DECLARE the Adjul Corporation dba Lee Construction Co. (Lee), first low bidder, to be the lowest responsive, responsible bidder, and award Lee a contract for this project for $993,529; 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. SZS11743)

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOE BCA 4</td>
</tr>
<tr>
<td>BOE BCA 4 TR 1</td>
</tr>
</tbody>
</table>
Department of Public Works
Bureau of Engineering
Bureau of Contract Administration
Joint Report No. 4

June 3, 2022
CD No. 3

CONTRACT AWARD TO THE ADJUL CORPORATION DBA LEE CONSTRUCTION CO. FOR THE COLLIER STREET AT WINNETKA AVENUE STORM DRAIN (WORK ORDER NO. SZS11743)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

1. DECLARE the Adjul Corporation dba Lee Construction Co. (Lee), first low bidder, to be the lowest responsive, responsible bidder, and AWARD Lee a contract for this project for $993,529.00.

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 December 15, 2021.

DISCUSSION

Background
The project will install 535 linear feet of 18-inch to 36-inch diameter Reinforced Concrete Pipe, one storm drain maintenance hole, one junction structure “C”, and two curb opening catch basins with gratings. The new structures are intended to serve as an extension of the existing storm water system to reduce the potential for flooding. Along with the new stormwater system, the project will install 1,200 linear feet of curb and gutter to help the water flow into new catch basins; also this project will resurface approximately 13,720 square feet along Winnetka Avenue, as illustrated in Figure No. 1. The project will benefit the residents and motorists that live and travel in the vicinity. The contract duration is 270 calendar days.
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 of Los Angeles (City) CEQA Guidelines.

**Bid Review**

The lowest of the ten bids received (Transmittal) compared with the City Engineer’s estimate of $1,183,150.00 is:

**Business Codes:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>MBE</td>
<td>Minority Business Enterprise</td>
</tr>
<tr>
<td>WBE</td>
<td>Women Business Enterprise</td>
</tr>
<tr>
<td>SBE</td>
<td>Small Business Enterprise</td>
</tr>
<tr>
<td>EBE</td>
<td>Emerging Business Enterprise</td>
</tr>
<tr>
<td>DVBE</td>
<td>Disabled Veteran Business Enterprise</td>
</tr>
<tr>
<td>OBE</td>
<td>Other Business Enterprise</td>
</tr>
<tr>
<td>LGBTBE</td>
<td>Lesbian, Gay, Bisexual, Transgender Business Enterprise</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bid No.</th>
<th>Contractor Name</th>
<th>Bid Amount</th>
<th>% High/Low</th>
<th>% Pledged</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Bid</td>
<td>Lee (SBE)</td>
<td>$993,529.00</td>
<td>16.03% Low</td>
<td>MBE 11.97% WBE 0.00% SBE 11.97% LGBTBE 0.00%</td>
</tr>
</tbody>
</table>

Mladen Buntich Construction Company, Inc. (Buntich) and Colich & Sons, LP (Colich), the respective fourth and ninth low bidders, listed their Total Bid Amounts incorrectly. Staff corrected the bidders’ Total Bid Amounts in accordance with the procedures set forth in
the General Instructions and Information for Bidders. The bidders were contacted and notified of the 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 Lee, 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 8.00 percent reduction of their bid amount solely for bid evaluation purposes. Additionally, all non-LBE bidders may be granted a 1.00 percent reduction, up to a maximum of 5.00 percent, of their bid amount for bid evaluation purposes, for every 10.00 percent of their bid that is to be performed by a LBE subcontractor.

For this project, the Bureau of Contract Administration (BCA) verified that the first low bidder, Lee, second low bidder Beador Construction Company Inc., and eighth low bidder Los Angeles Engineering, Inc. are not certified LBE’s. The third low bidder, Palp, Inc dba Excel Paving, fourth low bidder, Buntich, fifth low bidder, Ramona, Inc., sixth low bidder, Clarke Contracting Corporation, seventh low bidder, Grbcon, Inc., ninth low bidder, Colich, and tenth low bidder, MNR Construction, Inc., are certified LBE’s. This did change the order of the second and third lowest bids; Palp, Inc. moved to the second low bidder and Beador Construction Company moved to the third low bidder and the order of the eighth and ninth lowest bids; Colich moved to the eighth low bidder and Los Angeles Engineering, Inc. moved to the ninth low bidder, however, this did not affect the recommendation for award, as Lee remained the first low bidder.

**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 Regional Alliance Marketplace for Procurement (RAMP) 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. The Office of Contract Compliance, based on a review of the documents submitted by Lee, reported that the contractor pledged participation levels of 11.97 percent MBE, 0.00 percent WBE, 11.97 percent SBE, 6.75 percent EBE, 0.00 percent DVBE, 0.00 percent LGBTBE, and 15.65 percent OBE, and complied with the BIP outreach requirements of the bid. Currently, the LGBTBE certification is not required as part of the BIP Outreach, but is tracked for statistical purposes.
The Mandatory Subcontracting Minimum requirement for this project is 25.00 percent and the contractor has complied by pledging a subcontractor participation level of 35.25 percent. This percentage was calculated after subtracting the fixed cost items of $215,000.00 from the total bid amount.

Lee pledged the following subcontractor utilization:

Gender/Ethnicity Codes:

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<thead>
<tr>
<th>Code</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>AA</td>
<td>African American</td>
</tr>
<tr>
<td>APA</td>
<td>Asian Pacific American</td>
</tr>
<tr>
<td>NA</td>
<td>Native American</td>
</tr>
<tr>
<td>M</td>
<td>Male</td>
</tr>
<tr>
<td>HA</td>
<td>Hispanic American</td>
</tr>
<tr>
<td>SAA</td>
<td>Subcontinent Asian American</td>
</tr>
<tr>
<td>C</td>
<td>Caucasian</td>
</tr>
<tr>
<td>F</td>
<td>Female</td>
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</table>

<table>
<thead>
<tr>
<th>Subcontractor</th>
<th>MBE/WBE/ SBE/ EBE/ DVBE/OBE/ LGBTBE</th>
<th>Gender/Ethnicity</th>
<th>% of Bid</th>
<th>Dollar Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>LNA Concrete Structures</td>
<td>MBE, SBE, EBE</td>
<td>M/HA</td>
<td>6.75%</td>
<td>$67,100.00</td>
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<tr>
<td>Precon Products</td>
<td>MBE, SBE</td>
<td>M/HA</td>
<td>5.21%</td>
<td>$51,807.98</td>
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<tr>
<td>Channel Contracting, Inc.</td>
<td>OBE</td>
<td>M/HA</td>
<td>8.76%</td>
<td>$87,000.00</td>
</tr>
<tr>
<td>Commercial Coating Company Inc. dba Commercial Paving &amp; Coating</td>
<td>OBE</td>
<td>M/HA</td>
<td>6.89%</td>
<td>$68,500.00</td>
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</table>

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.

**Compliance with the City’s Non-Discrimination Policies**

Lee 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**

Within the last five years Lee has worked as a prime contractor on numerous emergency sewer and storm drain on-call projects; however, Lee has not completed any contracts through the bid and award process. During this time, the contractor has had no record of violations while performing construction contracts for the City; additionally, there are no significant or unresolved problems in inspection or contract compliance with this contractor experienced by the BCA.

**Contractor Performance Evaluation**

In accordance with Article 13, Chapter 1, Division 10, of the City’s 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’s 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
Lee was requested to extend their Bid Bond which expired on March 15, 2022. The contractor has agreed to extend their Bid Bond until June 24, 2022.

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

Status of Funding
Total construction funding for this project is not-to-exceed $1,192,234.80.

The funding for the project comes from the SB1 Road Maintenance & Rehab Fund, Fund No. 59V, Department No. 50, Appropriation Unit Nos. 50SKZD and 50VKZD.

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 to terms and conditions and cash availability described above:

<table>
<thead>
<tr>
<th>Fund No.*</th>
<th>Appropriation Unit No.</th>
<th>Budget Fiscal Year</th>
<th>Contract</th>
<th>Contingencies</th>
<th>Total</th>
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<tbody>
<tr>
<td>59V</td>
<td>50SKZD</td>
<td>2019-20</td>
<td>$993,529.00</td>
<td>$159,662.28</td>
<td>$1,153,191.28</td>
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<tr>
<td>59V</td>
<td>50VKZD</td>
<td>2021-22</td>
<td>$0.00</td>
<td>$39,043.52</td>
<td>$39,043.52</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$993,529.00</strong></td>
<td><strong>$198,705.80</strong></td>
<td><strong>$1,192,234.80</strong></td>
</tr>
</tbody>
</table>

* SB1 Road Maintenance and Rehab Fund
Report reviewed by:
BOE (ADM and CWD)
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, Program Manager II
Office of Contract Compliance
Bureau of Contract Administration
Statement as to funds approved by:
Miguel De La Peña, Director
Office of Accounting
Fund Ref. 59V/50/50SKZD/$1,153,191.28
Fund Ref. 59V/50/50VKZD/$39,043.52
Date: 5/20/2022
Questions regarding this report may be referred to:
Elvin Yeck, Project Manager
Phone No. (213) 847-0359
E-mail: elvin.yeck@lacity.org

Respectfully submitted,

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

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

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

Collier Street at Winnetka Avenue Storm Drain

W.O. Number SZS11743

Bid Date: December 15, 2021
Council District: 3
Bids Received: 10

### SUMMARY

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>BID AMOUNT</th>
<th>PERCENTAGE</th>
<th>HIGH/LOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY ENGINEER'S ESTIMATE</td>
<td>$ 1,183,150.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>THE ADJUL CORPORATION DBA LEE CONSTRUCTION CO.</td>
<td>$ 993,529.00</td>
<td>-16.03%</td>
<td>LOW</td>
</tr>
<tr>
<td>BEADOR CONSTRUCTION COMPANY, INC.</td>
<td>$ 1,062,300.00</td>
<td>-10.21%</td>
<td>LOW</td>
</tr>
<tr>
<td>PALP, INC DBA EXCEL PAVING</td>
<td>$ 1,085,577.00</td>
<td>-8.25%</td>
<td>LOW</td>
</tr>
<tr>
<td>MLADEN BUNTICH CONSTRUCTION COMPANY INC.</td>
<td>$ 1,178,690.00 *</td>
<td>-0.38%</td>
<td>LOW</td>
</tr>
<tr>
<td>RAMONA, INC.</td>
<td>$ 1,232,625.00</td>
<td>4.18%</td>
<td>HIGH</td>
</tr>
<tr>
<td>CLARKE CONTRACTING CORPORATION</td>
<td>$ 1,261,625.00</td>
<td>6.63%</td>
<td>HIGH</td>
</tr>
<tr>
<td>GRBCON, INC.</td>
<td>$ 1,288,190.00</td>
<td>8.88%</td>
<td>HIGH</td>
</tr>
<tr>
<td>LOS ANGELES ENGINEERING, INC.</td>
<td>$ 1,642,330.00</td>
<td>38.81%</td>
<td>HIGH</td>
</tr>
<tr>
<td>COLICH &amp; SONS, LP</td>
<td>$ 1,695,723.00 *</td>
<td>43.32%</td>
<td>HIGH</td>
</tr>
<tr>
<td>MNR CONSTRUCTION INC.</td>
<td>$ 1,858,858.00</td>
<td>57.11%</td>
<td>HIGH</td>
</tr>
</tbody>
</table>

* Corrected Bid Amount

**AVERAGE (MEAN)**: $1,329,944.70, 12.41% HIGH

**MEDIAN**: $1,247,125.00

---

Board of Public Works Meeting - June 3, 2022 - PAGE 303

TRANSMITTAL
BPW Meeting - Item (10)

BPW-2022-0370

CD 8

**REVISED TASK ORDER SOLICITATION (TOS) NO. 701 AND BUDGET INCREASE - KIMLEY-HORN AND ASSOCIATES, INC. - BROADWAY-MANCHESTER ACTIVE TRANSPORTATION EQUITY PROJECT**

Recommending the Board:

1. AUTHORIZE the City Engineer to issue a revision of TOS No. 701 to Kimley-Horn and Associates, Inc., increasing the budget authority from $5,317,802 to $6,665,062, including contingency, to provide additional design services for the Broadway-Manchester Active Transportation Equity Project.

(W.O. M0015817, M0016440, M0016441, C-134466)

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BSS_BOS_1</td>
</tr>
<tr>
<td>BSS_BOS_1_TR1</td>
</tr>
</tbody>
</table>
Department of Public Works

Bureau of Street Services
Bureau of Sanitation
Joint Report No. 1

CD No. 8

REVISE THE TASK FOR SOLICITATION NO. 701 TO KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE BROADWAY-MANCHESTER ACTIVE TRANSPORTATION EQUITY PROJECT (WORK ORDER NOS. M0015817, M0016440, M0016441, CONTRACT NO. C-134466)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

AUTHORIZED the City Engineer to issue a revision of the task for Task Order Solicitation (TOS) No. 701 to Kimley-Horn and Associates, Inc. (Kimley-Horn), increasing the budget authority from $5,317,802 to $6,665,062, including contingency, to provide additional design services for the Broadway-Manchester Active Transportation Equity Project.

TRANSMITTALS

1. Copy of Bureau of Street Services (StreetsLA) Board Report No. 1, adopted on February 16, 2021, authorizing the issuance of TOS No. 701 to Kimley-Horn for $5,317,802.

DISCUSSION

Background
The Broadway-Manchester Active Transportation Equity Project (Project) is located in the South Los Angeles area along a 2.8 mile stretch of Manchester Avenue from S. Vermont Avenue to S. Broadway, and S. Broadway from Manchester Avenue to Imperial Highway. The Project is the implementation of a community visioning plan that began in 2015 to create an enhanced pedestrian environment in the Project area consisting of improved traffic safety, community green space, and stormwater improvements. In May 2019, the Project secured $24.821 million through Cycle 4 of the Caltrans Active Transportation Program (ATP) to implement active transportation improvements in the Project area.

On February 16, 2021, the Board authorized the City Engineer to issue TOS No. 701 to Kimley-Horn from the Pre-Qualified On-Call (PQOC) Bridge/Civil Engineering and Other Design and Support Services Consultants List with a budget authority of $5,317,802, including contingency, to provide design support services for active transportation
improvements in the Project area, including Class IV protected bike lanes, curb extensions, pedestrian signals, bus islands, upgraded curb ramps, and sidewalk repairs (Transmittal No. 1).

Since the issuance of TOS No. 701, in addition to the original grant amount of $24.821 million, the project was awarded an additional $18 million from the U.S Department of Transportation (USDOT) Infrastructure for Rebuilding America (INFRA) discretionary grant program in July 2021 to supplement the ATP improvements for the construction phase. In addition, StreetsLA pursued and was successful in securing funding from the California Natural Resources Agency (CNRA) Urban Greening Grant Program and the Los Angeles County’s Safe Clean Water (SCW) Regional Program in order to realize the community’s vision of urban greening and stormwater capture and treatment, which were not eligible improvements under the ATP or INFRA grants.

The CNRA awarded the Project $713,804 in April 2021 to plant 250 shade trees and install a barrier protection along the 40-foot wide medians to create a safe linear park space for future recreational improvements, and in September 2021, the SCW Regional Program awarded the Project an additional $11.719 million to implement stormwater capture and treatment improvements, including bioswales, infiltration, diversion system, and capture and reuse. Combined with the previously awarded grants, the Project has been awarded $55 million in total by four different grant programs, each with its own budget, milestone deadlines, and grant reporting requirements.

As a result of the additional scope from these awarded grants, additional design services will be required to deliver the Project. To efficiently and cost effectively deliver the big vision of the Project, StreetsLA is recommending to use the existing TOS 701 issued to Kimley-Horn. Kimley-Horn has already begun the preliminary engineering efforts that will be the basis to inform design decisions for the added greening and stormwater scope. They have acquired an in-depth knowledge and design expertise for the Project having been involved with the Project before the other grants were awarded and has provided insight into effectively integrating the added scope into the overall design. This will save valuable time as maintaining the current design schedule for the original Task Order is critical while adhering to the multiple construction schedules. Initiating a new TOS would add at least six months to the Project schedule, negatively impacting delivery timelines across the multiple grants. The CNRA grant must be completed by March 2023, the SCW Regional Program grant will be in construction in Fiscal Year (FY) 2023/24 through 2024/25, and the ATP will be in construction for FY 2023/24 through 2026/27.

Using the existing TOS No. 701 and retaining Kimley-Horn will also expedite the production of one cohesive construction document reflecting the multi-benefit scope that
will be easier to manage under one contract. This will reduce construction impacts to the community. Having one team delivering the multiple scope and representing the project to the community is also beneficial to avoid confusion and engagement fatigue.

It is therefore vital, for successful project delivery, to have Kimley-Horn deliver TOS No. 701 with the added greening and stormwater project scope.

**Description of Additional Services**
StreetsLA has negotiated with Kimley-Horn for an agreed increase of $1,224,760, not including contingency, to provide additional design services for the revised scope of the Project. The scope of the task revision consists primarily of the following items:

- Site investigation, including topographic mapping and performing a site reconnaissance
- Planning assessment, including evaluation of existing conditions and prior documentation, and alternatives analysis
- Plans, Specifications and Estimates (PS&E) package for the stormwater capture and treatment improvements and urban greening improvements
- Permitting

![Figure No. 1: Bioswales integrated with active transportation along Broadway](image-url)
Joint Report No. 1

Page 4

- Developing an operations, maintenance and monitoring plan
- Project management

StreetsLA recommends that the Board approve to increase the budget authority by $1,347,260, including contingency, from $5,317,802 to $6,665,062.

**Disadvantaged Business Enterprise (DBE) Program**

This Project includes federal funding. The City will follow the U.S. Department of Transportation’s requirements for DBE participation. The City has set an anticipated participation level of 8 percent. For the revised task, the consultant is pledging DBE participation of 18.14 percent.

For the revised task, the following firms are proposed to be utilized by the consultant:

**Gender/Ethnicity Codes:**

<table>
<thead>
<tr>
<th>Prime or Subconsultants</th>
<th>Gender/ Ethnicity</th>
<th>DBE/ OBE</th>
<th>(%) of Revised Task</th>
<th>Revised Task Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kimley-Horn</td>
<td>M/C</td>
<td>OBE</td>
<td>61.09%</td>
<td>$3,797,894.68</td>
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<tr>
<td>MIG</td>
<td>M/C</td>
<td>OBE</td>
<td>10.69%</td>
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<td>Psomas</td>
<td>M/C</td>
<td>OBE</td>
<td>8.70%</td>
<td>$541,044.00</td>
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<tr>
<td>GPA Consulting</td>
<td>F/HA</td>
<td>DBE</td>
<td>2.23%</td>
<td>$138,440.65</td>
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<tr>
<td>Wagner Engineering &amp; Survey, Inc.</td>
<td>F/C</td>
<td>DBE</td>
<td>4.50%</td>
<td>$279,630.41</td>
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<td>The Alliance Group</td>
<td>M/APA</td>
<td>DBE</td>
<td>5.80%</td>
<td>$360,321.80</td>
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<tr>
<td>SKA Design</td>
<td>M/C</td>
<td>DBE</td>
<td>0.40%</td>
<td>$24,950.70</td>
</tr>
<tr>
<td>Value Management Strategies, Inc.</td>
<td>M/C</td>
<td>OBE</td>
<td>1.37%</td>
<td>$84,892.49</td>
</tr>
<tr>
<td>Earth Mechanics</td>
<td>M/SAA</td>
<td>DBE</td>
<td>2.25%</td>
<td>$139,785.00</td>
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<tr>
<td>Watearth</td>
<td>F/C</td>
<td>DBE</td>
<td>2.97%</td>
<td>$184,848.00</td>
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<tr>
<td>Total DBE Participation</td>
<td></td>
<td></td>
<td>18.14%</td>
<td>$1,127,976.56</td>
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<tr>
<td>Total OBE Participation</td>
<td></td>
<td></td>
<td>81.86%</td>
<td>$5,088,564.44</td>
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<tr>
<td>Revised Base Task</td>
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<td></td>
<td>100.00%</td>
<td>$6,216,541.00</td>
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<tr>
<td>Contingency</td>
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<td>$448,521.00</td>
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<tr>
<td>Total Revised Task Budget Authority</td>
<td></td>
<td></td>
<td></td>
<td>$6,665,062.00</td>
</tr>
</tbody>
</table>
Contractor Performance Evaluation

In accordance with Division 10, Chapter 1, Article 13 of the Los Angeles Administrative Code, the appropriate City personnel responsible for the quality control of this personal services contract shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration, Special Research & Investigation Section upon completion of the contract.

Status of Funding

The Project is funded through a combination of Federal, State, and local funds.

The funding needed for the ATP grant is front-funded through the LADOT’s Transportation Grant Fund, No. 655, Department No. 94, Appropriation Unit No. 94ST1J. The front-funding was previously approved by the Board on February 16, 2021 (Transmittal No. 1) and there are no revisions to the previously approved amount under this Board Report. Caltrans will reimburse 88 percent for the preliminary engineering phase for the Project with ATP grant funds. StreetsLA will invoice the California Department of Transportation during the progress of work. The reimbursements, when received, will be deposited back into the respective accounts.

The Bureau of Sanitation (LASAN) will receive the allocated Round 2 Safe, Clean Water Program – Regional Program funding. Funds received will be deposited into the Measure W - Safe Clean Water - Regional Projects Special Fund No. 63F, Departmental Revenue Source 318411.

The CNRA grant funds are provided on a reimbursable basis. StreetsLA will front fund the expenditures using its operational budget. When reimbursements are received, they will be deposited into Fund No. 64C, Department No. 50, Revenue Source Code 5188, then transferred to replenish budgeted funds.

Funding for the revised Task in the amount of $1,347,260 is available as shown below:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount Approved by Board on February 16, 2021</th>
<th>Amount Increased</th>
<th>Recommended Amount for Revised Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Grant Fund</td>
<td>$5,317,802</td>
<td>$0</td>
<td>$5,317,802</td>
</tr>
</tbody>
</table>
Joint Report No.1

Page 6

| Fund No.655, Dept. No.94, Appr. Unit No.94ST1J | $0 | $1,256,260 | $1,256,260 |
| Measure W - Safe Clean Water - Regional Projects Special Fund Fund No.63F, Dept. No.50, Appr. Unit No. TBD | | | |
| Fund 100, Dept. 86, Appr. Unit No. 003040 (Contractual Services) | $0 | $91,000 | $91,000 |
| **Total** | **$5,317,802** | **$1,347,260** | **$6,665,062** |

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.

( ATR KM AMB SL )
Department of Public Works
Bureau of Street Services
Bureau of Sanitation
Joint Report No. 1

Page 7

Report reviewed by: BSS (ESD/FMD), BOE (BID), LASAN, DOT

Report prepared by:

StreetsLA
Al M. Bazzi, PE, ENV SP
Principal Civil Engineer

Statement as to funds approved by:

for
Miguel De La Peña, Director
Office of Accounting
Fund Ref. 100/86/003040-$91,000
Date: 4/27/2022

Eva Sung, Chief Management Analyst
Bureau of Sanitation
Fund Ref. 63F/50/TBD-$1,256,260
Date: 5/24/22

Mark Granado, Assistant General Manager
Department of Transportation
Fund Ref. 655/94/94ST1J-$5,317,802
Date: 05/03/2022

Questions regarding this report may be referred to:
Mara Luevano, PE, Project Manager
E-mail: mara.luevano@acity.org

Form Revised: February 2021

Respectfully submitted,

Keith Mozee
Executive Director and
General Manager
Bureau of Street Services

Barbara Romero
Director and General Manager
Bureau of Sanitation
Department of Public Works

Bureau of Street Services
Report No. 1
Date: February 2, 2021

CD No. 8

ISSUE THE TASK FOR SOLICITATION NO. 701 TO KIMLEY-HORN AND ASSOCIATES, INC. FROM THE PRE-QUALIFIED ON-CALL CONSULTANTS LIST TO PROVIDE DESIGN SUPPORT SERVICES FOR THE BUREAU OF STREET SERVICES’ (STREETS.LA) “BROADWAY-MANCHESTER ACTIVE TRANSPORTATION EQUITY PROJECT” (WORK ORDER NO. M0015817, CONTRACT NO. C-134466)

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

AUTHORIZED the City Engineer to issue the task to Kimley-Horn and Associates, Inc. (Kimley-Horn), Contract No. C-134466, from the Pre-Qualified On-Call (PQOC) Bridge/Civil Engineering and Other Design and Support Services Consultants List to provide design support services for the Broadway-Manchester Active Transportation Equity Project (Project), as stated in Task Order Solicitation (TOS) No. 701, with a budget authority of $5,317,802, including contingency.

TRANSMITTALS

1. Copy of the Bureau of Engineering (BOE) and Bureau of Contract Administration, Joint Report No. 1, adopted on November 01, 2019, authorizing the execution of Personal Services Contracts with thirty PQOC Bridge/Civil Engineering and other Design and Support Services Consultants.


DISCUSSION

Background

On November 1, 2019, the Board approved the PQOC list of consultants to provide bridge/civil engineering and other design and support services for Various Public Works Projects (Transmittal No.1). The contract with Kimley-Horn and Associates, Inc. was executed on November 20, 2019 and will expire on November 13, 2024. StreetsLA is proposing to utilize the PQOC list to issue TOS 701.

The Project is located in the South Los Angeles area along a 2.8 mile stretch of Manchester Avenue (from S. Vermont Avenue to Broadway) and S. Broadway (from Manchester Avenue to Imperial Highway). The corridor is home to 14 public schools serving approximately 9,000 students, residential and commercial districts, and a number
of community destinations, such as libraries, healthcare facilities, and social service centers. However, the existing transportation infrastructure along the corridor does not serve local residents or their daily needs. Additionally, pedestrians and cyclists have not had safe options to travel as bike lanes are missing or not visible and sidewalks are narrow or broken.

To address these issues, the Project will deploy a number of innovative design features, such as a roadway lane removal along Broadway to accommodate Class IV protected bike lanes with landscaped buffers, widened center medians to create pedestrian refuge islands, continental crosswalks, curb extensions, sidewalk repairs, upgraded access ramps, pedestrian signals, and shade trees. These improvements will benefit a historically disadvantaged community by encouraging increased use of active modes of transportation, such as walking and bicycling, thereby also improving public health outcomes. To provide immediate safety benefits and prepare for the Project, the Los Angeles Department of Transportation added Class IV protected bike lanes along Broadway in August 2020.
The Project is the implementation of the Caltrans Active Transportation Program (ATP) Grant to construct complete street treatments along Broadway and Manchester Avenue, which was adopted on July 31, 2018 (Council File No. 14-0499-S4) by the City Council. The ATP is providing federal and state funds in the amount of $24.8 million for all phases of this project. Local match for transportation grant projects is typically provided by City staff salaries funded by Proposition C. Due to recent shortfalls in the Proposition C fund, it is not certain that Proposition C will be able to fund the local match for this project. The total project cost is estimated at $46.6 million, $5.9 million for design and $40.7 million for construction. The ATP is providing federal and state funds in the amount of $24.8 million, requiring a local match of $21.8 million, and leaving a project shortfall of $21.8 million primarily for the construction phase currently scheduled for FY 2023/24 through 2025/26. Local match for the preliminary engineering phase scheduled for FY 20-21 through FY 2021-22, will be satisfied through the use of staff salaries assumed to be funded through Prop. C and/or Meas. R, therefore cash match should not be needed for the Task under this report. As long as the salary funding is available from these sources, there should be no negative impacts. Furthermore, StreetsLA is developing a funding plan to address the shortfall which includes pursuing outside grant fund opportunities, value engineering to reduce overall project cost, and evaluating the use of city forces for construction to reduce the need for cash match. Should additional grant funding be realized, additional City fund commitments including match and front funding will likely be required. StreetsLA will report back to the Board before initiating the construction phase of this project to provide an update on achieving the funding plan and identify any City local match or front funding requirements to ensure sufficient resources are available. If the City fails to identify funds for the project shortfall or fails to implement the project within
the granted time frame, all reimbursed expenditures from the grantor may have to be returned. Construction is estimated to begin in July 2023 and completed within 3 years.

**TOS Description**
The purpose of this Task is to provide design and support services for the Project (Transmittal No.2). The scope includes the following:

- Evaluation of Existing Conditions and Prior Documentation
- Environmental Documentation
- Stakeholder and Community Engagement
- Right-of-Way and Engineering Survey
- Utility Coordination
- Plans, Specifications, and Estimates (PS&E) Package
- Street Improvement and Civil Design
- Traffic Signal Modification Design
- Roadway and Pedestrian Lighting Design
- Landscape Design
- Value Engineering
- Project Management

**Summary of Selection and Negotiations**
The TOS was issued to all 30 PQOC consulting firms on July 6, 2020 (Transmittal No. 2). Task proposals were received on August 7, 2020 from five firms: Harris & Associates, Arup North America, Ltd., Kimley-Horn, Tetra Tech, and Moffatt & Nichol. The StreetsLA staff evaluated the respective proposals and interviewed all five firms based on the criteria specified in the TOS. Kimley-Horn's proposal and interview demonstrated that they have a thorough understanding of the scope, have the qualification and experienced team members, a good understanding of City procedures and practices, and provide a good value to the City. The City and Kimley-Horn negotiated their fee proposal and agreed on a base task amount of $4,834,366. With $483,436 contingency, the total budget authority is $5,317,802.

Documentation supporting the selection of the consultant as well as a record of the negotiations has been included in the project file.

**Disadvantaged Business Enterprise (DBE) Program**
This task will be federal and state funded. The City will follow the U.S. Department of Transportation's requirements for DBE participation. The City has set a goal of 8.00 percent. For this task, the consultant is pledging DBE participation of 15.61 percent.
On this particular task, the following firms are proposed to be utilized by the consultant:

Gender/Ethnicity Codes:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
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<td>African American</td>
</tr>
<tr>
<td>APA</td>
<td>Asian Pacific American</td>
</tr>
<tr>
<td>NA</td>
<td>Native American</td>
</tr>
<tr>
<td>M</td>
<td>Male</td>
</tr>
<tr>
<td>HA</td>
<td>Hispanic American</td>
</tr>
<tr>
<td>SAA</td>
<td>Subcontinent Asian American</td>
</tr>
<tr>
<td>C</td>
<td>Caucasian</td>
</tr>
<tr>
<td>F</td>
<td>Female</td>
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</table>

<table>
<thead>
<tr>
<th>Prime or Subconsultants</th>
<th>Gender/Ethnicity</th>
<th>DBE/OBE</th>
<th>% of Base Task</th>
<th>Task Amount</th>
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</thead>
<tbody>
<tr>
<td>Kimley-Horn</td>
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<tr>
<td>MIG</td>
<td>OBE</td>
<td>6.68%</td>
<td>$322,977.27</td>
<td></td>
</tr>
<tr>
<td>Psomas</td>
<td>OBE</td>
<td>11.19%</td>
<td>$541,044.00</td>
<td></td>
</tr>
<tr>
<td>GPA Consulting</td>
<td>F/C</td>
<td>2.86%</td>
<td>$138,440.65</td>
<td></td>
</tr>
<tr>
<td>Wagner Engineering &amp; Survey, Inc.</td>
<td>F/C</td>
<td>DBE</td>
<td>4.78%</td>
<td>$230,863.41</td>
</tr>
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<td>The Alliance Group</td>
<td>M/APA</td>
<td>DBE</td>
<td>7.45%</td>
<td>$360,321.80</td>
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<tr>
<td>SEITec</td>
<td>OBE</td>
<td>1.54%</td>
<td>$74,440.00</td>
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<tr>
<td>SKA Design</td>
<td>M/HA</td>
<td>DBE</td>
<td>0.52%</td>
<td>$24,950.70</td>
</tr>
<tr>
<td>Value Management Strategies, Inc.</td>
<td>OBE</td>
<td>1.76%</td>
<td>$84,892.49</td>
<td></td>
</tr>
</tbody>
</table>

**Contractor Performance Evaluation**

In accordance with Division 10, Chapter 1, Article 13 of the Los Angeles Administrative Code, the appropriate City personnel responsible for the quality control of this personal services contract shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration, Special Research & Investigation Section upon termination of the contract.

**STATUS OF FUNDING**

There is no impact to the General Fund. The funding needed for this Task is front-funded through the LADOT's Transportation Grant Fund, No. 655, Department No. 94, Appropriation Unit No. 94ST1J. Caltrans will reimburse 88 percent for the preliminary engineering phase for the Project with ATP grant funds. Local match for transportation grant projects is typically provided by City staff salaries funded by Proposition C. Due to recent shortfalls in the Proposition C fund, it is not certain that Proposition C will be able
Report No. 1

Page 6

to fund the local match for this project. The total project cost is estimated at $46.6 million, $5.9 million for design and $40.7 million for construction. The ATP is providing federal and state funds in the amount of $24.8 million, requiring a local match of $21.8 million, and leaving a project shortfall of $21.8 million primarily for the construction phase currently scheduled for FY 2023/24 through 2025/26. Local match for the preliminary engineering phase scheduled for FY 20-21 through FY 2021-22, will be satisfied through the use of staff salaries assumed to be funded through Prop. C and/or Meas. R, therefore cash match should not be needed for the Task under this report. As long as the salary funding is available from these sources, there should be no negative impacts. Furthermore, StreetsLA is developing a funding plan to address the shortfall which includes pursuing outside grant fund opportunities, value engineering to reduce overall project cost, and evaluating the use of city forces for construction to reduce the need for cash match. Should additional grant funding be realized, additional City fund commitments including match and front funding will likely be required. StreetsLA will report back to the Board before initiating the construction phase of this project to provide an update on achieving the funding plan and identify any City local match or front funding requirements to ensure sufficient resources are available. If the City fails to identify funds for the project shortfall or fails to implement the project within the granted time frame, all reimbursed expenditures from the grantor may have to be returned. Construction is estimated to begin in July 2023 and completed within 3 years.

The following funding has been verified and approved by the Executive Officer of the Los Angeles Department of Transportation subject to the conditions described above:

<table>
<thead>
<tr>
<th>Fund Source</th>
<th>Contract</th>
<th>Contingency</th>
<th>Amount</th>
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</thead>
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<tr>
<td>Transportation Grant Fund No. 655, Department No. 94, Appropriation Unit No. 94ST1J</td>
<td>$4,834,366</td>
<td>$483,436</td>
<td>$5,317,802</td>
</tr>
</tbody>
</table>

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.
Department of Public Works
Bureau of Street Services
Report No. 1
Date: February 2, 2021

Page 7

( KM SL FM )

Report reviewed by:
BSS (FM)

Report prepared by:
Advanced Planning &
Grant Management Division

Kevin Minne
Senior Civil Engineer

Statement as to funds approved by:

Monique F. Earl, Executive Officer
LA Department of Transportation
Fund Ref. 655/94/94ST1J/$5,317,802
Date: Jan 11, 2021

Questions regarding this
report may be referred to:
Mara Luevano, Project Manager
E-mail: Mara.Luevano@lacity.org

Respectfully submitted,

Adel H. Hagekhalil, PE
Executive Director and General Manager
Bureau of Street Services
Recommend the Board:

1. DECLARE Comet Electric, Inc. (Comet) first low bidder, to be the lowest responsive, responsible bidder, and award Comet a contract for this project for $2,995,440; 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. E1908769)
June 3, 2022
CD No. 7

**CONTRACT AWARD TO COMET ELECTRIC, INC. FOR THE 2017 EARMARK - NORTHEAST VALLEY TRAFFIC AND MOBILITY IMPROVEMENT, FEDERAL PROJECT NO. DEMO-5006-(897) (WORK ORDER NO. E1908769)**

**LOS ANGELES DEPARTMENT OF TRANSPORTATION (LADOT)**

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

1. DECLARE Comet Electric, Inc. (Comet) first low bidder, to be the lowest responsive, responsible bidder, and AWARD Comet a contract for this project for $2,995,440.00.

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 March 9, 2022.

**DISCUSSION**

**Background**

This project will install and/or upgrade Intersection and corridor improvements that included new traffic signals, left turn phasing, pedestrian warning devices, and other similar treatments as shown in Figure No. 1. The contract duration is 240 working days.
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 of Los Angeles’ (City)’s CEQA Guidelines.

**Bid Review**
The lowest of the four bids received (Transmittal) compared with the City Engineer’s estimate of $3,262,076.00 is:

Disadvantaged Business Enterprise Program Outreach Codes:

<table>
<thead>
<tr>
<th>DBE = Disadvantaged Business Enterprise</th>
<th>OBE = Other Business Enterprise</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid No.</td>
<td>Contractor’s Name</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Low Bid</td>
<td>Comet</td>
</tr>
</tbody>
</table>

Comet, first low bidder, submitted page F-5 (the “Bid Bond”) signed by its President and Secretary; however, the surety signature dates on page F-5 did not match the dates on the Notary Acknowledgment. The Bureau of Engineering (BOE) staff (staff) contacted Comet regarding this issue, and Comet has since provided a revised notary page to accompany the Bid Bond, with all documents dated February 8, 2022.

Staff recommends that this clerical error be treated as a waivable defect, as an inconsequential or minor deviation, and that this error not affect the award eligibility/responsiveness. The BOE thus recommends that the Board waive this irregularity and deem Comet’s bid to be valid, subject to verification of all other bidding requirements.
The Assistant City Attorney, Mr. Edward Jordan, has concurred with the recommendations contained in this report.

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

**DBE Program**

This project is federally-funded and is subject to the City’s DBE Program in accordance with regulations of the U.S. Department of Transportation, 49 Code of Federal Regulations, Part 26 and California Department of Transportation’s (Caltrans) DBE Program. The Race-Conscious DBE participation level was calculated using the dollar amounts of the DBE-certified subcontractors. Subcontractors not certified as DBE were considered OBE. Caltrans requires that staff calculate the DBE pledged participation levels based on the information provided on the bidder’s Exhibit 15-G.

The project was advertised with a DBE goal of 17 percent. The Office of Contract Compliance, based on the review of the documents submitted by Comet, reported that the contractor pledged a DBE commitment of 22.61 percent and an OBE participation level of 3.33 percent. Under the Caltrans Race-Conscious DBE Program, the bidder must either meet the DBE goal or submit adequate DBE Good Faith Efforts (GFE) documentation. Comet met the DBE goal and therefore, was not required to submit DBE GFE documentation.

Comet pledged the following DBE/OBE subcontractor utilization:

**Gender/Ethnicity Codes:**

<table>
<thead>
<tr>
<th></th>
<th>AA</th>
<th>APA</th>
<th>NA</th>
<th>M</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>African American</td>
<td>Asian Pacific American</td>
<td>Native American</td>
<td>Male</td>
<td>Female</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subcontractors</th>
<th>DBE/OBE</th>
<th>Gender/Ethnicity</th>
<th>% of Bid</th>
<th>Dollar Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.C. Drilling, Inc.</td>
<td>DBE</td>
<td>M/HA</td>
<td>2.10%</td>
<td>$63,000.00</td>
</tr>
<tr>
<td>Her-Con Construction Services, Inc.</td>
<td>DBE</td>
<td>M/HA</td>
<td>20.50%</td>
<td>$614,144.00</td>
</tr>
<tr>
<td>Smithson Electric, Inc.</td>
<td>OBE</td>
<td></td>
<td>0.77%</td>
<td>$23,200.00</td>
</tr>
<tr>
<td>Superior Pavement Markings, Inc.</td>
<td>OBE</td>
<td></td>
<td>2.56%</td>
<td>$76,589.70</td>
</tr>
</tbody>
</table>
Compliance with the City’s Non-Discrimination Policies

Comet shall comply with the Federal and City 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

No significant or unresolved problems in inspection or contract compliance by this contractor have been experienced by the Bureau of Contract Administration (BCA). Comet has been awarded numerous contracts issued by the Board within the last five years. Comet has compiled the following record of violations while performing construction contracts for the City:

<table>
<thead>
<tr>
<th>Infraction</th>
<th>Fine Amount</th>
<th>Date</th>
<th>Contract No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project: Central Avenue Installation TPS/ATSAC</td>
<td>$1,315.98</td>
<td>January 22, 2020</td>
<td>C-111166</td>
</tr>
<tr>
<td>Unauthorized Subcontractor Substitution</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other than the aforementioned, no significant or unresolved problems in inspection or contract compliance have been experienced by the BCA.

The following table summarizes the previous DBE/OBE participation levels pledged by Comet in the past five years:

<table>
<thead>
<tr>
<th>DBE/OBE Pledged Utilization Table (Race-Conscious DBE Program)</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Contracts</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Contractor Performance Evaluation

In accordance with Article 13, Chapter 1, Division 10, of the City 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 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.

Conclusion

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

Status of Funding

The funding for the project comes from the Transportation Grant Fund, Fund No. 655, Department No. 94, Appropriation Unit No. 94ST1P and Measure R, Fund No. 51Q, Department No. 94, Appropriation Unit No. 94V487.

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.”

Due to the complexity of Federal/State grant funding, as well as the availability of City funds as a match source or for additional scope, exact allocations, and appropriations may change for the purpose of maximizing participating grant reimbursements, minimizing impact to the City’s funds, while allowing work to proceed. Provided that the total budget including contingency as authorized by the Board is not exceeded, funding sources may be changed after award to align with changes in funding appropriations and allocations without additional Board approval for such changes.

The Assistant General Manager of the LADOT has identified and verified the following funding sources currently available for this project:

<table>
<thead>
<tr>
<th>Fund No.</th>
<th>Appropriation Unit No.</th>
<th>Budget Fiscal Year</th>
<th>Contract</th>
<th>Contingencies</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>655</td>
<td>94ST1P</td>
<td>2020/21</td>
<td>$2,895,440.00</td>
<td>$299,544.00</td>
<td>$3,194,984.00</td>
</tr>
<tr>
<td>51Q</td>
<td>94V487</td>
<td>2022</td>
<td>$100,000.00</td>
<td>$0.00</td>
<td>$100,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$2,995,440.00</strong></td>
<td><strong>$299,544.00</strong></td>
<td><strong>$3,294,984.00</strong></td>
</tr>
</tbody>
</table>

* Northeast Valley Traffic and Mobility Improvements
Report reviewed by: BOE (ADM) and LADOT

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

Statement as to funds approved by:
Mark Granado
Assistant General Manager
Department of Transportation
Fund Ref. 655/94ST1P/$3,194,984.00
Fund Ref. 51Q/94V487/$100,000.00
Date: 5/24/2022

Questions regarding this report may be referred to:
Moises Delgado, Project Manager
Phone No. (213) 972-8603
E-mail: moises.delgado@lacity.org

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

Seleta Reynolds
General Manager
Department of Transportation

John L. Reamer, Jr.
Inspector of Public Works
Bureau of Contract Administration
### Bid Results
City of Los Angeles - Department of Public Works - Bureau of Engineering

#### 2017 Earmark - Northeast Valley Traffic and Mobility Improvement

W.O. Number E1908769
Fed I.D. No. DEMO 5006(897)

Bid Date: March 9, 2022
Council District: 7
Bids Received: 4

#### SUMMARY

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>BID AMOUNT</th>
<th>PERCENTAGE</th>
<th>HIGH/LOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY ENGINEER’S ESTIMATE</td>
<td>$ 3,262,076.00</td>
<td>-8.17%</td>
<td>LOW</td>
</tr>
<tr>
<td>1 COMET ELECTRIC, INC.</td>
<td>$ 2,995,440.00</td>
<td>-8.17%</td>
<td>LOW</td>
</tr>
<tr>
<td>2 INTERNATIONAL LINE BUILDER’S ELECTRIC INC.</td>
<td>$ 3,064,222.00</td>
<td>-6.07%</td>
<td>LOW</td>
</tr>
<tr>
<td>3 CROSSTOWN ELECTRICAL &amp; DATA, INC.</td>
<td>$ 3,299,677.00</td>
<td>1.15%</td>
<td>HIGH</td>
</tr>
<tr>
<td>4 KDC INC. DBA DYNALECTRIC L.A.</td>
<td>$ 3,780,899.00</td>
<td>15.90%</td>
<td>HIGH</td>
</tr>
</tbody>
</table>

AVERAGE (MEAN) $ 3,285,059.50, 0.70% HIGH

MEDIAN $ 3,181,949.50
BPW Meeting - Item (12)

BPW-2022-0372

CD 1

CORRECTION OF WORK ORDER NUMBERS - TAYLOR YARD PASEO DEL RIO AND PROPOSITION O WATER QUALITY IMPROVEMENT PROJECTS

Recommending the Board:

1. REQUEST to correct the project Work Order Nos. from E1908532 and EW40087A to Work Order Nos. E1908532, EW40087D and EW40087F in the board report for this Project that was adopted on April 1, 2022.

(W.O. E1908532, EW40087A)

ATTACHMENTS:

Description

- BOE 3
MOTION

On April 1, 2022, the Board of Public Works (Board) approved a request for authority to issue the Task Order for Solicitation No. 48 to Tetra Tech, Inc., Contract No. C-129660, from the Pre-Qualified On-Call Wastewater and Environmental Engineering Services Consultants List to provide pre-design, design, environmental review and documentation, bid and award support, and design services during construction for the Taylor Yard Paseo del Rio and Proposition O Water Quality Improvements Projects (Project), Work Order Nos. E1908532 and EW40087A, with a budget authority of $4,252,106, including contingency.

The adopted board report incorrectly listed Work Order No. EW40087A and omitted additional Work Order Nos. EW40087D and EW40087F, which are associated with this Project. The typographical error was discovered after the board report was adopted. It is requested that the Board authorize revision of the Work Order Nos. from E1908532 and EW40087A to Work Order Nos. E1908532, EW40087D and EW40087F. There is no change in the Task Order scope or total budget.

I THEREFORE MOVE that the Board grant the request to correct the project Work Order Nos. from E1908532 and EW40087A to Work Order Nos. E1908532, EW40087D and EW40087F in the board report for this Project that was adopted on April 1, 2022.

( CFJ RMK AM )

Motion reviewed by:

BOE (ADM)

Motion prepared by:

Clean Water Division

Christopher F. Johnson, PE, GE
Division Engineer
Phone No. (213) 923-4707

CFJ/LR/MO05-2022_CWD.gva

Questions regarding this Motion may be referred to:
Luz Rabelo, PE, Civil Engineer
Phone No. (213) 847-1666
E-mail: luz.rabelo@lacity.org

Respectfully submitted,

[Signature]

For Gary Lee Moore, PE, ENV SP
City Engineer
BPW Meeting - Item (13)

BPW-2022-0373

Status Update on Major Upcoming Street Improvement Projects
- Bureau of Street Services

ATTACHMENTS:

Description

BSS_OR_1
DATE: May 25, 2022

TO: Board of Public Works  
City of Los Angeles  
Attention: Dr. Fernando Campos

FROM: Keith Mozee  
Executive Director and General Manager  
Bureau of Street Services

SUBJECT: BUREAU OF STREET SERVICES (STREETS LA) MAJOR STREET PROJECT UPDATE – SCHEDULED AT BOARD JUNE 3, 2022

This information is being provided to keep the public informed on the upcoming Resurfacing Projects and to minimize the impact on the community as well as delays to the commuters. StreetsLA would like to provide you with an update on all major upcoming street improvement projects.

There are no Major Street Projects scheduled in the Metro or Valley Resurfacing Regions during the week of June 5, 2022 through June 11, 2022.

However, we will provide an update on our 21-22 Pavement Preservation Program.

The press releases were broadcasted, and notifications have been issued. StreetsLA has coordinated with the Council District Offices to assist with the outreach to stakeholders and we have coordinated with the Los Angeles Department of Transportation for traffic control assistance. This information is also available on the StreetsLA Website (https://streetsla.lacity.org/).

For additional information or concerns, you can contact Sherarade Nichols at (213) 847-3200.

RS/SN:

C:Robert Sewell, StreetsLA
BPW Meeting - Item (14)

BPW-2022-0374

Specialized On-Call Maintenance Services Update
- Bureau of Sanitation
BPW Meeting - Item (15)

BPW-2022-0339
ADVISEMENT #1

Report on Policy No. 813 - Public Right-of-Way Project Planning and Delivery

(CONTINUED FROM FRIDAY, MAY 20, 2022)