

REPORT OF GENERAL MANAGER

APPROVED

NO. 07-198

DATE September 5, 2007

SEP 05 2007
BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK FIRE RECOVERY – HYDROMULCH EROSION CONTROL PROJECT (W.O. #DSRE0002) – REVIEW OF BIDS AND AWARD OF CONTRACT

R. Adams _____
H. Fujita _____
S. Huntley _____
V. Israel _____

J. Kolb _____
F. Mok _____
K. Regan _____
*M. Shull _____

for MS

W. Regan (for KM)
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Find Western States Reclamation, Inc., with a base bid of \$1,862,112, to be the lowest responsive and responsible bidder for the Griffith Park Fire Recovery – Hydromulch Erosion Control Project (W.O. #DSRE0002);
2. Award the contract including Additive Alternate No. 1 (in the amount of \$125,703.60), resulting in a total award amount of \$1,987,815.60, to Western States Reclamation, Inc., all according to the plans and specifications for the Griffith Park Fire Recovery – Hydromulch Erosion Control Project (W.O. #DSRE0002);
3. Transfer funds from the General Fund 302 Department 88, Account 3160 to the General Fund 302 Department 88, Account 3040 in the amount of \$919,865.36 subject to Mayor's approval;
4. Authorize the Department's Chief Accounting Employee to encumber funds in the amount of \$1,987,815.60, from the following fund and account numbers under the awarding authority of this Board report;

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<u>FUND SOURCE</u>	<u>FUND/DEPT/ACCOUNT</u>	<u>ENCUMBRANCE AMOUNT</u>
General Fund	302/88 3040	\$1,919,865.36 *
Special Fund	302/89 300K	\$ 67,950.24
TOTAL		\$1,987,815.60

* In addition to the amount reference in Recommendation No. 3, Council File No. 07-0600-S38, dated August 1, 2007, approved the additional appropriations in the amount of \$1 million for the Griffith Park fire recovery.

5. Direct staff to prepare a contract, subject to approval as to form by the City Attorney; and,
6. Authorize the Board President and Secretary to execute the contract, upon approval by the City Attorney.

SUMMARY:

On May 8, 2007, a brush fire broke out and, over the course of the next two days, consumed over 800 acres of Griffith Park. The fire caused significant damage to the vegetation, destroying the majority of the mixed chaparral and mixed shrub plant communities. Fires greatly alter the physical characteristics of hillside slopes, stripping them of their natural protective cover of vegetation and organic litter and removing barriers that stabilize soil and hold sediment. As a result, burned watersheds generally shed runoff faster than unburned watersheds and commonly produce flash floods, debris flows, and landslides, which can be devastating to property and human life. The burned areas of Griffith Park have the potential of demonstrating this behavior.

Immediately following the fire, Recreation and Parks (RAP) staff assembled a team of experts, known as the Griffith Park Fire Recovery Team, from many local, state and federal agencies. The team has been meeting on a weekly basis discussing both short and long term recovery strategies. The Bureau of Engineering, Geotechnical Division supported the team with the necessary scientific and engineering data formulated from a number of assessments such as burn severity, assets at risk, watershed mapping, potential sediment loading, and slope steepness. All of these are key factors when analyzing the erosion potential of the burned areas of the park.

The most effective measure when considering best management practices of other agencies, estimated time left in the dry season, environmental impacts and economical feasibility is hydraulic mulching (hydromulching). Hydromulch consists of varying mixtures formulated by

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different manufacturers consisting of fiber (either wood, vegetation or paper), soil binders, tackifiers and water. It is applied in a wet state by either air (helicopter), ground (truck), or a combination of both; and typically dries in less than 24 hours. Hydromulch reduces erosion by providing cover that reduces raindrop impact and absorbs overland flow. Hydromulching also binds loose soil and ash to protect downstream water quality. The mulch improves moisture retention and reduces soil loss, which benefits the natural recovery of the vegetative cover. Hydromulching initially reduces sediment generation by 70% to 80% as compared to sediment production off bare slopes.

It is anticipated the hydromulch will only last through the 2007-2008 rainy season which typically runs from November through April. It is also anticipated that enough natural plant growth will be generated over the next year that re-application prior to the 2008-2009 rainy season will not be necessary but will be considered. Regular reports on the vegetative recovery and the effectiveness of hydromulch and other erosion control measures will be generated throughout next year and will be presented to the Board at a future meeting.

On July 11, 2007, the Board authorized the General Manager to release the bid plans upon completion of the scope of work and specifications for erosion control utilizing hydromulching (Board Report No. 07-159). Final plans and specifications for the Griffith Park Fire Recovery – Hydromulch Erosion Control Project (W.O. #DSRE0002) were released for bid on August 10, 2007, with the bid opening on August 28, 2007.

The plans and specifications provide for aerial and ground application of hydromulch in selected burn areas within Griffith Park which are broken down by watershed basin area with a corresponding basin number. The base bid includes all of the high and moderate erosion potential areas contained within Basins No. 1, 2, 3, 13, 14, and 16, and the high erosion areas only in Basins No. 5 and 6. This represents a total of 443.36 acres of highest priority areas. These areas were determined as the highest priority areas due to the assessment of assets at risk which include, but are not limited to, private homes and the Greek Theatre. An additional 259.65 acres were identified in the burned area as possible areas to be hydromulched. This 259.65-acre area was treated as bid alternatives (further described below) because the burn intensity was less severe and some vegetative cover remains, and the soil and slope characteristics are such that erosion potential is less or will have no impact on private property and minimal impact on public property.

Additive Alternate No. 1

The plans and specifications provide for aerial and ground application of hydromulch in selected burn areas within Griffith Park. Additive Alternate No. 1 is the high and moderate erosion potential areas contained within Basin No. 15 on the plans.

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Additive Alternate No. 2

The plans and specifications provide for aerial and ground application of hydromulch in selected burn areas within Griffith Park. Additive Alternate No. 2 is the moderate erosion potential areas contained within Basin No. 5 with a slope of 45 degrees or greater on the plans.

Additive Alternate No. 3

The plans and specifications provide for aerial and ground application of hydromulch in selected burn areas within Griffith Park. Additive Alternate No. 3 is the moderate erosion potential areas contained within Basin No. 5 with a slope between 26.6 and 45 degrees on the plans.

Additive Alternate No. 4

The plans and specifications provide for aerial and ground application of hydromulch in selected burn areas within Griffith Park. Additive Alternate No. 4 is the moderate erosion potential areas contained within Basin No. 5 with a slope between 18.4 and 26.6 degrees on the plans.

The bid documents provided that the determination of the lowest responsive bidder would be based on the base bid amount without consideration of any additive alternates.

On August 28, 2007, the Board received a total of three bids as follows:

Bidder	Base Bid	Add. Alt #1	Add. Alt. #2	Add. Alt. #3	Add. Alt. #4
Hydrospout, Inc.	\$1,829,938.00	\$296,384.00	\$61,746.00	\$69,979.00	\$947,961.00
Western States Reclamation, Inc.	\$1,862,112.00	\$125,703.60	\$41,868.00	\$44,552.55	\$825,740.00
American Civil Constructors, Inc.	\$2,490,935.00	\$208,076.00	\$54,943.00	\$64,158.00	\$1,134,823.00

It is important to note that the Good Faith Outreach Effort for participation of Minority, Women, and Other Business Enterprise (MBE/WBE/OBE) was waived for this project. RAP staff received approval from the Mayor's Office of Housing and Economic Development for a MBE/WBE/OBE participation rate of 0%, due to the emergency nature of the work, very short bid and contract time, specialty contractors and limited work areas to possibly subcontract.

The bids came in well over our estimated cost of \$1,000,000. The substantial increase is believed to be based on the large volume of work as a result of the heavy fire season, an aggressive schedule to complete the work, and RAP's addendum to the bid package to change the hydromulch specification to a product that has higher performance characteristics on steeper slopes.

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The apparent low bidder, Hydrosput, Inc., was found to be non-responsive due to failure to complete and submit the Municipal Lobbying Ordinance, Bidder Certification (CEC Form 50). Section 48.09(H) of the Los Angeles Municipal Code requires that every bidder submit with their bid the Bidder Certification, CEC Form 50 to the awarding authority. The form in the Instructions to Bidders is clearly marked "MUST BE SUBMITTED WITH BID". Section 48.09(H) of the Los Angeles Municipal Code does not provide authority to waive this requirement.

The City Attorney and Department staff reviewed the bid submitted by Western States Reclamation, Inc., and found it to be in order. Staff recommends that the Board find Western States Reclamation, Inc., to be the lowest responsive and responsible bidder.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed erosion control project is an emergency action in a disaster-stricken area for which a local emergency has been proclaimed by the Mayor of Los Angeles and confirmed by the Governor's Office of Emergency Services pursuant to Chapter 7.5, Division 1 of Title 2 of the Government Code of the State of California. Therefore, the project is exempt from CEQA pursuant to Article II, Section 2(a) (3) of the City CEQA Guidelines – specific emergency actions taken to prevent or mitigate an emergency.

FISCAL IMPACT STATEMENT:

It is believed that this project will help reduce the potential fiscal impact of clean-up and property damage, as the concept of the hydromulch project is to hold as much of the soil and potential sediment in place as possible, thereby protecting property, environment and public safety from damaging debris flows during heavy rainstorms.

This report was prepared by Michael A. Shull, Superintendent, Planning and Development Division.