

JAMES G. FEATHERSTONE

May 9, 2014

BOARD OF FIRE COMMISSIONERS FILE NO. 14-051

FROM: James G. Featherstone, Interim Fire Chief

SUBJECT: RELEASE OF THE REQUEST FOR QUALIFICATIONS TO HIRE FOR WEED AND REFUSE ABATEMENT SERVICES

FINAL ACTION: Approved	Approved w/Corrections	Withdrawn
Denied	Received & Filed	Other

#### SUMMARY

The Los Angeles Fire Department (LAFD), Brush Clearance Unit, inspects over 141,000 properties located in the Very High Fire Hazard Severity Zone in accordance with Los Angeles Municipal Code 57.322.1. The LAFD traditionally hires between 12 and 15 new contractors to ensure competitive bidding. The current Weed and Refuse Abatement Agreements will expire on June 30, 2014. Therefore, a Request for Qualifications needs to be released to solicit interested candidates with sufficient crews and equipment, who possess the required Contractors State licenses and certificates, and who meet the requirements set forth by the LAFD.

With the approval of the Board of Fire Commissioners, subject to approval of the Mayor, the new list of contractors will be established prior to, and effective on July 1, 2014, and be valid for a one-year period. The LAFD may, at its sole discretion, with the approval of the Board of Fire Commissioners, extend the term of the agreements for up to two (2) additional years, exercisable in one-year increments. The approved weed abatement contractors will be invited to participate in weekly bid sessions beginning in May of each year, to clear City owned parcels, and again beginning in August, for privately owned parcels. The contractors work at the discretion of the LAFD and must abide by the regulations and requirements stated in the contractual agreement and the "Statement of Non-Collusion." The LAFD requested a waiver from the Minority Business Enterprise/Women Business Enterprise (MBE/WBE) provisions, which have been granted by the Mayor's Office.

#### RECOMMENDATIONS

That the Board:

1. Approve the attached Request for Qualifications to solicit for weed and refuse abatement services, and;

## Board of Fire Commissioners Page 2

2. Authorize the LAFD to release the Request for Qualifications to seek qualified contractors to perform the services of weed and refuse abatement in the Very High Fire Hazard Severity Zones of the City of Los Angeles.

#### **FISCAL IMPACT**

Each contractor is required to maintain sufficient crews and equipment to furnish these services in a timely manner and must continue to demonstrate a willingness to perform such services. During the 2013 Brush Clearance season, the LAFD's Brush Clearance Unit inspected 136,474 parcels, issued 9,767 citations, and sent to contract for weed and refuse abatement 810 privately-owned and 487 City-owned parcels at an estimated cost of \$2.5 million.

These contracts are paid from Account No. 3070 – Brush Clearance Contracts, and have been approved each year in the LAFD's Adopted Annual Budget. The City is reimbursed for brush clearance costs by invoicing the property owners directly, or through the County Assessor's tax rolls.

#### CONCLUSION

The LAFD has determined that weed abatement contractors are an essential element to a successful Brush Clearance Program. During past brush fire seasons, thousands of acres have been destroyed and numerous homes lost to wildfires. The LAFD Brush Clearance Program has proven to be one of the best and most successful programs in the country. The Brush Clearance Unit requires the assistance of private weed and refuse abatement contractors to ensure that adequate clearance and defense against the threat of wildfires is maintained. At the Board of Fire Commissioner's direction, the LAFD will release the Request for Qualifications and solicit qualified contractors to perform the weed and refuse abatement services in the coming fire season.

Board report prepared by Robert Knight, Captain II, Brush Clearance Unit.

#### Attachment

**Proposed Request for Qualifications** 

## REQUEST FOR QUALIFICATIONS BRUSH CLEARANCE WEED AND REFUSE ABATEMENT

## CONTRACTOR

## LOS ANGELES FIRE DEPARTMENT RFQ NO. 2014-038-001



## ISSUED BY CITY OF LOS ANGELES LOS ANGELES FIRE DEPARTMENT BUREAU OF FIRE PREVENTION AND PUBLIC SAFETY

May 2014

### REQUEST FOR QUALIFICATIONS NO. 2014-038-001 BRUSH CLEARANCE WEED AND REFUSE ABATEMENT CONTRACTOR LOS ANGELES FIRE DEPARTMENT

#### DATE ISSUED: May 23, 2014

- TITLE: Brush Clearance Weed and Refuse Abatement Contractor
- **DESCRIPTION:** The Los Angeles Fire Department is seeking qualified Contractors to abate fire hazards located in the Very High Fire Hazard Severity Zone (VHFHSZ).

MANDATORY ORIENTATION:	Thursday, June 12, 2014 9 a.m. Pacific Standard Time Los Angeles Fire Department Brush Clearance Unit 6262 Van Nuys Boulevard, Suite 451 Van Nuys, California 91401 (818) 778-4909
	(818) 778-4909

## RESPONSIBILITY QUESTIONNAIRE DEADLINE:

Monday, June 23, 2014 5 p.m.

**DELIVERY ADDRESS:** 

Los Angeles Fire Department Brush Clearance Unit 6262 Van Nuys Boulevard, Suite 451 Van Nuys, California 91401 (818) 778-4909

CONTRACT ADMINISTRATOR: Armando Nunez, Inspector II Los Angeles Fire Department Phone: (818) 374-5063 Fax: (818) 778-4910 E-mail: Armando.nunez@lacity.org

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## BRUSH CLEARANCE WEED AND REFUSE ABATEMENT CONTRACTORS FOR THE LOS ANGELES FIRE DEPARTMENT

## 1.0 INTRODUCTION

The City of Los Angeles Fire Department, Brush Clearance Unit, seeks qualified Contractors to abate fire hazards located in the Very High Fire Hazard Severity Zone (VHFHSZ) on improved and unimproved properties.

The purpose of this <u>Request For Qualifications</u> (RFQ) is to establish a list of qualified Contractors with sufficient crews, equipment, and required Contractors State licenses and certificates to provide weed and refuse abatement in areas identified as being the Very High Fire Hazard Severity Zone. Approved Contractors will be invited to participate in weekly bid sessions that will begin in July 2014.

### 2.0 SCOPE OF SERVICES

This RFQ seeks qualifications from interested parties with the appropriate experience, reputation, equipment; work crew and financial responsibility. The work to be performed is weed abatement, landscape vegetation defensive spacing, tree trimming and refuse removal as specified in Los Angeles Municipal Code, Section 57.322.1. The Brush Clearance Unit will provide additional details on properties where the contractor may be asked to perform work. Tree trimming above 15 feet will be awarded only to Contractors holding C-61 or D-49 license(s) from the California Contractors State License Board. Respondents will be required to sign the attached contract upon award of contract.

Contractors, in good standing with the Fire Department, may participate in weekly bid sessions between the months of May through December in the same calendar year. Workdays are Monday through Sunday except on City holidays or rainy days. The work required to clear a bid package may take a five-person crew approximately 30 to 50 hours of weed and refuse abatement or tree trimming.

The area inspector prepares the bid packages, which will consist of one or more parcels. Each bid package includes a copy of the "Contractors Worksheet" for each parcel contained in the package. The Contractors Worksheet packet describes the area and scope of work to be performed, a copy of the applicable Los Angeles County Assessor's map; the start date; a Statement of Non-Collusion (an exemplar of such Statement is attached to this Contractual Agreement as Attachment C), and the bid sheet on which the Contractor's bid must be submitted. The work required on each parcel will be only that which is described on the worksheet. All parcels to be cleared will be designated by the Fire Department and in accordance to the instructions provided (Contractor's Work Sheet), and which will include drawing and/or maps of the parcel area(s). A contractor must demonstrate the attribute of trustworthiness, as well as quality, fitness, and experience to satisfactorily perform the contract. If a contractor is unable to meet all or a portion of his or her obligation the Fire Department may assign another contractor to perform the work required.

## 2.1 Services Solicited

The exact nature of the work to be performed by the Contractor will be described in the "Contractor's Worksheet" provided by the Fire Department for each parcel to be cleaned. Contractors should be familiar with the following:

- Brush clearance in hilly steep areas.
- Ability to identify property lines and deciphers the County Assessor's map.
- Familiarity with various types of hazardous vegetation, insects, and other wild life.
- Ability to manage time and workload relative to contract requirements.
- Tree trimming requirements and workload relative to contract requirements.
- Tree trimming requirements and/or removal.
- Ability to submit a bid on a property using standard bidding estimate.
- Working knowledge of Fire Code requirements for brush clearance.
- Removal of debris including car parts, metal, and other material specified on worksheet.

### 3.0 SELECTION PROCEDURES

Each party interested in becoming a Weed and Refuse Abatement Contractor are required to submit to the Fire Department qualifications and documentation to that party's ability to perform. These documents will be evaluated and assigned a numerical score based on specific criteria relevant to ability to respond and perform. The Fire Department will consider all of the following requirements:

- Attendance at required Brush Clearance Mandatory Orientation. Satisfactory record of past performance with the City of Los Angeles, including a comprehensive review of claims history, change order history, and database information maintained by the Office of Contract Compliance.
- Review of the Contractor's completed <u>City of Los Angeles Contractor</u> <u>Responsibility Questionnaire</u> (Attachment A).
- Equipment used to perform brush clearance and safety equipment.
- Contractors are required to possess either a C-27, and for tree trimming a D-49 license from the California State License Board if they are interested in trimming trees that are at least 15 feet or more in height.

- If no record of past performance with the City of Los Angeles exists, the Fire Department will conduct a First Time Bidder Investigation. This will consist of *the following:* 
  - 1. A review of the Contractor's completed work projects and work references,
  - 2. A review of the Contractor's record with the State of California and/or other governmental agencies.
  - 3. Experience in weed abatement and tree trimming with any government agency.
  - 4. Possession of appropriate Contractor's license, in good standing, indicating the license number and expiration date.

## 4.0 TERM OF THE CONTRACT

The term of this Contractual Agreement will commence on July 1, 2014; the date executed by all parties hereto and will terminate on June 30, 2015.

The City may, at its sole discretion and through the City's Representative, with the concurrence of the Board of Fire Commissioners, extend the term of the Contractual Agreement for two additional years, exercisable as one-year renewal options.

### 5.0 DESCRIPTION OF CITY REQUIRED DOCUMENTS

### 5.1 Contractor's Responsibility Ordinance Questionnaire

Prior to awarding a contract, the City shall make a determination that the prospective Contractor is one that has the necessary quality, fitness, and capability to perform the work set forth in the contract. The signatory of this questionnaire guarantees the truth and accuracy of all statements and answers (Attachment A).

Further information is available at: www.lacity.org/BCA/index.htm

### 5.2 Contractual Agreement

The Fire Department has the responsibility to comply with and enforce the Los Angeles Municipal Code with regard to abatement of certain public nuisances including, but not limited to, brush clearance, weed and refuse abatement, and tree trimming or removal (Attachment B).

### 5.3 Statement of Non-Collusion

Each proposal must include an executed Statement of Non-Collusion. The Statement of Non-Collusion guarantees that the bid is genuine, not a sham or collusive (Attachment C).

### 5.4 Standard Provisions

The enforcement of obligations, responsibilities, in regards to applicable laws of the United States of America, the State of California, and the City of Los Angeles including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing (Attachment D).

**5.5** Nondiscrimination/Equal Employment Practices/Affirmative Action The Contractor agrees not to discriminate during the performance of the resulting contract against any employee or applicant for employment because of the employee's or applicant's race, religion, national origin, ancestry, sex, age, sexual orientation, disabilities, marital status, or medical condition.

For every contract or subcontract on behalf of the City for which consideration is in excess of \$5,000, the Contractor must sign and submit with the proposal a signed Affirmative Action Practices Certification Form and a signed Affirmative Action Plan Contractors (Attachment E).

Further information is available at: <a href="http://www.lacity.org/BCA/index.htm">www.lacity.org/BCA/index.htm</a>

**5.6** Service Contractor Worker Retention and Living Wage Ordinances The Service Contractor Worker Retention Ordinance, Los Angeles Administrative Code, Section 10.36 *et seq.*, and the Living Wage Ordinance, Los Angeles Administrative Code, Section 10.37 *et seq.*, provide that all employers (except those specifically exempted) under contracts primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$25,000 and a contract term of at least three months, lessees and licensees of City property and certain recipients of City financial assistance must comply with provisions of said Ordinances.

Contractors must refer to Attachment F – Service Contractor Worker Retention Ordinance (SCWRO) and Living Wage Ordinance (LWO) for further information and instructions.

Contractors who believe that they meet the Qualifications for one of the exemptions described in the LWO List of Statutory Exemptions must apply for exemption from the Ordinance by submitting with their proposal the Bidder/Contractor Application for Non-Coverage or Exemption. The List of Statutory Exemptions and the Application for Non-Coverage or Exemption are included in Attachment F.

Further information is available at: www.lacity.org/BCA/index.htm

## 5.7 Equal Benefits Ordinance

Contractors are advised that any contract awarded pursuant to this RFQ will be subject to the applicable provisions of the Equal Benefits Ordinance, Los Angeles Administrative Code, Section 10.8.2.1.

Contractors must refer to Attachment G – Equal Benefits Ordinance (EBO) for further information and instruction.

All Contractors must complete and return, with their proposal, the Certification of Compliance with Equal Benefits Ordinance form (2 pages) contained in Attachment I. The Reasonable Measures Application for Equal Benefits Ordinance (1 page) and the Provisional Compliance with Equal Benefits Ordinance (2 pages) have been included in Attachment I, but should be submitted with the proposal <u>only</u> if applicable. Supporting documentation of the benefits provided is not required to be submitted with the proposal but will be required of the Contractors selected for award of a contract.

Further information is available at: <a href="http://www.lacity.org/BCA/index.htm">www.lacity.org/BCA/index.htm</a>

### 5.8 Slavery Disclosure Ordinance

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance, any contract awarded pursuant to this RFQ will be subject to the Slavery Disclosure Ordinance, Los Angeles Administrative Code, Section 10.41. (Attachment H)

Further information is available at: www.lacity.org/BCA/index.htm

### 5.9 MBE/WBE/DBE

It is the policy of the City to provide Minority Business Enterprises, Women Business Enterprises, and Disadvantage Business Enterprises an equal opportunity to participate in the contractual process. All proposers are strongly encouraged to make an effort to include members of these groups in any subcontracting work to be performed if awarded a contract.

## 5.10 Municipal Lobbying Ordinance

This Ordinance serves to identify persons engaged in compensated lobbying activities aimed at influencing decisions of City government. Applicants must submit the attached "Bidder Certification CEC Form 50. (Attachment J)

Further information is available at: http://ethics.lacity.org/PDF/laws/law

### 5.11 Business Tax Registration Certificate

The City of Los Angeles requires all persons doing business within the City of Los Angeles are required to obtain the necessary Tax Registration Certificate(s) and make payment of the business tax. (Attachment K)

Office of Finance's website: www.lacity.org/finance/pdf/TaxRegistrationV4.pdf

#### 5.12 Insurance Requirements

Prior to execution of the Contractual Agreement, the Contractor shall file with the City, in a form satisfactory to the City Attorney, evidence of insurance coverage as follows:

- Workers' Compensation Insurance in the amount of \$1 million including a Waiver of Subrogation is required for those jobs where Contractor's employees are working on City premises under hazardous conditions.
- General Liability Insurance in the amount of \$1 million is required to cover Contractor's operations whenever the City is at risk of third party claims that may arise out of the Contractor's presence on City premises.

Automobile Insurance in the amount of \$1 million is required only where vehicles are used in performing the work of this Contractual Agreement or where the vehicles are driven off-road on City premises.

Electronic submission of completed insurance forms is now the preferred method. Insurance agents should complete forms and E-mail insurance forms to: <u>cao.insurance.bonds@lacity.org</u> with a cc: to <u>Jacquelyn.hoard@lacity.org</u>

Risk Management is available to answer agents' questions at (213) 327-0298

To see if you have current insurance with the City of Los Angeles go to: <a href="http://www.lacity.org/cao/risk/index.htm">www.lacity.org/cao/risk/index.htm</a>

#### 5.13 Information on Business Locations and Workforce

It is the policy of the City of Los Angeles to encourage businesses to locate or remain in the City. Therefore, the Los Angeles City Council requires all City departments to gather information on the headquarters address and certain information on the employees of the firms contracting with the City (Council File No. 92-0021).

### 5.14 City of Los Angeles Contract History

The City Council passed a resolution on July 21, 1998 requiring that all proposed vendors supply in their proposal or bid, a list of all City of Los

Angeles contracts held by the bidder or any affiliated entity during the preceding 10 years.

15.14 The City of Los Angeles has adopted an ordinance that all contractors and subcontractors performing work for the City comply with all reporting requirements and wage and earning assignments relative to legally mandated child support.

## 6.0 MANDATORY ORIENTATION MEETINGS

### 6.1 Informal Meeting for New Applicants

This is an informal meeting for interested parties that have not been with the City of Los Angeles in the past five years and for those with a current contract. This meeting is to provide information and answer questions regarding brush clearance requirements and regulations.

Thursday , June 12, 2014 9 a.m. – 3 p.m. Los Angeles Fire Department Brush Clearance Unit 6262 Van Nuys Boulevard, Suite 451 Van Nuys, California 91401 (818) 778-4909

A second meeting will be held a later date for those contractors who require assistance in completing their paperwork.

#### 6.2 Reasonable Accommodations for Persons with Disabilities

As covered under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its proposals, programs, services, and activities. If an individual with a disability requires accommodations to attend the mandatory meeting or other on-site visit, please contact the Contract Administrator at least five working days prior to the scheduled event.

### 7.0 DEADLINE FOR SUBMISSION OF RESPONSIBILITY QUESTIONNAIRE

The original Contractor Responsibility Ordinance questionnaire must be delivered in person or by courier service and received by:

> Monday, June 23, 2014, by 5 p.m. Los Angeles Fire Department Brush Clearance Unit 6262 Van Nuys Boulevard, Suite 451 Van Nuys, California 91401

Persons who deliver the Contractor Responsibility Ordinance questionnaire (CRO) will be given a date and time-stamped copy of the submitted CRO. Timely submission of the CRO is the sole responsibility of the Submitter.

The CRO must be received by the Los Angeles Fire Department on or before the submission deadline specified in the RFQ. The deadline cannot be extended for failure on the part of a delivery or messenger service. Any CRO's received after the deadline, regardless of reason, will not be accepted. All CRO's delivered after 5 p.m. on the due date will be returned unopened. The City reserves the right to determine the timeliness of all paperwork submissions.

The submission dates for the Contractual Agreement, Statement of Non-Collusion, Standard Provisions, and proof of insurance will be determined at a later date. Three complete copies of these documents will be required at that time.

#### 8.0 EVALUATION PROCESS

An Evaluation Committee comprised of representatives from the Fire Department's Brush Clearance Unit, will evaluate the Contractor's Responsibility Ordinance Questionnaire (CRO) for relevant experience.

After receipt of the CRO, and prior to award of any contract, the City, at its sole discretion, may require Contractors to submit additional information and/or to meet in person with City personnel. The City reserves the right to verify the information submitted by the Contractor.

Failure of a Contractor to specifically and fully respond to each RFQ item, or any other information requested by the City, will eliminate that Contractor from the contracting process.

If a Contractor knowingly and willfully submits false information or other data, the City reserves the right to reject that response. If a contract was awarded as a result of false statements or other data submitted in response to this RFQ, the City reserves the right to terminate that Contract.

A Contractor will not be recommended for a contract, regardless of the merits of the response submitted, if the contractor has a history of contract nonresponsiveness or noncompliance with the City or other funding source or poor past or current performance with the City or other government agencies.

Late responses will not be considered. The City, in its sole discretion, reserves the right to determine the timeliness of all responses submitted.

All CRO's will be reviewed to determine that the minimum eligibility requirements have been met. All Contractors will be informed in writing if they are eligible or ineligible to be recommended for award of contract.

Submission of a response to this RFQ shall constitute acknowledgement and acceptance of the terms and conditions set forth herein.

A Contractor may withdraw its response prior to the specified due date and time by submitting a written request to withdraw on company letterhead, signed by an authorized representative of the Contractor.

EVALUATION CRITERIA		
	MAX. PTS.	SCORE
Has the contractor ever held any contracts with the City of Los Angeles for the last 10 years? Instructions: Yes = 25 pts., No = 0 pts.	25	
Has the contractor ever held any contracts with any other governmental entity over the last five years performing similiar work as stated in the contract? Instructions: Yes = 20 pts., No = 0 pts.		
	20	
Has the contractor ever held any contracts with any private entity? Instructions: Yes = 15 pts., No = 0 pts.	15	
Has proposer had their contract terminated prior to completion of the contract? Instructions: Yes = 0 pts., No = 10 pts.	10	
In the past five-years, has this company been debarred or determined to be non-responsible contractor? Instructions: Yes = 0 pts., No = 10 pts.	10	
In the past two-years, has this company been assessed liquidated damages on a contract? Instructions: Yes = 0 pts., No = 10 pts.	10	
Does the contractor possess one or more of the following state contractors' license: C-27, D-49 or a C-61? Instructions: Yes = 5 pts., No = 0 pts.	5	
Has the company been in business more than 5 years? (If company has been business for less than 5 years, it will not be considered at this time. Instructions: Yes = 5 pts., No = 0 pts.		
$p(\mathbf{s}), \mathbf{h} 0 = 0 \ \mathbf{p}(\mathbf{s}).$	5	

## 9.0 LIST OF ATTACHMENTS:

Contractor Responsibility Ordinance Questionnaire
Contractual Agreement
Statement of Non-Collusion
Standard Provisions for City Contracts (Rev. 10/03)
Nondiscrimination/Equal Employment Practices/Affirmative Action
Service Contractor Worker Retention Ordinance (SCWRO) and Living Wage Ordinance (LWO)
Equal Benefits Ordinance
Slavery Disclosure Ordinance
Los Angeles MBE/WBE/DBE
Municipal Lobbying Ordinance
Business Tax Registration Certificate
Insurance Requirements
Information On Business Locations & Workforce
City of Los Angeles Contract History
Child Support Obligations

# ATTACHMENT A

## CONTRACTOR RESPONSIBILITY ORDINANCE QUESTIONNAIRE

# ATTACHMENT B

**CONTRACTUAL AGREEMENT** 

# ATTACHMENT C

## STATEMENT OF NON-COLLUSION

# ATTACHMENT D

**STANDARD PROVISIONS** 

# ATTACHMENT E

## NONDISCRIMINATION/EQUAL EMPLOYMENT PRACTICES/AFFIRMATIVE ACTION

# ATTACHMENT F

## SERVICE CONTRACTOR WORKER RETENTION ORDINANCE (SCWRO) AND LIVING WAGE ORDINANCE (LWO)

# ATTACHMENT G

**EQUAL BENEFITS ORDIANCE (EBO)** 

# ATTACHMENT H

## SLAVERY DISCLOSURE ORDINANCE

# **ATTACHMENT I**

## LOS ANGELES MINORITY/WOMEN/DISADVANTAGE BUSINESS ENTERPRISE (MBE/WBE/DBE)

# ATTACHMENT J

**MUNICIPAL LOBBYING ORDINANCE** 

# ATTACHMENT K

## BUSINESS TAX REGISTRATION CERTIFICATE (BTRC)

# ATTACHMENT L

## **INSURANCE REQUIREMENTS**

## **Insurance Forms Are To Be E-Mailed To:**

cao.insurance.bonds@lacity.org

To see if you have current insurance with the City of Los Angeles go to: <u>www.lacity.org/cao/risk/index.htm</u>

Insurance Questions Call: (213) 978-7666

# ATTACHMENT M

## INFORMATION ON BUSINESS LOCATIONS AND WORKFORCE IN LOS ANGELES

# ATTACHMENT N

## **CITY OF LOS ANGELES CONTRACT HISTORY**

# **ATTACHMENT 0**

## **CHILD SUPPORT OBLIGATIONS**