



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: December 4, 2019

SUBJECT: **Agenda Item IX: Consideration of resolution authorizing purchase on the open market for skylight replacement at Ramirez Canyon Park, Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing purchase on the open market for skylight replacement at Ramirez Canyon Park, Malibu.

Background: The Art Deco House in Ramirez Canyon features eight skylights of varying sizes on a flat roof. The skylights are a known source of ongoing roof leaks and have not been replaced since MRCA began managing the property in the 1990s. At this time MRCA is seeking to resurface the roof and either replace or reseal the skylights. The Art Deco House is a potential location for staff displaced by the Woolsey Fire, but the building cannot be occupied until some renovations are completed, including the roof and skylight work.

On November 1, 2019, MRCA initiated a competitive bid process to replace the building's two largest skylights—a barrel vault shape that spans five segments and a large dome shape. These two skylights are custom shapes/sizes and will require the most specialty work. The remaining skylights may be salvageable if they are properly sealed. In addition to required advertisements and contacting local companies known to perform this type of work, a Notice of the Bid Opportunity was directly sent to disadvantaged businesses in related fields, in accordance with the agency's Outreach and Advertising Policy adopted in 2017. Potential bidders were identified via multiple sources, including Los Angeles County Certified DBEs, City of Los Angeles's DBE/MBE/WBE Directory, and the California Unified Certification Program.

Historically, staff have experienced that there is frequently a limited pool of qualified contractors who carry the necessary licensing and insurance, and are willing to be paid in arrears, that are interested in work in Ramirez Canyon. A mandatory job walk was held on November 14, 2019 and one potential bidder attended. No bids were

received on the due date of November 22, 2019.

Upon initiation of a competitive bidding process as required by Public Contract Code section 20815 *et seq.*, the Board has the discretion to do any of the following:

- (1) Award to the lowest responsive and responsible bidder;
- (2) Reject all bids and readvertise;
- (3) By a four-fifths vote, elect to purchase on the open market;
- (4) By a four-fifths vote, elect to perform the services by force account.

In this case, Option 1 is not possible because there were no bidders. Option 2 is not recommended due to the demonstrated historic difficulties in finding contractors for this site. Option 4 is not recommended because MRCA does not have experienced glaziers on staff, and would not be able to obtain a contractor's warranty or guarantee of workmanship. Option 3, purchase on the open market, is recommended because it is most likely to result in a satisfactory outcome and completion of the project in a timely manner. In addition to the reasons noted above, the requirements of a competitive bid process (such as mandatory visits, due dates, and bid forms) may have contributed to the lack of interest here. An open market purchase will provide staff the ability to have flexible schedules with potential contractors and consider alternative approaches, such as purchasing materials separately from labor or utilizing multiple vendors.

Consideration: Previous estimates for replacing the five-segment barrel vault skylight ranged from \$14,000 to \$30,000.

Fiscal Impact: Funding for the purchase will be from existing grants, and was included in the fiscal year 2019/20 budget. Maintenance costs are expected to decrease after the work is completed.