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CITY ATTORNEY

REPORT NO. R 17 - 0 1 0 8
APR 1 8 2017

REPORT RE:

**DRAFT ORDINANCE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS,
BUREAU OF SANITATION TO USE ALTERNATIVE PROJECT DELIVERY
METHODS AND THE COMPETITIVE SEALED PROPOSAL SELECTION PROCESS
CONSISTENT WITH CITY CHARTER SECTION 371 FOR CAPITAL IMPROVEMENT
PROJECTS RELATED TO THE DEVELOPMENT OF AN ADVANCED WATER
PURIFICATION FACILITY PROJECT AT HYPERION WATER RECLAMATION
PLANT, AND UTILIZE A LOCAL SMALL BUSINESS PREFERENCE FOR
APPLICABLE, RELATED CONTRACTS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would authorize the Department of Public Works, Bureau of Sanitation (LASAN) to use alternative project delivery methods and the competitive sealed proposal selection process for capital improvement projects related to the development of an Advanced Water Purification Facility Project at Hyperion Water Reclamation Plant, consistent with City Charter Sections 371 and 375.

According to LASAN, the Advanced Water Purification Facility Project is highly specialized and time critical. Therefore, contractors must have the expertise and experience to perform the project in an effective, efficient and timely manner to expedite reduction of potable water consumption at facilities operated by LASAN, Los Angeles Department of Water and Power (LADWP), and Los Angeles World Airport (LAWA). The project will also provide the advanced treated water to facilities being constructed at

LAWA, the construction of which is also on a compressed time schedule. LASAN indicates that the enclosed draft ordinance, if adopted, would enable these objectives be met most effectively.

Further, LASAN advises that proceeding with a progressive design-build project delivery method, awarded through a competitive sealed proposal, will assist in the control of costs and manage City risk to assure timely delivery of a high quality product.

This draft ordinance also authorizes LASAN to apply a local small business enterprise bid preference consistent with City Charter Section 371 to contracts related to the Advanced Water Purification Facility Project if the funding for the contracts so allows.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to LASAN, LAWA and LADWP with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Adena M. Hopenstand at 213-978-8130. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM/AH:cl
Transmittal