



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19 - 0 0 1 4
JAN 1 1 2019

REPORT RE:

**DRAFT ORDINANCE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS,
BUREAU OF SANITATION TO USE A DESIGN-BUILD-FINANCE-MAINTAIN-
OPERATE PROJECT DELIVERY METHOD AND A COMPETITIVE SEALED
PROPOSAL FOR PROJECTS RELATED TO THE DEVELOPMENT OF AN ORGANIC
WASTE MATERIAL PROCESSING FACILITY AT CENTRAL LOS ANGELES
RECYCLING AND TRANSFER STATION**

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

Council File No. 18-0861

Honorable Members:

Pursuant to your request, 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 a Design-Build-Finance-Maintain-Operate project delivery method along with a competitive sealed proposal selection process for capital improvements projects related to the development of an Organic Waste Material Processing Facility at Central Los Angeles Recycling and Transfer Station (CLARTS), consistent with City Charter Section 371.

According to LASAN, the Organic Waste Material Processing Facility 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. The City

has committed to create additional landfill diversion infrastructure (goals to this effect are included in, but are not limited to, the Mayor's Executive Directive No. 7 Sustainable City Plan). As a result, a demanding and compressed time schedule requires the food waste pre-processing facility to be available to divert 90 percent of organic waste material generated within the City from landfills by 2025. The Organic Waste Material Processing Facility at CLARTS is an important project needed to reach these goals. In addition, this type of work is highly specialized and, combined with the time constraints, ensuring contractors have experience and expertise is critically important. LASAN advises that proceeding with Design-Build-Finance-Maintain-Operate project delivery method, awarded by a competitive sealed proposal, will assist in the control of costs and manage City risk to assure timely delivery of a high quality product.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to LASAN 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 questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:AH:ev
Transmittal