

DATE SUBMITTED 10/12/2022
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 10/19/2022

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: RFP P2022-10 Acceptance DISCUSSION/ACTION:
 1. Discuss, Approve/Deny acceptance of RFP for Labor Compliance Services for Clearwell, Filter Piping & GAC Expansion Project

DEPARTMENT INVOLVED:
 Public Services – Water Dept.

BACKGROUND/SUMMARY:
 The City has received 1 Quote for Labor Compliance Services for the Airport Clearwell, Filter Piping & GAC Expansion Project

- Labor Compliance Consultants of Southern California – Hourly Pricing of \$90 + Fees; not to exceed \$13,200.00

Recommendation is to go with lowest quote, price per hourly rate and exceedance amount, Labor Compliance Consultants of Southern California.

FISCAL IMPACT: not to exceed \$13,200.00	FINANCE INITIALS <u>DP</u>
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STAFF RECOMMENDATION: Approve	DEPT. INITIALS <u>[Signature]</u>
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MANAGER'S RECOMMENDATION: <u>Approve staff recommendation</u>	CITY MANAGER'S INITIALS <u>[Signature]</u>
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MOTION:

SECONDED: _____ APPROVED () REJECTED ()
 AYES: _____ DISAPPROVED () DEFERRED ()
 NAYES: _____
 ABSENT: _____ REFERRED TO: _____



Copy

**Labor Compliance
Consulting Services**

**City of Imperial
Clearwell Pump Station Replacement & GAC Treatment
Expansion & Filter Piping Replacement Project**

P2022-05

September 30, 2022

Prepared by: Crystal Ransdell

Labor Compliance Consultants Of
Southern California LLC

P.O. Box 2660

Imperial Centro, CA 92244

Phone: 951-996-1961

Requested by:

Jisela Solorzano
City of Imperial

420 So. Imperial Avenue
Imperial, CA 92251

Consulting Services
Labor Compliance

City of Imperial
Clearwell Pump Station Replacement & GAC Treatment
Expansion & Filter Piping Replacement Project

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I. EXECUTIVE SUMMARY

HISTORY OF FIRM & SUMMARY OF QUALIFICATIONS

Labor Compliance Consultants of Southern California (LCCSC) is a consulting firm offering Labor Standards Compliance Consulting and Contractor Monitoring services to both private and public-sector clients in Southern California and Western Arizona. LCCSC recommends and will perform training in office to all the contractor's labor compliance staff and supervisors. We have a staff of trained and experienced labor compliance monitors and interviewers.

LCCSC has provided labor compliance consulting services to our governmental sector clients in ensuring Federal and State of California Labor Standards Compliance on many of their public works projects. The Staff of LCCSC has attended several training sessions pertaining to the California Department of Industrial Relations prevailing wage requirements for public works projects and has attended two Labor Compliance Program seminar trainings at Fresno State University. Individual training by Ms. Karen Belcher with the Department of Apprenticeship Standards has provided up to date training per the California Labor Code § 1777.5, the apprenticeship requirements, to the LCCSC Staff. Additionally, the LCCSC Staff has attended numerous training sessions provided by the Housing and Urban Development Department for public works projects. The training sessions reviewed compliance with Davis Bacon and Related Acts and Wage Guidelines. LCCSC maintains a bilingual Labor Standards Compliance Staff for onsite worker interviews to assist in facilitating accurate data collection and reporting.

LCCSC has provided Labor Standards Compliance Services for the cities of Westmorland, Brawley, Imperial, Holtville, Calexico and El Centro in addition to the County of Imperial. LCCSC has provided Labor Standards Compliance Services for private clients, including but not limited to Chelsea Investment Corporation, Emmerson Construction, TCI Construction, Trademark Construction, and JMR Construction of Chattanooga Tennessee. LCCSC has provided Labor Standards Compliance Services for several types of infrastructure related projects including but not limited to building construction, water, sewer and storm infrastructure improvements, roadway improvements and various others construction related projects.

LCCSC has performed the monitoring activities of the 3rd Party Labor Compliance Program operations for the Calexico Unified School District has performed as Labor Compliance Monitor for the City of Brawley's LCP for the park project funded through proposition 84 bonds. LCCSC has performed the Labor Compliance Monitoring for the City of El Centro's LCP for the Skate Park project also funded through proposition 84 bonds. A list of labor standards compliance projects is included herein.

PRIMARY CONTACT

Mrs. Crystal Ransdell
Senior Labor Standards Compliance Officer
P.O. Box 15937
San Diego, CA 92175
(760) 791-6914
cransdell@lccsc.net

ORGANIZATIONAL CHART

Ms. Crystal Ransdell, CFO
Senior Labor Compliance Officer
CPR / DIR / DBRA Specialist
Section 3 Specialist

Ms. Jennifer Dupont, Office Manager
Senior Labor Compliance Officer
CPR / DIR / DBRA Specialist
Section 3 Specialist

PROJECT TEAM HIGHLIGHTS:

LCCSC is a professional services firm well-seasoned in Labor Standards Compliance. LCCSC's labor compliance staff has worked on various construction projects in the Imperial County. Therefore, LCCSC would be highly sensitive to the needs of our clients herein Southern California and Western Arizona.

LCCSC IS DBE CERTIFIED AND SWBE CERTIFIED FIRM ID 44834

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

To provide employment and advancement opportunities to all individuals, employment decisions at Labor Compliance Consultants of Southern California are based on merit, qualifications, and abilities. Except where required or permitted by law, employment practices are not influenced or affected by an

applicant's or employee's race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

II. PROJECT APPROACH & SCOPE OF WORK

LCCSC shall be responsible for assisting **City of Imperial** with activities needed to ensure that workers employed by the Prime Contractor and any subcontractors are hired and paid in compliance with all

applicable State and Federal Laws. Mrs. Ransdell shall serve as the contact person for all issues related to labor standards compliance pertaining to this project.

The project consists of the Labor Compliance Monitoring for

City of Imperial Clearwell Pump Station Replacement & Granulated Activated Carbon Columns Treatment Expansion & Filter Piping Replacement Project approximately 250 calendar days under construction with an estimated cost of \$6,000,000.

Many different subcontractors and worker classifications will be present at the site which may require a substantial amount of Labor Standards Compliance oversight. It is critical that the labor compliance officers be involved at the commencement of the project to ensure timely compliance with the various aspects of labor standards compliance laws. Mrs. Ransdell shall prepare the current wage decisions and review the construction contract to ensure the required contract verbiage is included in the prime contractor's contract with his subcontractors.

The estimated construction time is two hundred fifty calendar days (250) from the date on the notice to proceed. The labor standards activities are expected to extend for a total of 11 months. One (1) month prior to construction activities, eight (8) months of construction activities and two (2) months following completion of the construction to obtain the final documentation from all contractors and subcontractors.

Labor Standards Compliance Services will include the following:

A. Wage Decisions Monitoring

LCCSC shall obtain the applicable Federal Wage Decisions from the awarding agency as required and monitor any modification and applicable changes to the various worker classifications applicable to this project. LCCSC shall notify **City of Imperial** of any modifications made to worker wage decisions.

B. Contractor Eligibility, Certifications and Pre-Construction Conference

LCCSC will perform the following duties:

1. LCCSC shall research all bidding General Contractors to ensure they are not debarred. Following the bid openings and the project award, LCCSC shall verify the General Contractor and sub-contractor's eligibility through the Federal debarment lists.
2. LCCSC shall attend the Pre-Construction Conference and provide a labor standards compliance handout of the Department of Labor information pertaining to public works projects. LCCSC shall be made available for further consultation by telephone or email and labor standards compliance training as requested. LCCSC recommends that a pre-construction training session concerning labor standards provision, administration, and enforcement be conducted.
3. LCCSC shall make available to the contractors and sub-contractors the required forms, documentation and contract language requirements.

C. Monitoring of Certified Payroll Reports, On Site Employee Interviews, and Progress Payment Review Assistance.

1. **Payroll Reviews:** LCCSC shall review certified payroll reports and ensure compliance with federal regulations. Submitted payrolls shall be reviewed promptly for compliance with applicable labor standards. LCCSC will review fringe benefits, deductions, and computations verifying that all required information is provided. Comments and correction notices pertaining to the submitted subcontractor documentation shall be forwarded to **City of Imperial** and the Prime Contractor promptly.

2. **Review of Employee Reviews:** LCCSC will be responsible for conducting on-site interviews with various employees of the contractor/sub-contractors to include at least ten percent (10%) of the workers in all job classifications to be compared against applicable payrolls for compliance with wage decisions.
3. **Request for Information:** LCCSC shall inform **City of Imperial** in writing, immediately upon receipt of a Request for Information (RFI) from an individual or individuals requesting copies of any forms or documents. LCCSC shall respond accordingly to all RFI's received on behalf of **City of Imperial**, the Prime Contractor, and all subcontractors.
4. **Progress Payment Review Assistance:** LCCSC shall assist **City of Imperial** and Prime Contractor to ensure compliance with labor standards. Once each month LCCSC will perform a complete review of all labor compliance files and will prepare an End of the Month Report (EOM) and forward to **City of Imperial** and Prime Contractor informing of the status of the labor compliance files. When contractors are delinquent or tardy in providing labor compliance documentation, it will be noted and LCCSC will inform **City of Imperial** department so they may withhold progress payment as needed.

D. Correction of Violations

In the event that non-compliance of labor standards results in underpayment to employees, LCCSC will take immediate action limited to the following:

1. **Notification:** LCCSC shall immediately notify **City of Imperial** and the prime contractor of wage adjustments and requirements and shall notify the contractor in violation to immediately provide restitution and revisions to the certified payroll reports.
2. **Withhold Funds:** LCCSC shall recommend, if applicable, that **City of Imperial** and the Prime Contractor withhold sufficient funds from the subcontractor to provide restitution to under paid workers or to effectuate compliance and shall obtain full compliance from the subcontractor for any noncompliance issue.

E. Labor Compliance Files

1. LCCSC shall protect and maintain the labor compliance files in a locked secure cabinet for the duration of the project.

2. Upon completion of all construction activities and the labor compliance auditing requirements, LCCSC will provide to **City of Imperial** all original and additional copies of the Labor Standards Compliance documentation including but not limited to the certified payroll reports, fringe benefits statements, contracts, daily sign in sheets, contractor's license documentation, etc. **City of Imperial** shall keep and store for 5 years as required by law.
3. LCCSC shall make the labor standards compliance files available for inspection and review upon request by **City of Imperial** or to any State or Federal agency that has jurisdiction over this public works project and after construction activities have ceased. Upon request, LCCSC shall assist with any audit or review.

F. Reports

1. LCCSC shall prepare and submit all monthly, semi-annual and final reports, so that the **City of Imperial** has sufficient time for review prior to submitting them to the State of California Department of Housing and Community Development.

FEE SCHEDULE FOR SERVICES

Our 2022 Fee Schedule for Labor Standards Compliance Services is included in this Proposal. Our Fee Schedule shall be updated each calendar year. The updated Hourly Rate Structure for Labor Standards Compliance Services shall be subject to review and approval by **City of Imperial** prior to implementation on this project.

VI. FEE SCHEDULE

I. SCHEDULE AND COMPENSATION

LCCSC shall provide Labor Compliance Services as outlined in within the contents of this proposal. In the event completion of the project extends beyond the six (6) months, additional services will be billed at the hourly rate per the schedule attached.

II. PROPOSED ESTIMATED COSTS

Understanding that the estimated start of construction is approximately October 2022 and the construction is scheduled for two hundred fifty (250) calendar days. There are preliminary services before the start of construction and post completion services. LCCSC shall provide **City of Imperial** with the Labor Standards Compliance Services requirements with a not to exceed amount of **\$13,200.00**

LCCSC's services shall be invoiced in eleven (11) monthly installments of \$1200.00 the end of each month beginning with the notice to proceed.

Not to Exceed Costs: \$13,200.00

In the event the construction time exceeds the 250 calendar days or delays are caused by a contractor or subcontractor's noncompliance with labor standards and wage rate decisions causing the labor compliance monitoring to exceed the estimated eleven (11) months of monitoring, the monthly rate will adjust to hourly and the **"not to exceed" amount will no longer apply.**

HOURLY RATE AND REIMBURSABLE EXPENSE SCHEDULE FOR ADDITIONAL SERVICES

Effective January 1, 2022 through December 31, 2023

Labor Standards Services	
Senior Labor Compliance Officer	\$90.00/hour
Bilingual Interviewer	\$75.00/hour

Prepared by:



September 30, 2022

Crystal A. Ransdell
Labor Compliance Consultants of Southern California
P.O. Box 15937
San Diego, CA 92175

Crystal Ransdell

P.O. Box 2660
El Centro, CA 92244
cransdell@lccsc.net

Objective

Provide labor compliance consulting and contractor monitoring service to clients of LCCSC for various Public Works projects.

Skills

- **Over 9 years of HUD/CDBG and Section 3 Implementation/monitoring experience**
- **Over 9 years of prevailing wage monitoring experience in the Construction Industry**
- **Knowledge of Davis Bacon and Related Acts and Wage Guidelines**
- **Knowledge of Department of Industrial Relations prevailing wage requirements**
- **Skilled in LCP Tracker application**
- **Excellent language and communication skills**

Education & Training

- **March 2, 2021 - Completion of Labor Compliance for Public Works refresher course training by Association of General Contractors (AGC)**
- **September 25, 2019 – Completion of Department of Industrial Relations Awarding Agencies and Contractor Compliance by the Center for Contract Compliance and DIR**
- **August 15, 2019 – Completion of Prevailing Wage Seminar by the Department of Labor**
- **June 11, 2019 – Completion of Davis Bacon and Related Acts certified payroll reporting training by the Department of Labor**
- **May 1, 2019 - Completion of Labor Compliance for Public Works refresher course training by Cal Trans**
- **February 8, 2018 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated Builders and Contractors, Inc.**
- **February 9, 2018 - Completion of New Laws Affecting Contractors Changes for 2018 Training by Associated Builders and Contractors, Inc.**
- **May 18, 2016 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated General Contractors of America San Diego Chapter, Inc.**
- **September 18, 2015 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated General Contractors of America San Diego Chapter, Inc.**
- **July 15, 2015 - Completion of course in New Public Works Contractor Registration Law [SB 854]**
- **January 13, 2015 – Completion of Section 3 Training by the San Diego Housing Commission**
- **August 15, 2012 – Completion of Course in Davis Bacon and Related Acts/Department of Industrial Relations Prevailing Wage Requirements for Public Works Project**

Experience

Senior Labor Compliance Consultant, LCCSC

- Provided Prevailing Wage Monitoring for seven large construction projects that totaled over \$90,000,000 in subcontract activity
- Prevailing Wage Monitor responsibilities included: reviewing certified payroll reports and ensuring proper payment of wages, tracking use of apprentices, ensuring payment of apprenticeship contributions, and Section 3 new hire compliance
- Provided prevailing wage training to contractors and awarding agencies

PROFESSIONAL REFERENCES

<p>Antonio Alvarez Nicklaus Engineering 804 State Street El Centro, CA 92243 (760) 425-0841</p>	<p>City of El Centro Community Development Ms. Stacy Mendoza 1249 Main Street El Centro, CA 92243 (760) 335-3538</p>
<p>Abraham Campos City of El Centro 1275 W. Main Street El Centro, CA 92243 (760) 337-9031</p>	<p>Cesia Bautista Imperial County Public Works Department 155 S. 11th Street El Centro, CA 92243 (442) 265-1857</p>
<p>Carlos Beltran Dynamic Consulting Engineers, Inc 2415 Imperial Business Park Dr., Ste B Imperial, CA 92251</p>	<p>The Holt Group, Inc. Mr. Jack Holt, P.E. CFO 1601 N. Imperial Avenue El Centro, CA 92243 (760) 337-3883</p>
<p>Mauricio Lam LC Engineering Consultants, Inc 1065 State Street El Centro, CA 92243</p>	<p>City of Imperial Mr. Jesus Villegas, Project Manager 420 South Imperial Avenue Imperial, CA 92251</p>

RELEVANT PROJECT EXPERIENCE

The partial list of public works projects below demonstrates LCCSC's experience as it pertains to the coordination and enforcement of labor compliance services for Public Works projects subject to the Department of Industrial Relations and/or Davis-Bacon regulations in the recent past.

Date	Project	Responsible Jurisdiction	Contract Amount	Status
2018	El Centro WWTP Aeration & Blowers	El Centro Public Works		Completed
2018	El Centro WWTP List Station	El Centro Public Works		Completed
2019	Imperial WWTP	City of Imperial	\$20,000,000	Completed
2019	Desert Shores Townsite Roadway Improvements	Imperial County Department of Public Works	\$1,376,000	Completed
2019	Heber Townsite Roadway Improvement	Imperial County Department of Public Works	\$1,371,00	Completed
2019	Hawk Street Improvements	Imperial County Department of Public Works	\$325,000	Completed
2019	City of Holtville Citywide Street Improvements	City of Holtville	\$2,156,000	Completed
2019	Clark Road Improvements at Union Pacific Railroad Crossing	Imperial County Department of Public Works	\$403,000	Completed
2019	2018 El Centro Overlay and Parking Lots Resurfacing	City of El Centro	\$3,000,000	Completed
2020	Imperial Clark Station and Wet Well	City of Imperial		Completed
2020	El Centro 2020 Streets Maintenance & Rehabilitation	City of El Centro	\$1808,000	Completed
2020	Imperial Barioni Blvd Waterline Improvements	City of Imperial	\$408,500	Completed
2020	Imperial Overlay Improvements at Aten Blvd and Clark Road	City of Imperial	\$456,688	Completed
2020	Calipatria Date Street Roadway and Pedestrian Improvements	City of Calipatria	\$497,065	Completed
2020	Seeley Road Improvements	Imperial County Department of Public Works	\$961,829	Completed

2020	Holtville 9 th Street Improvements	City of Holtville	\$388,240	Completed
2021	Calexico New River Parkway	City of Calexico	\$1,663,368	Working
2021	Holtville Orchard Road Improvements	City of Holtville	\$334,679	Completed
2021	Imperial Class I and Class II Bike Facility Along Aten Road	City of Imperial	\$584,596.50	Working
2021	Picacho Road Overlay	Imperial County Department of Public Works	\$673,893	Working
2021	Clark Road Improvements at Wahl Road and at Heber Road Imperial County	Imperial County Department of Public Works		Working
2021	Borrego WWTP Upgrade	Borrego Water District		Working
2022	Heber Avenue Sidewalk	Imperial County Department of Public Works	\$953,375	Working
2022	El Centro WWTP Clarifiers	City of El Centro	\$1,819,643	Working
2022	14 th & Commercial Affordable Apartments	14 th & Commercial, CIC, LP / Chelsea Investments	\$160,581,815	Completed