

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 6/15/05
Department Name: General Services
Department No.: 063
Agenda Date: 7/5/05
Placement: Administrative
Estimate Time: N/A
Continued Item: No
If Yes, date from:

TO: Board of Supervisors

FROM: Tom Alvarez, Director
General Services Department

STAFF CONTACT: John Green, Project Manager (934-6229)
Office of the County Architect

SUBJECT: Santa Maria Juvenile Hall/Court Expansion Project
Site # G20411; Project # 8614/8621
5th Supervisorial District

Recommendations:

That the Board of Supervisors approve and authorize Chair to execute Amendment Four, in the amount of \$134,250.00 to the construction contract with A.J. Diani Construction, Inc., of Santa Maria, CA, for construction change orders associated with the Santa Maria Juvenile Hall/Court Expansion, for a final total contract amount of \$14,644,930.00.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 2 Ensure the Public Health and Safety and Provide Essential Infrastructure.

Executive Summary and Discussion:

On December 3, 2002, the Board awarded a construction agreement in the amount of \$13,121,000.00 to A.J. Diani Construction Company, a local contractor, to construct a new 90- bed Expansion and Juvenile Court Project.

There have been many changes and additions to the project constituting 11.61% of the approved contract amount as follows: 4.34% was to include various Bid Add Alternates that could not be taken at the time the contract was awarded, 3.10% was for fixtures, furnishings and casework (FFE); the remaining 4.17% was for various miscellaneous general building modifications / improvements including an exterior site lighting upgrade to reduce glare to nearby residents, additional excavation of on site materials, a Tremco 20 year roof upgrade, anti suicide skirts on inmate fixtures, various improvements to security systems hardware, varying construction site conditions and added drainage erosion control improvements.

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Agenda Date: July 5, 2005

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This amendment will amend Articles 2 and 5 of the construction agreement, and increase A.J. Diani's Construction Company's contract amount by \$134,250.00, for a total contract fee of \$14,644,930.00. The total is inclusive of previously approved contract amendments No.1, No.2 & No.3 in the amount of \$1,389,680.00 approved by the Director of General Services. This project is 99% complete, with only minor punch list items to complete.

Mandates and Service Levels:

No change in service level.

Fiscal and Facilities Impacts:

Funds to cover design services, including the recommended increase, have been appropriated and are available in Fund 0030 Department 063, Account 8200, Program 1930, Project 8614/8621 and summarized on page D-366 of the budget.

Special Instructions:

Please send a certified copy of the Amendment and a copy of the Minute Order to Facilities Services, Courthouse East Wing, attention Bob Nisbet.

SANTA MARIA JUVENILE HALL AND COURT ADDITION
AUTHORIZED CONTRACT AMENDMENT
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT)
WITH A.J. DIANI CONSTRUCTION) AMENDMENT NO. 4
JUVENILE HALL AND COURT ADDITION,)
SANTA MARIA, CA)

WHEREAS, the County of Santa Barbara (COUNTY) and A.J. Diani Construction (CONTRACTOR), 295 North Blosser, Santa Maria, CA 93456, entered into a contract dated December 17, 2002, for the amount of Thirteen Million One Hundred Twenty-One Thousand DOLLARS (\$13,121,000) for the Santa Maria Juvenile Hall & Court Addition Project No. G20411/8614-8621, County of Santa Barbara, California; and

WHEREAS, the General Conditions permit alterations in the cumulative amount not to exceed ten percent (10%) of the contract amount, provided they are specified in writing, and agreed upon by the CONTRACTOR and the Director of the General Services Department; and

WHEREAS, it has been deemed necessary by the Board of Supervisors, to make the following alterations known as Change Order No. 4, for a total of One Hundred Thirty-Four Thousand Two Hundred Fifty DOLLARS (\$134,250) and One Hundred (100) calendar day time extension in the Contract Period; and

WHEREAS, CONTRACTOR will perform the alterations stated in "Exhibit D" and attached hereto, for a total addition of One Hundred Thirty-Four Thousand Two Hundred Fifty DOLLARS (\$134,250) and a One Hundred (100) calendar day time extension in the Contract period.

NOW, THEREFORE, the Agreement is amended as follows:

Section 1:

Paragraph 5 of said Contract is hereby amended to read as follows:

5. PRICE

Subject to adjustments and liquidated damages, if any, as provided in the Contract documents, the full price to be paid to CONTRACTOR for satisfactory completion of all requirements of CONTRACTOR under the Agreement is the base amount Thirteen Million One Hundred Twenty-One Thousand DOLLARS (\$13,121,000), plus Change Order No. 1 Five Hundred and Sixty-Nine Thousand DOLLARS (\$569,000), plus Change Order No. 2 Eighty-Three Thousand One Hundred Ninety-Five DOLLARS (\$83,195), plus Change Order No. 3 Seven Hundred Thirty-Seven Thousand Four Hundred Eighty-Five DOLLARS (\$737,485), plus Change Order No. 4 One Hundred Thirty-Four Thousand Two Hundred Fifty DOLLARS (\$134,250), for a total Contract amount of Fourteen Million Six Hundred Forty Four Thousand Nine Hundred Thirty Dollars (\$14,644,930) to be paid as provided for in the Contract Documents, i.e., on a monthly basis in an amount directly proportional to the percentage of completion of work. CONTRACTOR shall maintain and make available to COUNTY all books, papers, job descriptions, records, detail costs, estimates, subcontracts, and financial records related to or which arise out of work or under the terms or conditions of the Contract. The form of record keeping shall be subject to approval by COUNTY.

5.PRICE (Continued)

These books, papers, records, claims, and accounts shall be made available for examination during normal business hours by COUNTY or COUNTY's representative and shall be retained at CONTRACTOR's principal place of business in California for audit during normal business at such place for four (4) years after recording of Notice of Completion of Project. CONTRACTOR shall provide an office to enable COUNTY and COUNTY's representative to conduct such audit.

Section 2:

Paragraph 2 of the Contract is hereby amended by the addition of the following language:

Items of work to be performed by the CONTRACTOR shall include all items stated in "Exhibit D," incorporated by this reference and attached hereto.

Section 3:

This Contract Amendment, along with the consent of the CONTRACTOR attached hereto, shall constitute a contract between the County of Santa Barbara and A.J. Diani Construction. All other sections of the Agreement between the parties shall remain in full force and effect.

Original Contract amount: Thirteen Million One Hundred Twenty One Thousand Dollars

\$13,121,000

10% of Contract amount: One Million Three Hundred Twelve Thousand One Hundred Dollars

\$1,312,100

Amount of Amendment No. 1: Five Hundred Sixty-Nine Thousand Dollars

\$569,000

Santa Maria Juvenile Hall and Court Addition
Project No. G20411/8614-8621
Amendment No. 4

Section 3 cont.:

Amount of Amendment No. 2: Eighty-Three Thousand One Hundred Ninety-Five Dollars

\$83,195

Amount of Amendment No. 3: Seven Hundred Thirty-Seven Thousand Four Hundred Eighty-Five Dollars

\$737,485

Amount of Amendment No. 4: One Hundred Thirty-Four Thousand Two Hundred Fifty Dollars

\$134,250

Total Contract amount after Amendment No. 4: Fourteen Million Six Hundred Forty-Four Thousand Nine Hundred Thirty Dollars

\$14,644,930

Original Contract completion date: July 8, 2004

Total number of days extension Amendment No. 1: 5 days

Total number of days extension Amendment No. 2: 13 days

Total number of days extension Amendment No. 3: 90 days

Total number of days extension Amendment No.4 100 days

Revised Contract completion date: February 2, 2005

Santa Maria Juvenile Hall and Court Addition
Project No. G20411/8614-8621
Amendment No. 4

We hereby consent to the above and agree to the alterations as set forth in said Amendment in the manner and for the amount as indicated.

Dated this ____ day of _____, 2005

"COUNTY"
COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By: _____
Susan Rose
Chair, Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
STEPHEN SHANE STARK
County Counsel

"CONTRACTOR"
A.J. Diani Construction
295 North Blosser
Santa Maria, CA 93456-0636

By: _____

By: _____

IRS NO. 95-2015919
License # 178450

APPROVED AS TO ACCOUNTING FORM
ROBERT W. GEIS, CPA:
AUDITOR-CONTROLLER

APPROVED:

By _____

Bob Nisbet, Assistant Director
General Service Department

Santa Maria Juvenile Hall and Court Addition
Project No. G20411/8614-8621
Amendment No. 4

CONTRACT AMENDMENT NO. 4

EXHIBIT "D"

This exhibit represents various Change Order and Credit items where the dollar amount and time requested were in dispute. Contract Amendment No.4 is a summary Amendment which resolves all disputed dollar and time related issues for the Santa Maria Juvenile Hall and Court Addition.

Item No. 1: Construction Change Authorization # 57 varied and concluded Change Order items \$134,250.00

Total Amendment No. 4 **\$134,250.00**