



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: General Services
Department No.: 063
For Agenda Of: March 05, 2013
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Jim Laponis, Interim Director (560-1011)
Contact Info: Celeste Manolas, Manager, Capital Projects (805) 568-3083
SUBJECT: Santa Maria Courthouse Hazard Mitigation Program, Project #8518
Contract Amendment No. 2
Fifth District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Authorize the Chair to execute the attached Amendment No. 2 to the contract with Diani Building Corp., Inc. for the Santa Maria Court Complex Hazard Mitigation Program project in the amount of \$42,930.00, for a total amended contract amount of \$623,636.25 (Fifth District); and
- b) Find that no substantial changes are proposed and no new information of substantial importance has come to light regarding environmental effects of the project and, therefore, the project is within the scope of the Notice of Exemption approved by your Board pursuant to Title 14 CCR 15332 on November 18, 2009, and that, therefore, no new environmental document is required.

Summary Text:

At this time, staff is requesting the Board ratify construction change orders executed by the County's authorized representative, in accordance with the authority delegated by the Board. Amendment No. 2 represents change orders 7, 9, 11-16, which in the aggregate total \$42,930, and brings the total amended contract with Diani Building Corp. to \$623,636.25. The work associated with these change orders is complete, and there are no impacts to the funded total project cost of \$860,000.

On April 12, 2011, the Board of Supervisors awarded a contract to Diani Building Corp., Inc. for construction of the Santa Maria Court Complex Hazard Mitigation Program. On February 14, 2012, the Board approved Amendment No. 1 to the contract with Diani, increasing it by \$35,707.25 for a total amended contract amount of \$580,706.25. At that time, the revised total project costs, inclusive of both construction and non-construction items such as design and management, were \$800,000 funded by Federal Emergency Management Administration (FEMA) grants and County match. The project is now complete, with Notice of Completion (NOC) recorded on January 16, 2013. Unforeseen issues associated with construction resulted in additional cost to the project, and revised total project costs of \$860,000. The increase of \$60,000 is funded by an additional \$45,000 approved by FEMA, and \$15,000 in funds set aside and available to cover the increase in required County match.

With approval of the recommendations, the project closeout process can continue.

Background:

A construction contract for this project was awarded at the April 12, 2011 Board of Supervisor's hearing. The Santa Maria Court Complex Hazardous Mitigation Program is complete, and a Notice of Completion was recorded with the Clerk Recorder on January 16, 2013. The total project budget is \$860,000. In accordance with the policy, staff is recommending the Board adopt the recommended changes.

Amendment No. 2 ratifies Change Orders 7, 9, and 11 thru 16 executed by the Director of General Services' designee, totaling \$42,930.00, issued to Diani Building Corp., Inc. primarily for seismic work due to unforeseen conditions and minor changes. Amendment No. 2 does not impact the approved project budget, as contingency funding was included as part of the original budget. The contract amount to Diani Building Corp., Inc. inclusive of this change is \$623,636.25.

On September 24, 2010, the FEMA obligated total project funding of \$555,000, providing authorization to perform the construction work. On October 20, 2011 FEMA committed an additional \$45,000, needed to fund additional project costs, including a temporary courtroom required to complete the work. On April 23, 2012 FEMA committed an additional \$45,000 to the total project funding needed, for unforeseen conditions discovered during construction activities. A 25% County match has been designated by previous Board action, and totals \$215,000.

CEQA:

A California Environmental Quality Act (CEQA) Categorical Exemption for this project was filed with the County Clerk's office on November 18, 2009, since the project only alters an existing building, includes no expansion of the footprint, is consistent with the applicable general plan policies and

regulations, and does not threaten endangered species. There have been no changes to the project since that date which would affect this determination. The execution of the contract amendment for the previously-approved project is therefore an administrative activity not constituting a “Project” within the meaning of CEQA, as set forth in Title 14 CCR 15332. A National Environmental Protection Act (NEPA) Categorical Exclusion for this project was filed by the FEMA on January 27, 2010.

Performance Measure:

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

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

| <u>Funding Sources</u> | <u>Current FY Cost:</u> | <u>Annualized On-going Cost:</u> | <u>Total One-Time Project Cost</u> |
|-------------------------------|--------------------------------|---|---|
| State | | | |
| Federal | \$ 645,000.00 | | \$ 645,000.00 |
| Fees | | | |
| Other: (County Match) | \$ 215,000.00 | | \$ 215,000.00 |
| Total | \$ 860,000.00 | \$ - | \$ 860,000.00 |
| | | | |

Narrative:

Available SB 1732 Deficiency Program project funds will provide the local match requirement. This project's matching funds requirement for seismic retrofit work was approved by the Board of Supervisors on 12/30/2003. Funds are in Department 063, Fund 0030.

Special Instructions:

Please send one (1) duplicate original Amendment #2 to the Diani Building Corp., Inc. Contract and one (1) duplicate of the minute order to John Green, Support Services Division, General Services Department.

Attachments:

1. One (1) Original and one (1) duplicate original Contract Amendment #2 to Diani Building Corp., Inc.
2. Contract Summary

Authored by:

John Green, Project Manager, (934-6229).