



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: February 10, 2009  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Bob Nisbet (560-1011)  
Director(s)  
Contact Info: Paddy Langlands, Assistant Director (568-3096)  
**SUBJECT:** Clerk Recorder Assessor Election Records Storage Building Project #8648– Award  
of Construction Contract  
2<sup>nd</sup> Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- A. Award and execute a Fixed Price Construction Contract in the amount of \$769,000.00 to the lowest responsible bidder willing to honor their bid, Newton Construction Management, Inc. of San Luis Obispo, California (not a local vendor), subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law; and
- B. Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of a base amount of \$250,000 plus 5% of the bid in excess of the base amount, or \$50,950 for this contract.

**Summary Text:**

Phase I of this project accomplished maintenance repairs to the existing CRA archives building adjacent to the proposed site for the new metal building. Phase II will construct a 6,000SF storage building with climate controlled archive record storage. The total cost of the project including design, construction and administration, is estimated at \$1.182M. Newton Construction (not a local vendor) is the lowest bidder

willing to honor their bid. Construction is anticipated to start in February 2009, and be completed in one hundred eighty (180) calendar days.

**Background:**

The Clerk Recorder Assessor's archive storage previously located in the basement of the Hall of Records was relocated to the former USGS building on the Calle Real Maintenance Campus during the Hall of Records remodel. The existing metal building is limited in size with no ability to expand, lacks climate control, and as a result cannot meet current and projected storage needs. The building proposed under Phase II of the project will provide general storage for records and voting equipment, a climate controlled archival storage mezzanine for historical documents, as well as a restroom and office for CRA staff use while researching documents.

The project site is located on the former municipal "Foothill Sanitary Landfill" which ceased operations in 1967. The site was selected due to proximity to the CRA's existing storage building, allowing consolidation of stored records and equipment. Moreover, utilizing a site that cannot be used for buildings with fulltime occupancy preserves the County's buildable land sites for better uses, keeping with sustainable planning principles. The building is designed in compliance with environmental regulations for building on landfills, and will include a venting system as well as special monitoring equipment.

There were 12 bids submitted for the Election Records Storage Building. The original low bidder has refused to sign the contract and has requested relief from his bid under the relevant sections of the Public Contract Code due to mistake made in filling out the bid form. Per Public Contract Code section 5106, if the public entity deems it is for its best interest, it may, on refusal or failure of the successful bidder to execute the contract, award it to the second lowest bidder. As a result, the next lowest bidder, Newton Construction, has been determined to be a responsible company capable of performing this work, and their bid is deemed responsive. Their base bid exceeded the construction estimate for this project by \$69,000, but the department has sufficient funds to cover the additional cost. The total project cost is \$1.182 million inclusive of design, management and other typical fees.

**Performance Measure:**

With approval of the recommended actions, General Services anticipates that the construction can begin in February of 2009 with occupancy anticipated for August of 2009.

**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>
COP			\$ 800,000.00
Interest on COP Issuance			\$ 91,516.00
Recorder Modernization/ Automation Designation			\$ 290,049.00
Total	\$ -	\$ -	\$ 1,181,565.00

**Narrative:**

The total cost of the project is estimated to be \$1,181,565, including construction of Phase II estimated at \$769,000. The majority of the project is funded via prior Certificates of Participation approved in 2005 and accrued interest, available in Fund 0030 Department 063, Account 8700, Program 1930, Project 8648 as summarized on page E-9 of the budget. The Recorder Modernization/Automation Designation will fund the remaining \$290,049.

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
0	0

**Special Instructions:**

Please forward a copy of the Minute Order to Celeste Manolas, General Services Department - Support Services Div., Courthouse East Wing.

**Attachments:** Original Contract to Newton Construction, Duplicate Original, Contract Summary Sheet

**Authored by:** Celeste Manolas, General Services