



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 14, 2012
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 Bob Nisbet, Director (560-1011)
Contact Info: Paddy Langlands, Assistant Director (568-3096)
SUBJECT: **Santa Maria Courthouse Hazard Mitigation Program, Project #8518**
Contract Amendment No. 1
Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Authorize the Chair to execute the attached Amendment No. 1 to the contract with Diani Building Corp., Inc. (a local vendor) for the Santa Maria Court Complex Hazard Mitigation Program project in the amount of \$35,707.25, for a total amended contract amount of \$580,706.25; and
- b) Re-authorize the Director of General Services or his designee to approve additional changes to the contract of an amount not to exceed 10% of the first \$250,000 of the original contract plus 5% of the remaining contract amount, or \$39,750 for this contract; and
- c) Find that a Notice of Exemption under CEQA Guidelines Section was filed with the County Clerk's office on November 18, 2009, and that 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 14 CCR 15378(b)(2).

Summary Text:

On April 12, 2011, the Board of Supervisors awarded a contract to Diani Building Corp., Inc. (a local vendor) for construction of the Santa Maria Court Complex Hazard Mitigation Program. At that time, the Board approved a total project cost of \$740,000.00 inclusive of construction and non-construction components of the project. Since Board approval, due to need for a temporary office and courtroom to allow for work, the total project cost has been increased to \$800,000 via an additional \$45,000 from FEMA and \$15,000 from funds set aside previously for this project. Amendment No. 1 will increase the contract amount by \$35,707.25.

Amendment No. 1 provides for the Board of Supervisors' ratification of construction Change Orders No. 1 through 10, which in the aggregate totals \$35,707.25, and which were all previously executed by the County's Authorized Representative under the authority delegated by the Board.

This contract Amendment brings the total amended contract amount with Diani Building Corp., Inc. to \$580,706.25. The recommended actions do not change the total project budget.

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 under construction, with the seismic upgrades continuing. Overall construction is about 75% complete. The work is progressing per the revised schedule reflecting a late February completion. In accordance with the policy, staff is recommending the Board adopt the recommended changes.

Amendment No. 1 ratifies Change Orders 1 thru 10 executed by the Director of General Services' designee, totaling \$35,707.25, issued to Diani Building Corp., Inc. primarily for seismic work due to unforeseen conditions and minor changes. Amendment No. 1 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 \$580,706.25.

On September 24, 2010, the Federal Emergency Management Administration (FEMA) obligated the total project funding of \$555,000, providing authorization to perform the construction work. On October 20, 2011 FEMA committed an additional \$45,000 to the total project funding to fund additional project costs, including a temporary courtroom needed to complete the work. A 25% County match of \$200,000 has been designated by previous Board action.

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 and includes no expansion of the footprint. 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 14 CCR 15378(b)(2).

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	\$ 600,000.00		\$ 600,000.00
Fees			
Other: (County Match)	\$ 200,000.00		\$ 200,000.00
Total	\$ 800,000.00	\$ -	\$ 800,000.00

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 #1 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 #1 to Diani Building Corp., Inc.
2. Notice of Exemption CEQA
3. Contract Summary

Authored by:

Todd Morrison, AIC, CPC, Project Manager, (934-6228).