



**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: October 3, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: 4/5

TO: Board of Supervisors
FROM: General Services Kirk Lagerquist, Director (805) 560-1011
Contact Info: Patrick Zuroske, Assistant Director (805) 568-3096
SUBJECT: **Proposed Probation Headquarters Building Project - Award Agreement for Services of Independent Contractor for Construction Management Services; First District Project No. 19014**

DocuSigned by:
Kirk Lagerquist
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County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Other Concurrence: CEO Budget

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Award, approve and authorize the Chair to execute the Agreement for Services of Independent Contractor (ASIC) with Cumming Management Group, Inc., a California Corporation, to provide Construction Management (CM) services during the pre-bid phase, bidding, construction, closeout, and post construction phases for the proposed new Probation Headquarters Building, located at 1019 Garden Street, Santa Barbara, CA 93101 (APN 029-212-011), in an amount not to exceed \$1,853,552.00; and
- b) Authorize the Director of General Services to approve change orders in an aggregate amount not to exceed 5% or \$105,176.00 as authorized under California Public Contract Code Section 20142(b); and
- c) Approve an amount not to exceed \$370,000.00 for temporary cashflow transfers from the Advance Construction Reserve in the General Fund; and

- d) Approve Budget Revision BJE-0009336; and
- e) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

In August 2020, the General Services Department, in partnership with the Probation Department and RNT Architects, initiated the process to start conceptual design and programming for a potential new Probation Headquarters (HQ) Building project (Project). The new HQ is proposed to be located at 1019 Garden Street, in downtown Santa Barbara on County owned property between Santa Barbara, Garden, Figueroa, and Carrillo Streets. The proposed new HQ is intended to consolidate staffing from the Hollister campus as well as the current downtown HQ building, which will lead to operational and cost efficiencies for the Probation Department. In March 2022, the Board approved moving forward with completing the design work which included programming verification, professional design, planning, cost estimating, commissioning and construction contract administration services. RNT Architects is currently finishing the Construction Documents, and General Services anticipates going out to bid for a General Contractor during the 4th quarter of 2023. County staff has performed a CEQA review and will return to the Board with the impacts and mitigative measures, which will be undertaken after the bidding process is complete, the new HQ project is approved, and a recommendation to award a construction agreement.

Background:

General Services conducted a competitive, qualification-based selection (QBS) process soliciting Requests for Qualifications (RFQ's) from interested Construction Management firms for this phase of the Project. The selection process entailed a review committee comprised of County of Santa Barbara General Services staff. Six (6) CM Firms submitted proposals, and each proposal was reviewed and scored based on the criteria established in the RFQ. At this time, General Services is prepared to recommend that the County enter into the ASIC with Cumming Management Group, Inc. to provide professional CM services for the proposed new Probation Headquarters Building. Cumming's fee is approximately 4% of the anticipated total construction value of \$45,900,000. Industry standard ranges from 4-7% and General Services planned for a budget of 6%. The initial scope of services covered by this ASIC will be funded with debt proceeds when the County completes the debt issuance process. Funds will initially be allocated from the Advance Construction Reserve fund balance in General County Programs. When the County issues debt to fund this and other capital projects later this fiscal year, these costs will be reimbursed back to the fund balance, consistent with the Reimbursement Resolution adopted by the Board on November 16, 2021. The work is necessary to maintain and modernize Probation facilities, and will consolidate the currently dispersed Probation operations into a single facility leading to operational efficiencies. The proposed Project will reflect the County's Net Zero Energy policy, and will utilize Crime Prevention Through Environmental Design principles.

California Environmental Quality Act (CEQA) Documentation:

A CEQA statutory exemption is requested for this ASIC. County Staff has performed a CEQA review and staff will return to the Board with the results of the Initial Study, impacts, and mitigative measures that will be undertaken during the construction phase.

Performance Measure:

This ASIC will provide professional CM services starting at the pre-bid phase through completion of the construction phase, including post-construction services, which spans three years, into FY 2026-27. The contracted CM firm will protect the County's interests while effectively managing the Project's schedule, cost, quality, safety, scope, sustainability goals, and function.

Fiscal and Facilities Impacts:

Budgeted: * The attached Budget Revision BJE-0009336 will provide the funding needed to initiate the work on this ASIC and associated project management costs. Additional budget revisions will be presented once the COPs debt has been issued, to account for the remaining portion of the costs to be funded directly with debt proceeds.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Total Cost Cumming Management Group ASIC and Project Management FY2023-24 – FY2026-27</u>
Advance Construction Reserve	\$370,000.00
COPs Debt Proceeds	\$1,758,728.00
Total	\$2,128,728.00

Fiscal Narrative:

The ASIC with Cumming Management Group, Inc. is not to exceed \$1,958,728.00, which includes \$1,853,552.00 for the ASIC and \$105,176.00 for any potential change orders. In addition, \$170,000.00 will be needed to fund project management costs for this portion of the Project. The funding for this phase of the Project will initially be provided by the Advance Construction Reserve fund balance established in General County Programs and when the county issues debt later this fiscal year, the amount spent at that time will be reimbursed with the debt proceeds, back to the fund balance. The remaining portion of the costs will be funded directly with debt proceeds. This contract and associated efforts is estimated to extend through FY 2026-27.

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Special Instructions:

After Board action, please distribute as follows:

1. One (1) copy of the Minute Order
2. Two (2) duplicate executed originals of the Construction Contract to:
Shane Mahan, Project Manager, GS Capital Projects, County of Santa Barbara Courthouse, East Wing, 2nd Floor, 1105 Santa Barbara St, Santa Barbara, CA 93101
3. In addition, please email a copy to smahan@countyofsb.org

Attachments:

1. Attachment 1 - Agreement for Services of Independent Contractor (ASIC) for County Project No. 19014
2. Attachment 2 – Budget Revision BJE-0009336

Authored by:

Shane Mahan, General Services- Capital Projects