



**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: September 15, 2015
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: 4/5ths

Matthew P. Pontes For Matt Pontes

TO: Board of Supervisors
FROM: General Services Matthew P. Pontes, Director (560-1011)
Contact Info: Greg Chanis, Assistant Director (568-3096)
SUBJECT: **New Cuyama Aquatics Complex Reconstruction Project #8736**
Award Construction Contract; First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management, CSD

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute the attached construction contract with JTS Construction (Bakersfield, CA), for the New Cuyama Aquatics Complex Reconstruction Project 8736, for a total contract amount of \$1,786,000;
- B. Authorize the Director of General Services or designee to approve change orders in an amount not to exceed \$101,800, as authorized under California Public Contract Code Section 20142; and
- C. Determine that the proposed project was found by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Sections 15302(b) and 15302(c) on February 11, 2014, and that a Notice of Exemption was filed on that basis, and that the above actions are within the scope of that Notice of Exemption.

Summary Text:

The Joseph Centeno Cuyama Pool and Aquatics Complex was completed in 2009. In October 2012, the complex experienced a sink event causing extensive damage to the pools, deck areas, and adjacent building. General Services has been working with the Community Services Department and the County's insurer to facilitate reconstruction of the facility, which will enable it to reopen in the future.

On April 14, 2015, the Board authorized the Director of General Services to advertise for construction bids for the New Cuyama Aquatics Complex Reconstruction Project on the basis of the plans and specifications for the project on file with the General Services Department. Bids were opened on July 23, 2015, and JTS Construction (Bakersfield, CA) has been found to be the lowest responsible bidder, submitting a bid in the amount of \$1,786,000. With Board approval of the recommended actions, construction can commence, with completion anticipated by the end of 2016.

Background:

The Joseph Centeno Cuyama Pool and Aquatics Complex was completed in 2009, and includes a 25 meter pool, a wading pool, and a small building containing restrooms, outdoor showers, and the pool mechanical rooms. On October 14, 2012, witnesses noticed evidence of a sink event affecting the Cuyama pool complex. Immediate action was taken to mitigate further damage, and ensure public safety by closing the facility until further notice. Damage was observed at the wading pool and surrounding areas of the deck, and exploratory demolition revealed voids beneath the deck, and damage to the underground piping. An investigative phase commenced, and was completed in 2013. In addition to partial demolition to expose utilities, several soil borings were taken in areas surrounding the site. The results confirmed the presence of hydrocollapsible soils.

With the insurer in receipt of the report and accepting the claim, staff was able to enter into the preliminary design phase, which was completed in 2013. In contrast to earlier hopes that a repair to sections of the larger pool could be accomplished piecemeal, later findings lead the investigative team to recommend both the wading pool and large pool, in addition to the decks and infrastructure, be completely replaced. Staff has been working diligently with the County's insurer in securing a commitment to fund the expanded repair scope prior to awarding a construction contract.

After completion of a careful prequalification process, two (2) bids were opened on July 23, 2015. JTS Construction, based in Bakersfield CA, has been determined to be a responsible company capable of performing the work. Their bid is twenty-seven percent (27%) above the Engineer's estimate, but determined to be within an acceptable range which will be covered by the County's insurer. As such, staff recommends that the Board find JTS Construction's bid of \$1,786,000.00 including alternates 1, 2, and 9 to be responsive. Approval of the Board recommended actions will allow construction to commence, with a projected completion by the end of 2016.

Although JTS Construction's bid amount is within the total project budget of \$2,573,500.00, staff will be prepared to make recommendations on any further contingencies that may be required to mitigate potential risks of unforeseen conditions during construction. If further contingencies are required, General Services will return to the Board with recommendations.

Key Risks:

The total cost of the original Aquatics Complex was \$2.4M, with \$2M funded by general fund, and the remaining \$.4M funded through Community Development Block Grants (CDBG). Those grants place restrictions on using a CDBG funded facility for purposes other than those intended in the original project scope, thus placing the County at risk of repayment of CDBG funds to HUD in the event the complex were not to be rebuilt, and if there is no other use of the property that qualifies as meeting one of the national objectives under the CDBG regulations (See 24 CFR 570.505). The risk of having to repay the CDBG funds would only arise if the County was reimbursed by the insurer, but did not use the funds to rebuild the pool or for another eligible project.

In addition, the consultants are not responsible for any existing defects in the portions of the project that were previously designed and constructed by others and that are to remain in place.

CEQA:

Based on scope of replacing existing components of the Joseph Centeno Aquatics Complex Cuyama Pool, a categorical exemption was filed for the proposed project pursuant to State CEQA Guidelines Section 15302(b).(c); accepted by the Board on February 11, 2014.

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>
Insurance reimbursement	\$2.2M		\$2.57M
Total	\$2.2M	\$ -	\$2.57M

Narrative:

The County has received \$1,357,036 to date from insurance, which includes reimbursement for expenditures already incurred, projected redesign costs, and a partial payment towards construction. Staff anticipates receiving approximately \$1.21M in additional insurance proceeds. To date, approximately \$355,000 has been expended on services associated with the investigation, project management, soil reports, and design. Projections indicate the total project costs to be in the range of \$2.57M, which includes an Inspector of Record for the project. Staff will collaborate with the insurance carrier and Risk Management to secure additional reimbursements as the project costs are realized and will return to your Board if the expected insurance reimbursements are not realized.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please forward two (2) executed duplicate original contracts and a copy of the minute order to Todd Morrison, General Services Department - Support Services Division, Courthouse East Wing.

Attachments:

1. Construction Contract with JTS Construction (One original and two duplicate originals)
2. Copy of Notice of Exemption

Authored by:

Todd Morrison, Project Manager
General Services