



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: December 04, 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 Renee F. Bahl, Assistant CEO (805) 568-3400
Contact Info: Grady Williams, Manager, Capital Projects (805) 568-3083
SUBJECT: Santa Maria Court Clerk Building, Project #8526 Contract Amendment No. 2
Fifth 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. 2 to the contract with Vernon Edwards Constructors, Inc. for the Santa Maria Court Clerk Building project in the amount of \$55,287 for a total amended contract amount of \$3,773,146; 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 March 12, 2002, and that, therefore, no new environmental document is required.

Summary Text:

On June 22, 2010, the Board of Supervisors awarded a contract to Vernon Edwards Constructors, Inc. for construction of the Santa Maria Court Clerk Building. At that time, the Board approved a total project cost of \$5.3 million inclusive of construction, and non-construction components of the project. Amendment No. 2 provides for the Board of Supervisors' ratification of Construction Change Orders No. 17 through 20, which in the aggregate totals \$55,287, and which were all previously executed by the County's Authorized Representative under the authority delegated by the Board. This Contract Amendment plus previous Amendment No.1 brings the total amended contract amount with Vernon

Edwards Constructors, Inc. to \$3,773,146, and a total project projected cost of \$5.048 million. No additional funding is required for this amendment.

Background:

A construction contract for this project was awarded at the June 22, 2010 Board of Supervisors hearing. The Santa Maria Court Clerk Building is complete and occupied.

Amendment No. 2 ratifies Change Orders 17 thru 20 executed by the Director of General Services' designee, totaling \$55,287; 57% of the total construction contingency issued to Vernon Edwards Constructors, Inc. due to unforeseen conditions and minor discretionary 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 Vernon Edwards Constructors, Inc. inclusive of this change is \$3,773,146.

The Court Clerk Building was determined to be substantially complete on June 19, 2012. A Notice of Completion was recorded with the Clerk Recorder on October 30, 2012. The total project budget is \$5.048 million.

On December 29, 2003, the Board approved the substitution, reallocation and re-appropriation of approximately \$4.6 million, directing it to be placed in the SB 1732 Court Facilities Deficiencies Program. On December 9, 2008, the Board approved Court Facility Transfer Agreements between the Administrative Office of the Courts and the County of Santa Barbara as per SB1732. Part of the agreement provides for use of these County-held Courts funds to replace certain court structures on the Cook and Miller campus and to consolidate certain court functions. The agreement is known as the "Joint Occupancy Agreement" (JOA).

The new building provides a permanent facility for the Superior Court Clerk's office in Santa Maria and has replaced modular buildings more than twenty years old, has made available 3,614 sq. ft. of space for needed County use, and has relocated Court staff out of 2,440 square feet of leased space.

CEQA:

A California Environmental Quality Act (CEQA) Categorical Exemption for this project was filed with the County Clerk's office on March 12, 2002, since the project replaces an existing building with similar function, 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.

Performance Measure:

The new Santa Barbara County Court Clerk Building removed and replaced the existing dilapidated modular building, provided improved office space for Court employees, freed-up a County lease expense of \$35,000 per annum and 3,614 sq. ft. of space for County employees.

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>
General Fund			\$ 5,000,000.00
State			\$ 48,000.00
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 5,048,000.00

Narrative:

Funding is available in Fund 0030, Department 063, Account 8700, Program 1930, Project 8526. Project funding is derived from SB1732 Deficiencies Program; approximately \$5 million, and the local Superior Courts have agreed to fully fund any remaining funding needed to complete the project. Per the JOA, any funds remaining after the conclusion of the project will be returned to the Court.

Special Instructions:

After Board action, please distribute as follows:

Please send one (1) copy of the Minute Order, and (1) duplicate executed original of Contract Amendment #2 to Vernon Edwards Constructors, Inc. Contract, to John Green, GS / Support Services Division, Courthouse East Wing.

Attachments:

1. One (1) Original and one (1) duplicate original Contract Amendment #2 to Vernon Edwards Constructors, Inc.
2. Contract Summary