



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 22, 2009
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 Robert Nisbet, Director (805-560-1011)
Contact Info: Paddy Langlands, Assistant Director (805-568-3096)
SUBJECT: Santa Maria Court Clerks Building, Project #8526- Permission to Bid,
Award PSA Amendment No. 1
Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- a) Approve the plans and specifications to construct an 18,650 square foot office building to house the Santa Maria Court Clerks; and
- b) Authorize the Director of General Services to advertise for construction bids for the Santa Maria Court Clerks Building Project; and
- c) Approve and execute Amendment No.1, in the amount of \$23,400.00, to the Professional Services Agreement with Ravatt Albrecht & Associates Inc. (a local vendor) for design changes associated with the Santa Maria Court Clerks Building Project 8526, which brings the total fee to \$196,954.00 including reimbursable expenses.

Summary Text:

Approval of the requested actions will allow the County to complete revisions to the construction documents for the Santa Maria Court Clerks Building and advertise for construction bids, thus effectuating the County's commitment as detailed in the Courthouse Transfer Agreement executed on December 9, 2008.

Previous Certificate of Participation (COP) funding in the amount of approximately \$4.6 million (Court money being held by the County) will be re-appropriated from SB 1732 “Court House Deficiencies Program” Project 8645, to Project 8526 to fulfill the County’s commitment to construct the Santa Maria Court Clerks Building, as agreed to in the Court transfer agreement between the County and Administrative office of the Courts (AOC).

Background:

The County issued COPs for the Santa Maria Court Clerks Building in December 2001. The Santa Maria Court Clerks Building was planned and designed in 1999 - 2003 and was publicly bid on two occasions, August 6th, 2003 and December 18th, 2003. In both instances the bids received were in excess of the budget and the project did not go forward.

On December 29, 2003, the Board of Supervisors (BOS) approved the substitution, reallocation and re-appropriation of the approximate \$4.6 million, directing them to be placed in the SB 1732 Court Facilities Deficiencies Program.

On December 9th, 2008, the BOS approved court facility transfer agreements between the AOC and the County of Santa Barbara as per SB1732. Part of the contract in the transfer agreement was to use 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). Section 3.11.6 of the JOA requires the County to update and finalize the design plans, obtain a building permit and advertise the project for public bidding. Section 3.11.6 authorizes the County to expend the necessary Courthouse Construction Funds, currently budgeted for the “SB 1732 Courthouse Seismic Deficiency Program”, to complete these phases of the project. Upon receiving a responsive construction bid, the AOC has 30 business days to direct the County on whether or not to proceed with the project.

The estimated total project cost is \$7.5 million. If the AOC chooses to move forward with the project, the AOC will have three weeks to deposit the difference between the estimated \$4.6 million that the county is holding and the total project cost into an escrow account. At the same time, the County will deposit the County held funds of approximately \$4.6 million into the same escrow account. This will ensure that the project is fully funded before contract award. The County and the AOC are working on a Memorandum of Understanding (MOU) which will govern the business arrangement on the escrow agreement. In the event the AOC chooses not to go forward with the project, General Services will reduce the scope of the project to a size that can be accomplished for the funds available and meet the County’s obligation as per the transfer agreement.

The MOU, once completed and reviewed by County Counsel, will be brought back to the Board for approval at the same time that staff returns to the Board for approval to award the contract.

The proposed building will provide a permanent facility for the Superior Court Clerks Office in Santa Maria and will replace 20 plus year old modular buildings, free up 3,614 sq ft of space for needed County use and relocate Court staff out of 2,440 sq ft of leased space.

On January 27, 2009, the County entered into a Professional Services Agreement with Ravatt Albrecht & Associates Inc. to update the construction documents for the Santa Maria Court Clerks Building and prepare the plans and specifications for bidding. During programming review, additional floor plan changes were implemented, which updates the previous design to accommodate current Court programming and staffing needs.

Performance Measure: The new Santa Barbara County Court Clerks Building will remove and replace the existing dilapidated modular building, provide improved office space for Court employees, free up a County lease expense of \$35,000 per annum and create 3,614 sq ft of needed 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 30 (Capital Outlay)			\$ 4,600,000.00
State			\$ 2,900,000.00
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 7,500,000.00

Narrative:

The initial project funding (approximately \$100K) is available in Dept. 063, Fund 0030, Program 1930, Account 8700, and Project 8526. The remaining project funding (approximately \$4.5 million) will be transferred from project 8645 (SB 1732 Deficiencies Program) to 8526 via re-allocation, and re-appropriation prior to award of contract. If the AOC elects to proceed with the project, the AOC will fully fund any remaining funding needed to complete the project (Estimated to be approximately \$3.2 million).

The source of the County funding contribution is COPs, issued December 2001.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please send one (1) duplicate original Professional Services Agreement and one (1) copy of the minute order to John Green, GS/Support Services Division and Courthouse East Wing.

Attachments:

1. Original PSA Amendment No.1 with Ravatt Albrecht and Associates Inc.
2. Two Duplicate Original PSA Amendments.
3. Plans and Specifications are available for review in the General Services, Support Services Office.

Authored by:

John Green, Project Manager (805) 934-6229

cc:

Gary Blair, Superior Court Executive Officer
Darrel Parker, Assistant Superior Court Executive Officer