



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

Departments Name: General Services  
Department No.: 063  
For Agenda Of: January 11, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** General Services Bob Nisbet, Director (805) 560-1011  
Contact Info: Paddy Langlands, Assistant Director (805) 568-3096  
**SUBJECT:** **Emergency Operations Center (EOC) Building Project #8666; Fourth Amendment to Melchiori Construction Contract; Fourth Amendment to Professional Service Agreement with the Austin Company; Second Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: Yes, Risk Management

**Recommended Actions:**

That the Board of Supervisors:

- a) Authorize the Chair to execute the attached Amendment No. 4 to the contract with Melchiori Construction for the Emergency Operations Center (EOC) project in the amount of \$136,203.00 upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives, for a total amended contract amount of \$4,461,266.88;
- b) Approve and execute the attached Amendment No. 4 in the amount of \$27,857 to the Professional Services Agreement with the Austin Company for a total of \$604,166.50 inclusive of reimbursables to cover additional services associated with unforeseen conditions, construction issues, and microwave tower review; and
- c) Re-authorize the Director of General Services or designee to approve individual change orders of an amount not to exceed \$150,000 for this contract.

**Summary Text:**

The recommended actions A through C do not increase or change the project costs of \$7,434,945 as approved on January 5, 2010. At the Board of Supervisors meeting of January 5, 2010, the Board

awarded a contract to Melchiori Construction (a local vendor) for construction of the Santa Barbara County Emergency Operations Center. At that time, the Board approved a total project cost of \$7,434,945 that included construction, EOC systems, and non-construction components of the project including the microwave communications tower. Amendment No. 4 with Melchiori Construction (Recommendation A) will increase the contract amount by \$136,203 for construction of a complete communications tower including relocation and reinstallation of existing County communications equipment to the new facility. This Amendment involves a non-discretionary change to the contract originally approved by the Board of Supervisors, but one which when added to change orders already approved under the authority granted the Director of General Services, will exceed the \$150,000 delegated authority. The change is non-discretionary since the work involves enhancements that are required for completion of the project as originally designed and consistent with the enhanced project scope presented to, and approved by, the Board as part of the \$7.4 million dollar total project budget. This contract Amendment, in addition to three previous Amendments and change orders, brings the total amended contract amount with Melchiori Construction to \$4,461,266.88.

Amendment #4 (Recommendation B) to the Professional Services Agreement with the Austin Company in the amount of \$27,857 addresses additional services required to respond to unforeseen site conditions, construction issues, and to assist the County with review and permitting of the proposed microwave communications tower, as well as assistance on security issues, integrating the County's Novar controls, and assistance with coordinating prospective audio visual consultants.

**Background:**

The Emergency Operations Center is under construction with the structure, interior framing, rough electrical, roof decking, curbs, gutters, electrical rough-in, and previous concrete complete and site work and interior work continuing. Overall, construction is about 63% complete and only 15% of construction contingency has been spent. The work is progressing per the revised schedule, reflecting a March completion.

During the programming and design phases, General Services Information Technology identified the need for a microwave communications tower serving the new facility as an essential programmatic element so the tower was included in the overall project budget approved by the Board. When the construction contract was awarded, the tower had not been designed and detailed requirements for relocating existing County equipment and integrating it into the new tower had not yet been finalized. General Services Capital Projects, in conjunction with Communications and the Office of Emergency Services, has now developed and permitted plans for the tower. Staff has worked with the general contractor and his subcontractors in obtaining cost committed proposals for the various items associated with the turnkey communications tower, and determined that the inclusion of the work at this time can be accomplished without any changes to the overall approved project budget.

Amendment No. 4 to Melchiori Construction would increase the contract by \$136,203. This change, when combined with changes previously issued under the cumulative authority of the Director of General Services, will exceed the \$150,000 authority and thus requires an amendment to be approved by the Board of Supervisors.

All changes to date do not impact the approved project budget, as the major modifications were included in the original budget as an add-alternate item, and in the case of the communications tower in particular

was given a line item estimated amount. The modifications are covered within the budgeted construction contingency. The contract amount to Melchiori Construction inclusive of this and all previously approved changes is \$4,461,266.88.

Unforeseen site conditions encountered during construction, additional sketches associated with changes and clarifications, coordination with County vendors and review of the tower foundation and design have also resulted in additional fees for the design team. The recommendations will increase the Professional Services Agreement with the Austin Company by \$27,857, for a total fee amount of \$604,166.50 inclusive of reimbursable expenses.

**Performance Measure:**

With approval of the recommended actions, General Services anticipates substantial completion by March 2011.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative:

The financing for this project is Recovery Zone Economic Development Bonds (RZEDBs) that were made available to municipalities through the Federal Stimulus legislation passed in early 2009 and through Certificates of Participation (COPs). This financing is part of a larger issuance that finances the Betteravia Administration Building and the Public Defender Remodel projects. In addition to the financed portion, \$2,025,000 comes from the philanthropic “Aware and Prepare Initiative”, and \$171,504 from the Office of Emergency Services Communication Fund. Funding is available in Fund 0030, Department 063, Account 8700, Program 1930, Project 8666.

<b>Funding Sources</b>	<b>Current FY Cost:</b>	<b>Est. Annualized On-going Cost:</b>	<b>Total One-Time Project Cost</b>
General Fund		\$ 80,000	
Aware & Prepare Initiative	\$ 2,025,000.00		\$ 2,025,000
OES Communication Fund Fees			\$ 171,504
Other: RZEDB/COP financing	\$ 3,181,000.00		\$ 5,238,441
<b>Total</b>	<b>\$ 5,206,000.00</b>	<b>\$ 80,000</b>	<b>\$ 7,434,945</b>

**Staffing Impacts:**

**Legal Positions:**

0

**FTEs:**

0

**Special Instructions:**

Please send one (1) duplicate original Amendment #4 to the Melchiori Construction Co., one (1) duplicate original Amendment #4 to the Professional Services Agreement with the Austin Company, and one (1) duplicate of the minute order to Celeste Manolas, GS Support Services Division, Courthouse East Wing.

**Attachments:**

1. Amendment #4 to Melchiori Construction Co.
2. One (1) Original and one (1) duplicate original Amendment #4 to the Professional Services Agreement with the Austin Company

**Authored by:**

Celeste Manolas, General Services