

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 8/25/03  
**Department Name:** General Services  
**Department No.:** 063  
**Agenda Date:** 9/09/03  
**Placement:** Administrative  
**Estimate Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Ronald S. Cortez, Director  
General Services Department

**STAFF CONTACT:** Grady W. Williams, Project Manager (568-3083) and Dennis Kirby (568-2671)  
General Services Department

**SUBJECT:** Joint County-City Fiber Optic Conduit and Cable  
Project # 8532  
1st Supervisorial District

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## Recommendations:

That the Board of Supervisors:

- A. Approve and execute the attached Amendment One, in the amount of \$19,856.98 to the Construction Contract with Pro-Tech Engineering, Incorporated, of Anaheim, CA., for additional quantities of the original scope of work associated with the project, for a total lump sum fee of \$119,256.98.

## Alignment with Board Strategic Plan:

*The recommendations are primarily aligned with Goal No. 2 Ensure the Public Health and Safety and Provide Essential Infrastructure.*

## Executive Summary and Discussion:

The subject project is the final phase of cable installation as part of ITS's \$2 million network upgrade to provide the County with high speed database access, video/graphic presentation, Internet services and higher system reliability. The project installs a fiber-optic cable extending from a Level 3 trunk line at the Rail Road track along US 101, to the County's ITS building, downtown Santa Barbara. The cable runs primarily along Carrillo Street. The project is completed, except for minor punch list (clean-up) items.

The amendment to the contract was necessitated by the following:

- During construction it was determined tracing wire had to be added to conduit, \$4,500

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- Deleted 3 pull boxes, -\$1,200 (credit)
- Had to repaired damaged traffic signal (no fault of contractor), \$5,260.39
- Removed tree roots from existing conduit, discovered during cable installation, \$3,846.34
- Final installed cable quantity increased from estimated 4,500 ft. to 6,472 ft., \$6,900.25

The contract was originally awarded for \$99,950, and therefore was not originally a Board contract. This amendment puts the final contract price over the \$100,000 level, necessitating Board approval.

**Mandates and Service Levels:**

No change in service levels.

**Fiscal and Facilities Impacts:**

Funds for the current fiscal year have been appropriated and are available in Fund 1919 Department 063, Account 7510, Program 3100, Project 8532.

**Special Instructions:**

Upon approval and execution, the Clerk should distribute as follows:

1. Original document - retain for Board's Official file
2. Certified Dupl. Orig. document & Minute Order - Attn: Grady Williams, General Services

COUNTY-CITY FIBER OPTIC CONDUIT AND CABLE: GENERAL SERVICES  
AUTHORIZED CONTRACT AMENDMENT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT )  
WITH PRO-TECH ENGINEERING, INC. ) AMENDMENT NO. 1  
COUNTY-CITY FIBER OPTIC CONDUIT AND CABLE: )  
GENERAL SERVICES )  
SANTA BARBARA, CA )

WHEREAS, the County of Santa Barbara (COUNTY) and Pro-Tech Engineering, Inc. (CONTRACTOR), 6312 Santa Ana Canon Road #345, Anaheim, CA 92807, entered into a contract dated January 9, 2003, for the amount of NINETY-NINE THOUSAND NINE HUNDRED FIFTY DOLLARS (\$99,950) for the COUNTY-CITY FIBER OPTIC CONDUIT AND CABLE, Project No. 8532, County of Santa Barbara, California; and

WHEREAS, the General Conditions permit alterations in the cumulative amount not to exceed ten percent (10%) of the contract amount, provided they are specified in writing, and agreed upon by the CONTRACTOR and the Director of the General Services Department, Ron S. Cortez; and

WHEREAS, it has been deemed necessary by the Director of General Services Department, Ron S. Cortez, to make the following alterations, for a total of NINETEEN THOUSAND EIGHT HUNDRED FIFTY-SIX AND 98/100 DOLLARS (\$19,856.98) and a one hundred and twenty (120) calendar day time extension in the Contract period; and

Project No. 8532  
Amendment No. 1

WHEREAS, CONTRACTOR will perform the alterations stated in Construction Change Authorizations (CCA) 1 and 2 attached hereto, and increase Bid Item No. 8, "Install Fiber Optic Cable" from 4,500 lineal feet to 6,471.5 feet for a total addition of NINETEEN THOUSAND THREE HUNDRED SIX AND 98/100 DOLLARS (\$19,306.98) and a one hundred twenty (120) calendar day time extension in the contract period.

NOW, THEREFORE, the Agreement is amended as follows:

### **Section 1**

Paragraph 5 of said Contract is hereby amended to read as follows:

5. PAYMENT

Subject to adjustments and liquidated damages, if any, as provided in the Contract documents, the full price to be paid to CONTRACTOR for satisfactory completion of all requirements of CONTRACTOR under the Agreement is the base amount of NINETY-NINE THOUSAND NINE HUNDRED FIFTY DOLLARS (\$99,950), plus Change Order No. 1 for THREE THOUSAND THREE HUNDRED DOLLARS (\$3,300), plus Change Order No. 2 for NINE THOUSAND ONE HUNDRED SIX AND 73/100 DOLLARS (\$9,106.73), plus SIX THOUSAND NINE HUNDRED AND 25/100 DOLLARS (\$6,900.25) for an increase in quantity for bid item number 8, using a negotiated, fair settlement price, for a total Contract amount of ONE HUNDRED NINETEEN THOUSAND TWO HUNDRED FIFTY-SIX AND 98/100 DOLLARS (\$119,256.98) to be paid as provided for in the Contract Documents in an amount directly proportional to the percentage of completion of work. CONTRACTOR shall maintain and make

Project No. 8523

Amendment No. 1

5. PAYMENT (Continued)

available to COUNTY all books, papers, job descriptions, records, detail costs, estimates, subcontracts, and financial records related to or which arise out of work or under the terms or conditions of the Contract. The form of record keeping shall be subject to approval by COUNTY. These books, papers, records, claims, and accounts shall be made available for examination during normal business hours by COUNTY or COUNTY's representative and shall be retained at CONTRACTOR's principal place of business in California for audit during normal business at such place for four (4) years after recording of Notice of Completion of Project. CONTRACTOR shall provide an office to enable COUNTY and COUNTY's representative to conduct such audit.

Paragraph 2 of the Contract is hereby amended by the addition of the following language:

2. WORK Items of work to be performed by the CONTRACTOR shall include all items stated in CCA 1 and 2, incorporated by this reference and attached hereto, and a quantity of 6,471.5 lineal feet for Bid Item No. 8. These items include without limitation the addition of: installation of tracing wire, repair of traffic signal, removal of tree roots, and additional installation of fiber optic cable.

**Section 2**

This Contract Amendment, along with the consent of the CONTRACTOR attached hereto, shall constitute a contract between the County of Santa Barbara and Pro-Tech Engineering Construction Company. All other sections of the Agreement between the parties shall remain in full force and effect.

Project No. 8532  
Amendment No. 1

We hereby consent to the above and agree to the alterations as set forth in said Amendment in the manner and for the amount as indicated.

Dated this \_\_\_\_ day of August, 2003

ATTEST:  
Michael F. Brown  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
Stephen Shane Stark  
County Counsel

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

\_\_\_\_\_  
John Forner  
Risk Manager

**"COUNTY"**  
COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Naomi Schwartz  
Chair, Board of Supervisors

Date: \_\_\_\_\_

**"CONTRACTOR"**  
Pro-Tech Engineering Corporation

By: \_\_\_\_\_  
Mike Niknafs, President  
IRS NO. 33-0767014  
License # 731356

APPROVED AS TO ACCOUNTING  
FORM:  
Robert W. Geis, CPA

By: \_\_\_\_\_  
Auditor-Controller

Dept 063      Account 7510      Fund 1919      Program 3100