



**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: June 18, 2024
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: General Services Kirk Lagerquist, Director (805) 560-1011

Contact Info: John Green, Capital Division Chief, (805) 934-6229

DocuSigned by:
Kirk Lagerquist
19AEDA90054E4CE...

SUBJECT: Probation Headquarters Building Project - Award Agreement for Services of Independent Contractor for Construction Management Services; Project No. 19014, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: * Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor (ASIC) with Tynan Group, L.P., California limited partnership (and a local vendor), in the base amount of \$1,858,940, and a contingency amount of \$105,447.00, to provide Construction Management services during the construction, closeout, and post construction phases for the proposed Probation Headquarters Building, located at 1019 Garden Street, Santa Barbara, CA 93101 (APN 029-212-011), in the First Supervisorial District;
- b) Authorize the Director of General Services, or his Assistant Director or Capital Division Chief designee, to approve change orders under the ASIC in an aggregate amount not to exceed \$105,447.00 in accordance with the provisions of the ASIC;
- c) Approve and authorize the Director of General Services to (i) terminate the ASIC in accordance with the provisions of the ASIC, and (ii) amend the ASIC to extend the Term of the ASIC for a period not to exceed twelve (12) months; and

- d) Determine the above actions do not require changes to the Final Mitigated Negative Declaration (SCH2023040126, GS-042022-19014-MND) for the Project, which was adopted by the Board in March 2024.

Summary Text:

This item is on the agenda to award an Agreement for Services of Independent Contractor to Tynan Group, L.P. (Tynan) to perform construction management (CM) services for the Santa Barbara Probation Headquarters Project (Project).

In June 2023, General Services conducted a competitive, qualification-based selection (QBS) process issuing a Request for Qualifications and Proposals (RFQ/P) soliciting Qualifications and Proposals from interested CM firms for this phase of the Project. The selection process entailed a review committee comprised of County of Santa Barbara General Services staff. Six (6) CM firms submitted proposals in response to the RFQ/P (Proposers), and each proposal was reviewed and scored based on the criteria established in the RFQ/P. In October 2023, the Board approved an Agreement for Services of Independent Contractor with Cumming Management Group, Inc. (Cumming) to provide professional CM services for the Project. Cumming performed such services from October 2023 to April 2024. In April 2024, Cumming communicated that they could not produce the originally proposed (and selected) team to complete their remaining contracted CM services. Subsequently, the County proceeded with reaching out to the second and third place Proposers, and the Tynan Group, L.P. was the only Proposer who could still produce their proposed team. At this time, General Services is prepared to recommend that the County enter into the ASIC with Tynan Group, L.P. to provide professional CM services for the Project.

Background:

In August 2020, the General Services Department, in partnership with the Probation Department and RNT Architects, initiated the process to start conceptual design and programming for the Project. The new HQ is proposed to be located at 1019 Garden Street, in downtown Santa Barbara on County owned property between Santa Barbara, Garden, Figueroa, and Carrillo Streets. The proposed new HQ is intended to consolidate staffing from the Hollister campus as well as the current downtown HQ building, which will lead to operational and cost efficiencies for the Probation Department. In March 2022, the Board approved moving forward with completing the design work which included programming verification, professional design, planning, cost estimating, commissioning and construction contract administration services. RNT Architects has finished the Construction Documents and in February 2024, the Board authorized General Services to go out to bid for General Contractors. On May 9th, bids were received from General Contractors, and staff is recommending an award through a separate action.

Awarding this ASIC to Tynan will allow CM services to continue through construction and closeout. Tynan's fee is approximately 4% of the anticipated total construction value of \$45,261,000. Industry standard ranges from 4-7% and General Services currently budgeted 4%. The funding for this phase of the Project will be funded directly with Certificate of Participation (COP) debt proceeds. The work is necessary to maintain and modernize Probation facilities, and will consolidate the currently dispersed Probation operations into a single facility leading to operational efficiencies. The proposed Project will reflect the County's Net Zero Energy policy, and will utilize Crime Prevention Through Environmental Design principles.

California Environmental Quality Act (CEQA) Documentation:

The above actions do not require changes to the Final Mitigated Negative Declaration (SCH2023040126, GS-042022-19014-MND) for the Project, which was adopted by the Board in March 2024.

Performance Measure:

This ASIC will provide professional CM services for the Project starting at the pre-construction phase through completion of the construction phase, including post-construction services, which spans three years, into FY 2026-27. The ASIC obligates Tynan to protect the County's interests while effectively managing the Project's schedule, cost, quality, safety, scope, sustainability goals, and function.

Fiscal and Facilities Impacts:

Budgeted: *Yes. Construction management services for the Project will be funded by Certificate of Participation (COP) debt proceeds.

Fiscal Analysis:

<u>Funding Source</u> <u>- Tynan Group,</u> <u>L.P. Contract</u>	<u>FY 2023-24</u>	<u>FY 2024-25</u>	<u>FY 2025-26</u>	<u>FY 2026-27</u>	<u>Total</u>
COP Debt Proceeds	\$10,000.00	\$900,000.00	\$900,000.00	\$154,387.00	\$1,964,387.00
Total	\$10,000.00	\$900,000.00	\$900,000.00	\$154,387.00	\$1,964,387.00

Fiscal Narrative:

The total ASIC contract amount with Tynan Group, L.P. is \$1,964,387.00, which includes a contingency of \$105,447.00. This phase of the Project will be funded by COP debt proceeds. Funds for this ASIC and associated efforts will be budgeted separately, from COP debt proceeds held by the Treasurer, as needed for the current FY 2023/24, and for each subsequent fiscal year through FY 2026/27.

Special Instructions:

Please email the following items to Shane Mahan in the General Services Department, smahan@countyofsb.org:

1. One (1) copy of the Minute Order
2. One (1) copy of the executed Agreement for Services of Independent Contractor

Attachments:

1. Attachment 1 - Agreement for Services of Independent Contractor for County Project No. 19014

Authored by:

Shane Mahan, General Services- Capital Projects