

**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:** 12/6/2004  
**Department Name:** General Services  
**Department No.:** 063  
**Agenda Date:** January 4, 2005  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:** N/A

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**TO:** Board of Supervisors

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

**STAFF CONTACT:** Jill Van Wie, Capital Projects Coordinator (560-1079)  
General Services Department

Robert Ooley, County Architect (568-3085)  
General Services Department

**SUBJECT:** Santa Barbara County—Clerk/Recorder/Assessor Building  
Project No. F01901/8620  
First Supervisorial District

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**Recommendation(s):**

That the Board of Supervisors:

- 1) Execute Amendment No. 3 to the construction agreement with Frank Schipper Construction Company for additional cabinet work and painting in the amount of \$1,028.33, for a total contract amount of \$2,626,796.33; and
- 2) Approve the Notice of Completion.

**Alignment with Board Strategic Plan:**

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

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### **Executive Summary and Discussion:**

On March 31, 2003, your Board approved to award a Construction Agreement in the amount of \$2,235,000.00 to Frank Schipper Construction Company, a local contractor, to construct a new two-story 10,300 square foot office building that will house the Solid Waste department of Public Works and the Election functions of the Clerk-Recorder-Assessor Office with improved public counter space, file storage, operational space and office automation.

Though the original building designation was to house the Hall of Records, the designation was revised to house the Elections Division of the Clerk-Recorder-Assessor and the Solid Waste Division of Public Works. While Elections will be able to have built-in features to enhance election process security and Solid Waste will be able to consolidate their operations into one location, the main reason for this revision was in line with general County policy to place County functions into County-owned facilities rather than lease space. Elections and Solid Waste were paying \$127,050 and \$77,568 a year in leases, respectively. This move will save the County between \$800,000 and \$1,000,000 during the COP payment period for the Clerk-Recorder-Assessor Department alone.

There were several changes and additions to the project constituting 17% of the approved contract amount. 10% of these revisions were to alter the building in accordance with the needs of the new tenants, and the other 7% were for general building modifications.

This Amendment No. 3 will amend Articles 2 and 5 of the construction agreement, and increase Frank Schipper Construction Company's contract amount by \$1,028.33, for a total contract fee of \$2,626,796.33. The total is inclusive of previously approved Amendment No. 1 in the amount of \$180,707.63 approved by the Director of General Services, and Amendment No. 2 in the amount of \$210,060.37 approved by the Board of Supervisors. This project is 100% complete and approval of the Notice of Completion will provide for release of retention.

### **Fiscal and Facilities Impacts:**

Funds for this project have been appropriated and are available in Fund 0030, Dept. 063, Account 8200, Program 1930, Project 8620.

### **Special Instructions:**

Upon approval, please forward the Minute Order and (1) duplicate copy of the Amendment and Notice of Completion to Jill Van Wie, Capital Projects Coordinator, Courthouse Annex, 2<sup>nd</sup> Floor.

VICTORIA STREET OFFICE BUILDING  
AUTHORIZED CONTRACT AMENDMENT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT )  
WITH FRANK SCHIPPER CONSTRUCTION COMPANY ) AMENDMENT NO. 3  
VICTORIA STREET OFFICE BUILDING, )  
SANTA BARBARA, CA )

WHEREAS, the County of Santa Barbara (COUNTY) and FRANK SCHIPPER CONSTRUCTION COMPANY (CONTRACTOR), 610 EAST COTA, Santa Barbara, California entered into a contract dated March 31, 2003, for the amount of TWO MILLION TWO HUNDERD THIRTY-FIVE THOUNSAND DOLLARS (\$2,235,000.00) for the project VICTORIA STREET OFFICE BUILDING, F01901/8620, 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. Corez; and

WHEREAS, it has been deemed necessary by the Board of Supervisors to make alterations known as Amendment No. 3, for a total of ONE THOUSAND TWENTY-EIGHT DOLLARS AND THIRTY-THREE CENTS (\$1,028.33) and a ZERO (0) calendar day time extension in the Contract period; and

WHEREAS, CONTRACTOR will perform the alterations for a total addition of ONE THOUSAND TWENTY-EIGHT DOLLARS AND THIRTY-THREE CENTS (\$1,028.33) and a ZERO (0) 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 TWO MILLION TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$2,235,000.00), plus Amendment No. 1 for ONE HUNDRED EIGHTY THOUSAND SEVEN HUNDRED SEVEN DOLLARS AND SIXTY-THREE CENTS (\$180,707.63), plus Amendment No. 2 for TWO HUNDRED TEN THOUSAND SIXTY DOLLARS AND THIRTY-SEVEN CENTS (\$210,060.37), plus Amendment No. 3 for ONE THOUSAND TWENTY-EIGHT DOLLARS AND THIRTY-THREE CENTS (\$1,028.33) for a total Contract amount of TWO MILLION SIX HUNDRED TWENTY-SIX THOUSAND SEVEN HUNDRED NINETY-SIX DOLLARS AND THIRTY-THREE CENTS (\$2,626,796.33) to be paid as provided for in the Contract Documents, i.e., on a monthly basis in an amount directly proportional to the percentage of completion of work. CONTRACTOR shall maintain and make 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

(Section 1 Continued):

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.

Section 2:

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

Items of work to be performed by the CONTRACTOR shall include cabinet revisions at first floor and painting extras.

Section 3:

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

Original Contract amount	<u>\$ 2,235,000.00</u>
10% of Contract amount	<u>\$ 223,500.00</u>
Amount of Amendment No. 1	<u>\$ 180,707.63</u>
Amount of Amendment No. 2	<u>\$ 210,060.37</u>
Amount of Amendment No. 3	<u>\$ 1,028.33</u>
Revised Contract amount	<u>\$ 2,626,796.33</u>
Balance of 10% Contract amount remaining	- <u>\$ 168,296.33</u>
Original Contract completion date	December 31, 2003
Total number of days extension Amendment No. 1	245 days
Total number of days extension Amendment No. 2	80 days
Total number of days extension Amendment No. 3	0 days
Revised Contract completion date	November 20, 2004

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 \_\_\_\_\_, 2004.

ATTEST:  
Michael F. Brown  
Clerk of the Board

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

APPROVED:

**"COUNTY"**  
COUNTY OF SANTA BARBARA

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

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

**"CONTRACTOR"**  
FRANK SCHIPPER CONSTRUCTION CO.  
610 East Cota Street  
Santa Barbara, California 93103

By: \_\_\_\_\_  
Frank Schipper, President  
IRS No. 95-3781035  
License No. 436175

APPROVED AS TO FORM:  
Stephen Shane Stark  
County Counsel

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

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

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

Dept 063    Fund 0030    Program 1930    Account 8700    Project 8620

DATE:  
RECORDING REQUESTED BY &  
WHEN RECORDED RETURN TO:  
CLERK OF THE BOARD

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NO FEE PER GOV CODE 6103

County of Santa Barbara  
General Services Department  
Facilities Services Division  
1100 Anacapa Street, Courthouse Annex  
Santa Barbara, CA 93101

## NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the County of Santa Barbara, State of California, as Owner of the public work hereinafter described, did on March 31, 2003, enter into a contract with Frank Schipper Construction Company as contractor for the work of the Clerk/Recorder/Assessor Building, Project No. F01901/8620, property owned by the County of Santa Barbara, California;

That said contract amount, including Amendments No. 1, No. 2 and No. 3 is \$2,626,796.33; and

That on Saturday, November 20, 2004, the work called for by the said contract was completed by the said contractor.

COUNTY OF SANTA BARBARA,  
STATE OF CALIFORNIA,  
OWNER

By \_\_\_\_\_

Robert Ooley, AIA  
County Architect  
General Services Department  
County of Santa Barbara



County of Santa Barbara  
General Services Department  
Facilities Services Division  
1100 Anacapa Street, Courthouse Annex  
Santa Barbara, CA 93101

**STATE OF CALIFORNIA            )**  
**COUNTY OF SANTA BARBARA )**

Robert Nisbet, being duly sworn, says: "That he is an Officer of the County of Santa Barbara, State of California, to wit, Assistant Director, General Services Department; that he is authorized to make this verification for and on behalf of said County; that he has read the foregoing Notice of Completion and knows the contents thereof; that the same is true of his own knowledge except as to those matters which are therein stated on his information of belief; and to those matters he believes it to be true.

I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Robert Nisbet, Assistant Director  
General Services Department

Date \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2004.  
MICHAEL F. BROWN, Clerk of the Board

By \_\_\_\_\_  
Clerk of the Board