



**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: July 10, 2018
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Janette D. Pell, Director, (805) 560-1011
Contact Info: Skip Grey, Assistant Director, (805) 568-3083
SUBJECT: Northern Branch Jail Project, Amendment No. 2 to Earth Systems, Inc. Third District.

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to Form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve, ratify and authorize the Chair to execute Amendment No. 2 to the Contract with Earth Systems, Inc. of Ventura, CA, increasing the maximum compensation limit from \$825,944.90 to \$1,018,444.90 (an increase of \$192,500.00) for Construction Testing and Special Inspection Services for Santa Barbara County Northern Branch Jail Project No. 8600; and
- b) After considering the Final Subsequent Environmental Impact Report (SEIR), State Clearinghouse No. 2007111099, that the Board of Supervisors certified on March 11, 2008, the December 6, 2011 SEIR addendum, and the October 8, 2013 SEIR addendum, determine pursuant to 14 CCR §15162(a) that no subsequent EIR or Negative Declaration is required for this project because: i) No substantial changes are proposed in the project which require major revisions of the 2008 Final Subsequent EIR; ii) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2008 Final Subsequent EIR; and iii) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final Subsequent EIR was certified in 2008, has been received.

Summary Text:

On June 21, 2016, as part of the approvals to award construction contracts for the Northern Branch Jail, the Board awarded contracts for services associated with the construction phase of the project, including the contract to Earth Systems Inc. for construction testing and special inspection services. On November 14, 2017, the Board awarded Amendment 1 for a total of \$308,000.00 to account for projected costs of inspections and testing. At this time, General Services recommends the contract be increased by an additional \$192,500.00 to account for the actual volume of inspections, and to address projected costs of inspections and testing necessary to complete the construction phase of the project.

None of the actions impact the overall project budget, as the inspection and utility fee line items included within the \$110,857,244 approved total project budget are adequate to accommodate this amendment.

Background:

At the time General Services solicited Requests for Proposals (RFP's) for construction testing and special inspection services, each prospective testing firm was required to complete a worksheet indicating quantities and unit prices for the various inspections and tests required during construction, based on the expectations of the design and construction team. The actual tests required have exceeded the projections, as the criteria for constructing the jail are exacting and intensive, and exceed performance factors on regular construction. Nonetheless, General Services budgeted adequate funds for inspectors, testing, special inspections, and associated construction fees and services, thus while the amendment is required for contractual purposes, it bears no net impact on the project budget.

Approval of this amendment will allow Earth Systems, Inc. to continue providing services required to facilitate completion of construction in accordance with the revised project schedule.

Key Contract Risks

Approval of the contract amendment has limited risks since it's a fee per service/pay as you go contract. We pay them only upon performing a specific test for which we have documentation. Our inspector signs off on the test requirement prior to anyone calling for it, then witnesses and/or acknowledges the test occurred, and the entire construction team receives a report from the lab.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Fiscal Analysis:

The approved project budget of \$110,857,244 included testing and inspection line items sufficient to complete the construction phase. The construction testing and special inspection services are County Match/Overmatch components of the project under the AB900 conditional award.

Special Instructions:

Request the Chair of the Board sign three (3) original amendments, and the Clerk of the Board return two (2) of each signed amendment to Celeste Manolas, along with a minute order.

Attachments:

1. Amendment No. 2 to the Contract with Earth Systems, Inc. (1 original, 2 duplicate original)

Authored by:

Celeste Manolas, Capital Projects Manager, General Services Support Services