



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:** 11/10/09  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Director(s) **Robert Nisbet, Director (568-1011)**  
**General Services Department**  
Contact Info: **Paddy Langlands, Asst. Director (568-3096)**  
**General Services Department**

**SUBJECT:** **Contractor on Payroll (COP) Contract for Richard Whirty in the General Services, Support , Facilities Division.**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Human Resources

As to form: Yes

**Recommended Actions:** That the Board of Supervisors approve the Professional Services Contract with Richard Whirty as Contractor on Payroll in the Facilities Division of General Services Department in the amount of \$125,590 for the two-year period from January 1, 2010 through December 31, 2011.

**Summary Text:**

Mr. Whirty has been working in this position for the last 2 years. In this time period he has successfully managed major Capital Maintenance projects throughout the County. In addition he has been able to assist our North and South County facility maintenance supervisors with complicated maintenance projects. Without this position, General Services, Facilities Division has insufficient staff to adequately manage current and projected funded Capital Maintenance projects.

**Background:**

The Capital Maintenance program has a \$23 million backlog of identified deferred projects with a nominal \$1.5 million yearly budget which varies from year to year depending on the urgency of the projects and available funds. These projects are technically complex and require the preparation of design plans and specifications. They also must be advertised for public bid in accordance with the Public Contract Code. The projects occur in the 1.8 million square feet of County occupied/maintained space and include projects in the various categories such as HVAC, parking lots, painting, plumbing etc.

On October 3<sup>rd</sup>, 2006 the County’s Human Resources Department presented a board letter showing that from time to time there are certain situations where Contractor on Payroll is the appropriate way to contract labor. This is the case on this contract where the funding for this program varies from year to year based on the Board’s annually adopted Budget Principles. This Contract and any possible renewals are timed to terminate coinciding with the reduction in backlogged projects to a level that existing staff can handle.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund		80,378	160,755
State			
Federal			
Fees			
Existing program funds	40,189		
<b>Total</b>	<b>40,189</b>	<b>80,378</b>	<b>160,755</b>

**Narrative:**

The cost figures shown in the table above include an estimated \$35,165 to pay the County’s share of FICA, Medicare, Worker’s Comp and Unemployment Insurance, and Retirement; none of which is additional compensation to the Contractor. Total compensation to the Contractor, over a two year period, is \$125,590.

Funds for this contract are available in Fund 0001, Department 063, Program 1225. Continuation of this contract beyond the current fiscal year is contingent on adequate funding in the Capital Maintenance program.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

After Board action, distribute as follows:

Original document to Boards Official File

Duplicate original document and minute order to Jack T. Williams, County Facilities Manager

**Attachments:**

Contract between County of Santa Barbara and Mr. Richard Whirly

**Authored by:**

Jack T. Williams, County Facilities Manager, tel. 568-2533