



Monterey County

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Board Report

Legistar File Number: A 17-061

March 21, 2017

Introduced: 3/7/2017

Version: 1

Current Status: Consent Agenda

Matter Type: BoS Agreement

- a. Award a contract to Avila Brother's, Inc., dba Avila Construction Company; the lowest responsible and responsive bidder, for the Monterey County Government Center East/West Wing Renovation, Project No. 8864, Bid Package No.10599, in the total amount of \$22,706,220;
- b. Approve the Performance and Payment Bonds executed and provided by Avila Brother's, Inc., dba Avila Construction Company, and Great American Insurance Company;
- c. Authorize a contingency not to exceed ten percent (10%) of the contract amount, to provide funding for approved contract change orders;
- d. Authorize the Interim RMA Deputy Director of Public Works and Facilities, to execute the contract and, subject to the terms of the Revised Contract Change Order Procedure for Construction Contracts Administered by the Public Works Department approved by the Board on August 28, 2001, and after review by the Assistant County Administrative Officer, approve contract change orders where each change order does not exceed \$25,000, plus five percent (5%) of the amount of the original contract cost in excess of \$250,000; and
- e. Authorize the Interim RMA Deputy Director of Public Works and Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Interim Director determines the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction for the Monterey County Government Center East/West Wing Renovation, Project No. 8864, Bid Package No.10599, performed by Avila Brother's, Inc., dba Avila Construction Company.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to Avila Brother's, Inc., dba Avila Construction Company; the lowest responsible and responsive bidder, for the Monterey County Government Center East/West Wing Renovation, Project No. 8864, Bid Package No.10599, in the total amount of \$22,706,220;
- b. Approve the Performance and Payment Bonds executed and provided by Avila Brother's, Inc., dba Avila Construction Company, and Great American Insurance Company;
- c. Authorize a contingency not to exceed ten percent (10%) of the contract amount, to provide funding for approved contract change orders;
- d. Authorize the Interim RMA Deputy Director of Public Works and Facilities, to execute the contract and, subject to the terms of the Revised Contract Change Order Procedure for Construction Contracts Administered by the Public Works Department approved by the Board on August 28, 2001, and after review by the Assistant County Administrative Officer, approve contract change orders where each change order does not exceed \$25,000, plus five percent (5%) of the amount of the original contract cost in excess of \$250,000; and
- e. Authorize the Interim RMA Deputy Director of Public Works and Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when

the Interim Director determines the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction for the Monterey County Government Center East/West Wing Renovation, Project No. 8864, Bid Package No.10599, performed by Avila Brother's, Inc., dba Avila Construction Company.

SUMMARY/DISCUSSION:

Project Work for tenant improvements of 240 Church Street was divided into three (3) phases. Phase I included selective demolition of the interior and landscaping in the courtyard which was completed in the summer of 2016. Phase II replaced all the exterior windows except those on the third floor of the West Wing which are scheduled for replacement during the upcoming tenant improvements. Phase II was completed in January 2017. The Project Work for the tenant improvements was divided into seven (7) components for bidding purposes. A Base Bid consisting of all work as noted in the drawings and specifications including all site work, courtyard, utility connections, exterior cleaning of the buildings, demolition and installation of a new roof over all buildings, installation of exterior doors/sidelights, West Wing 3rd Floor window systems, hazardous materials abatement as required, mitigation monitoring measures, and commissioning of all building systems. Additive Alternate No. 1 provides for construction of a connection bridge between the East and West Buildings and an open floor plan layout to the East Wing. Additive Alternate No. 2 provides for construction of the connection bridge and a private office floor plan. Additive Alternate No. 3A and No. 3B provide ballistic resistant sash windows at all First Floor exterior windows. Additive Alternate No. 4 provides sun control film at all exterior glazing. Additive Alternate No. 5 provides upgraded finishes in a large conference room. Additive Alternate No. 6 provides a unisex restroom within an office. Additive alternate No. 7 provides for cleaning and sealing the exterior building's concrete with a chemical wash.

A "Notice to Bidders" was duly advertised in a newspaper of general circulation pursuant to California Public Contract Code Section 20150.8. On February 2, 2017, bids were received and opened for the Project. Avila Brother's, Inc., dba Avila Construction Company was the apparent low bidder for the Base Bid with Alternate Bid Nos. 2, 3A, 3B, 4, 5, 6, and 7 for a total amount of \$22,706,220.

Construction is scheduled to begin in May, 2017 with a completion anticipated in May, 2018. Phase IV will be the removal of Modular Buildings #1, #2, and #3. Preparation for this will begin in January, 2018 with an anticipated removal of the buildings by late summer 2018.

Pursuant to the Revised Contract Change Order Procedure for Construction Contracts Administered by the Public Works Department approved by the Board on August 28, 2001 (August 28, 2001 Board Order), for County contracts administered by the Public Works & Facilities Department for construction of capital improvement projects where the original contract amount exceeds two hundred fifty thousand dollars (\$250,000), the Interim RMA Deputy Director of Public Works and Facilities (Director) is authorized to approve contract change orders as follows:

Up to twenty five thousand dollars (\$25,000) plus 5 percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000) for projects where the original contract amount exceeds two hundred fifty thousand dollars (\$250,000). In no event shall any change order or alteration exceed one hundred fifty

thousand dollars (\$150,000). (Section 2. f) (3) of August 28, 2001 Board Order).

Staff recommends that subject to the terms of said August 28, 2001 Board Order, and after review by the Assistant County Administrative Officer, the Director be authorized to approve contract change orders where each change order does not exceed \$25,000, plus five percent (5%) of the amount of the original contract cost in excess of \$250,000.

OTHER AGENCY INVOLVEMENT:

RMA-Public Works & Facilities coordinated with the County Administrative Office and all selected agency tenants who will occupy the premises at 240 Church Street to develop the Project Plans and Specifications. The Office of the County Counsel, Auditor-Controller, and Risk Management have reviewed and approved the Contract as to form, fiscal terms, and insurance and indemnification provisions, respectively.

FINANCING:

The project is financed by Certificates of Participation (COPs) in the amount of \$52,000,000 issued for the specific purpose of completing both the Schilling Place and East/West Wing renovation projects. Specifically, the East/West Renovation Project is funded by a COP allocation of \$36,000,000 and County funds in the amount of \$624,623 for a pre-bid total project cost of \$36,624,623. Additional County funding in the amount of \$2,306,220 has been appropriated to furnish the buildings with furniture, fixtures, and equipment (FF & E) for a final total project budget in the amount of \$38,930,843. Total expenditures through the end of the January, 2017 are \$7,836,952. Funding for this project is contained in Fund 404 - Facilities Master Plan Projects.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This project provides for adequate county facilities and infrastructure and improves the condition of an historic county building.

Check the related Board of Supervisors Strategic Initiatives:

- ☐ Economic Development
- ☐ Administration
- ☐ Health & Human Services
- ☒ Infrastructure
- ☐ Public Safety

Prepared by: Judy Jeska, Project Manager III (831)755-8964

Approved by: Dewayne Woods, Assistant County Administrative Officer

Attachments: 1) Bid Summary; 2) Avila Brother's, Inc., dba Avila Construction Company Agreement; 3) Payment and Performance Bonds; 4) Insurances; 5) Project Budget; 6) August 28, 2001 Board Order; and 7) Location Map. (Attachments on file with the Clerk of the Board)