

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: June 28, 2011 – Consent	AGENDA NO.: 45
SUBJECT: Adopt a Resolution: a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-08 for Drywall Supply and Install, performed by Lombardo Construction, Inc.; and b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-08 for Drywall Supply and Install, performed by Lombardo Construction, Inc.	
DEPARTMENT: RMA – Public Works	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors adopt a Resolution:

- a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-08 for Drywall Supply and Install, performed by Lombardo Construction, Inc.; and
- b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-08 for Drywall Supply and Install, performed by Lombardo Construction, Inc.

SUMMARY/DISCUSSION:

The Renovation of North Wing of Salinas Courthouse Project No. 8772 (Project) is now complete and final documentation and close-out of the multiple prime contracts is underway. As each prime contract supports a different trade(s) and has a distinctive area(s) of expertise during the construction process, completion of that project work is subject to the construction process sequence. A Certificate of Completion and filing of a Notice of Completion for each prime contract is being addressed in separate Board Reports as respective financial requirements and processes are completed. At this time, a Certificate of Completion accepting the work and authorizing the filing of a Notice of Completion for the portion of project work performed by Lombardo Construction, Inc. is appropriate.

Lombardo Construction, Inc. (Lombardo) was awarded one of the prime contracts for the Project. On December 14, 2004, the Board of Supervisors approved and awarded a contract to them for the furnishing and installation of all Drywall. On June 3, 2008, the Board authorized additional contract authority for several of the prime contracts, including Lombardo's contract. Lombardo's contract received additional funding on December 1, 2009 where the Board increased the contract authority. Additional contract financial information is provided below in the Finance Section of this report and the Project Budget Summary. A complete chronology overview of the project and related Board actions can be found in Exhibit A (attached). Lombardo's contract is now complete in accordance with the plans and specifications and the work is ready to be approved and accepted by the Board of Supervisors.

OTHER AGENCY INVOLVEMENT:

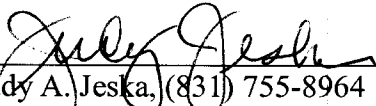
County Counsel, Contracts/Purchasing, Auditor-Controller, and RMA Finance have been active participants in the development and completion of this project.

FINANCING:


There is no financial impact to the General Fund. On December 14, 2004, the Board of Supervisors approved Lombardo's contract in the amount \$1,111,730. Between December 2007 to May 2008, construction documents were reviewed and scopes revised for all prime contracts, and on June 3, 2008, the Board approved an increase to Lombardo's contract authority in the amount of \$3,047,443 bringing their revised total contract authority to \$4,159,173. On December 1, 2009, the Board approved another increase in contract authority of \$710,434 for a total contract authority of \$4,869,607. Expenditures to date total \$4,059,438, leaving a contract authority balance of \$810,169. This contract is now closed out. The retention balance owed is \$178,146. Therefore, the recommended Board action will allow for the release of retention.

Prepared by:

Approved by:



Judy A. Jeska, (831) 755-8964
Architectural Services Manager (Interim)



Yazdan T. Emrani, M.S., P.E.
Director of Public Works

Dated: June 20, 2011

Attachments: Board Resolution; Exhibit A – Project Chronology and Cost Summary; Project Budget Summary; Certificate of Completion; Notice of Completion; Location Map

**PROJECT CHRONOLOGY AND COST SUMMARY
RENOVATION OF NORTH WING OF SALINAS COURTHOUSE**

YEAR	MILESTONE	INCREASE/ DECREASE	AGGREGATE TOTAL
2001	<ul style="list-style-type: none"> Master Plan complete and \$15M budgeted for project. \$83.5M in COPs issued to fund several projects, \$15M included for North Wing. HOK hired to implement Master Plan which includes North Wing. Agreement between County and Courts drafted by Presiding Judge O'Farrell includes \$700,000 per year for 30 years from Courts to assist with financing of North Wing renovation project. 	\$15 Million (M) Board action established this amount for North Wing as part of issuance of COPs.	\$15M
2002	<ul style="list-style-type: none"> Trial Court Facilities Act, SB1732, created Administrative Office of the Courts allowing transfer of Court facilities to State. Seismic retrofitting now required. Work scope modified, budget remains constant. Contracts issued to Skanska Construction (Skanska) and Nova Partners (Nova) to manage North Wing Project. 	\$0.0	\$15M
2003	<ul style="list-style-type: none"> Design begins and includes additional seismic requirements, which forces elimination of 3rd floor renovation from scope to keep within budget. "Multiple Prime" construction delivery method is decided. Nova and Skanska assume management of pre-construction. 	\$0.0	\$15M
2004	<ul style="list-style-type: none"> Design completed with permit drawings issued in September 2004. Demolition and asbestos abatement begins. ATC, an asbestos consulting firm, hired to monitor air samples. 	\$0.0	\$15M
2005	<ul style="list-style-type: none"> Seismic upgrades and Contract Documents go out to bid to select Prime Contractors. ACM discovered in sporadic air test results. Monterey Bay Unified Air Pollution Control District called in by District Attorney. Airborne asbestos found, additional restrictions placed on the contractors. Skanska hired C&W Environmental for asbestos testing. Court and County employees are still working in building. Board rejected initial bids by Primes as too costly. Additional costs for new asbestos abatement, construction escalation, added to scope. Staff recommends additional \$4.9M in funding to cover additional costs. Higher than anticipated bids in November, Hurricane Katrina, additional abatement restrictions, new structural requirements add to the budget. Staff recommends appropriating additional \$2.9M to cover costs. 	\$4.9M Board action in July to cover escalation. \$2.9M CIC supported use of Master Plan contingency to fund escalation	\$19.9M \$22.8M
2006	<ul style="list-style-type: none"> Air monitoring continues throughout abatement to ensure workers' health. Capital Projects transferred under Department of Public Works. Subsequent asbestos contamination forced stop work; building evacuated and sealed. \$10.75M spent to date. This work, which was subsequently demolished due to ACM abatement, will be replaced during renovation. Project declared an emergency by the Board. Modulars built to accommodate the Courts at a cost of \$3.2M. Court and County employees moved out of building; Moving, relocation and tenant improvement costs are \$2M. Asbestos abatement firm hired to gut/clean building at \$7.5M initial cost. T. Theobald hired as Interim Architectural Services Manager to administer Capital Projects, including North Wing. 	Board ultimately approves up to \$18M in emergency funding, of which \$16.8M is spent	
2007	<ul style="list-style-type: none"> Modulars completed and occupied. Asbestos substantially removed. HOK begins new design scope, including additional seismic upgrades and complete renovation of 3rd floor and basement. Nova prepares budget estimate for completion and close-out, requiring an additional \$12.1M. Total estimated costs include emergency work and re- 	\$1.1M HOK PSA Amendment \$24.8M (total of abatement cost/moving/modular	\$23.9M

2007 (cont.)	<ul style="list-style-type: none"> use of remaining fund balance. Turner Construction replaced Skanska. Harris Consultants hired to perform Nova's function. New COPs issued to cover shortfall for several Capital Projects. \$24.8M is designated for North Wing per Nova's estimate. Some work performed that is non-dependent on final design, including seismic upgrades, fireproofing, and prisoner holding cells. Permit drawings issued December 21. 	buildings/monitoring/ construction manage- ment) Board approval of issuance of new COPs, of which \$24.8M is dedicated to Courthouse	\$48.7M
2008	<ul style="list-style-type: none"> Additional emergency work performed to complete abatement and additional seismic upgrades to comply with State Court requirements. New roof and windows put out to public bid to comply with Title 24 Courts changes to scope for court functionality. Increase in construction/project management due to delays in final design. Negotiations with Prime Contractors for change orders to existing contracts. Original estimates by Nova taken from assumptions before redesign began and while building sealed. Design corrections and escalation due to delays caused increased change order amounts. Design delays added additional time to project. Anticipated completion is now September 2009. Board of Supervisors approved project and funding at June 3, 2008 meeting. Constructability review found original construction drawings had numerous discrepancies and 50 new pages of corrective drawings are issued. Project required new planning to implement mechanical and electrical systems due to design discrepancies. Project schedule delays completion date to November 2009. Water test of new exterior windows discovered that concrete panels leak requiring engineered remediation. Interior work along perimeter walls halted until remediation is complete. 	<p>\$4.1 M</p> <p>\$.9 M</p> <p>\$.7 M</p> <p>\$2.25 M</p> <p>\$5.75 M Additional funding to provide all additional work listed approved in single Board meeting in June</p>	\$62.4 M
2009	<ul style="list-style-type: none"> Water remediation completed. Schedule accelerated through overtime efforts and completion date is February 1, 2010. Project completion date extended to April 2010 due to halted work sequencing. Numerous change orders identified due to design omissions. Weekend work continued to meet established schedule. Schedule update in October uses additional overtime implementation to return completion date to February 1, 2010. Harris' contract closed resulting in savings to the project. Mill Construction engaged to evaluate construction and program management. Due to budget overruns and schedule delays, requested and received Board approval for additional \$9.2M in contract authority, subject to Budget Office oversight. 	\$9.2 M	\$71.6 M
2010	<ul style="list-style-type: none"> Agreement signed with Superior Court to pay for certain improvements and reimbursement for certain other improvements. Certificate of Occupancy obtained in April 2010. Water leak in penthouse mechanical room interrupted punch list process. (\$700,000 remediation costs were covered by insurance.) Turner Construction completed their assignment. Mill Construction contract amended to include construction management. Courts moved in on October 12. Punch list received from Courts on November 3 and items are to be completed by 12/3/10. 		

PROJECT BUDGET SUMMARY

MONTEREY COUNTY DEPARTMENT OF PUBLIC WORKS
RENOVATION OF NORTH WING OF SALINAS COURTHOUSE, PROJECT NO. 8772-
PROJECT BID 9781-08 FOR DRYWALL SUPPLY AND INSTALL,
PERFORMED BY LOMBARDO CONSTRUCTION, INC.

PROJECT BUDGET

Architectural/Engineering	\$ 3,530,714
Land Acquisition/Utilities	\$ 2,420
Construction Management	\$ 3,986,791
Construction	\$64,001,750
Furniture Fixtures & Equipment	<u>\$ 89,857</u>
PROJECT BUDGET TOTAL	\$71,611,532

PROJECT FORECAST

Architectural/Engineering	\$ 3,595,130
Land Acquisition/Utilities	\$ 2,420
Construction Management	\$ 4,478,042
Construction	\$61,857,003
Furniture Fixtures & Equipment	<u>\$ 89,854</u>
*PROJECT FORECAST TOTAL as of 5/4/11	\$70,022,449

FUNDING SOURCE

2001 and 2007 Certificates of Participation & Fund 404, Unit 8174	\$71,611,532
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COSTS TO DATE

PROJECT COSTS TO DATE as of 5/4/11	\$66,657,707
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PROJECT BALANCE TO DATE as of 5/4/11	\$ 4,953,825
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LOMBARDO CONSTRUCTION, INC.' CONTRACT BUDGET

12/14/2004 Board Approved Scope Contract Authority	\$1,111,730
06/03/2008 Board Action Increasing Contract Authority	\$3,047,443
12/01/2009 Board Action Increasing Contract Authority	<u>\$ 710,434</u>
TOTAL CONTRACT AUTHORITY	\$4,869,607
 TOTAL CONTRACT EXPENDITURES TO DATE	 <u>\$4,059,438</u>
 CONTRACT AUTHORITY REMAINING	 \$ 810,169

* Forecast does not include all claims, potential litigation costs, and associated staff costs.

CERTIFICATE OF COMPLETION

**MONTEREY COUNTY DEPARTMENT OF PUBLIC WORKS
RENOVATION OF NORTH WING OF SALINAS COURTHOUSE, PROJECT NO. 8772-
PROJECT BID 9781-08 FOR DRYWALL SUPPLY AND INSTALL,
PERFORMED BY LOMBARDO CONSTRUCTION, INC.**

I, YAZDAN T. EMRANI, M.S., P.E., DIRECTOR OF PUBLIC WORKS of Monterey County, California, do hereby certify that a contract between the COUNTY OF MONTEREY and LOMBARDO CONSTRUCTION, INC., 2578 El Camino Real N, Suite A, Prunedale, CA 93907-1246 was entered into on December 14, 2004, for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-08 for Drywall Supply and Install. This project was inspected and determined to have been satisfactorily performed in accordance with the plans and specifications; signed off; and then occupied by the Courts on October 12, 2010. The Board of Supervisors accepted this work on June 28, 2011, and thus deemed it complete in accordance with the plans and specifications.

YAZDAN T. EMRANI, M.S., P.E.
DIRECTOR OF PUBLIC WORKS

Dated: _____

WHEN RECORDED RETURN TO:

MONTEREY COUNTY
DEPARTMENT OF PUBLIC WORKS
168 WEST ALISAL ST 2 ND FL
SALINAS CA 93901-2438

**RENOVATION OF NORTH WING OF SALINAS COURTHOUSE
PROJECT NO. 8772 - PROJECT BID 9781-08 FOR
DRYWALL SUPPLY AND INSTALL,
PERFORMED BY LOMBARDO CONSTRUCTION, INC.**

NOTICE OF COMPLETION

(Public Works – Civil Code 3093)

NOTICE IS HEREBY GIVEN:

That the public work described as the **RENOVATION OF NORTH WING OF SALINAS COURTHOUSE, PROJECT NO. 8772-PROJECT BID 9781-08 FOR DRYWALL SUPPLY AND INSTALL** was constructed or undertaken at 240 Church Street, Salinas, California 93901, pursuant to a contract between the COUNTY OF MONTEREY, a public entity, whose address is 168 West Alisal Street, 2nd Floor, Salinas, California 93901-2438, and who is the fee owner of the said sites of work or structures, and LOMBARDO CONSTRUCTION, INC. whose address is 2578 El Camino Real N, Suite A, Prunedale, CA 93907-1246, and the date of completion of said work was June 28, 2011, which was the date said public entity accepted said work or structure.

COUNTY OF MONTEREY

YAZDAN T. EMRANI, M.S., P.E.
DIRECTOR OF PUBLIC WORKS

Dated: _____

VERIFICATION

I, Yazdan T. Emrani, M.S., P.E., do hereby certify that I am the Director of Public Works of the public entity named above; that I am authorized to verify the foregoing notice; that I have read same; and that it is true of my knowledge.

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

Subscribed at _____, California, this _____ day of _____ 2011.

YAZDAN T. EMRANI, M.S., P.E.
DIRECTOR OF PUBLIC WORKS

LOCATION MAP

RENOVATION OF NORTH WING OF SALINAS COURTHOUSE, PROJECT
NO. 8772- PROJECT BID 9781-08 FOR DRYWALL SUPPLY AND INSTALL,
PERFORMED BY LOMBARDO CONSTRUCTION, INC.
240 CHURCH ST., SALINAS CA 93901

Temporary Court Facilities

