



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution 17-094:

- a. Approving an increase to the New Juvenile Hall project cost from \$52,791,824 to \$58,671,291 with increase to the County match from \$17,791,824 to \$23,671,291;
- b. Authorizing the transfer of \$5,879,467 from the General Capital Assignment within the fund balance of the General Fund to the General Fund Balance Sheet Assignment 3127 - New Juvenile Hall Project to cover increased project costs for the sole use towards the Monterey County SB81 project and to cover all County matching funds whether it be cash, in-kind match, and other participating County funding for the purpose of increased project costs;
- c. Approving the award of the New Juvenile Hall Project, Project 8811, Bid Package No. 10590 to the lowest responsible and responsive bidder, Zovich & Sons Inc. dba Zovich Construction, in the amount of \$43,175,000;
- d. Approving the Performance and Payment Bonds executed and provided by Zovich & Sons Inc. dba Zovich Construction, and Fidelity and Deposit Company of Maryland;
- e. Authorizing the RMA Deputy Director of Public Works and Facilities to execute the contract and approve contract change orders in the amounts provided for in the August 28, 2001 Board Order. The granted authority shall not exceed \$2,171,250 in total and no single change or alteration shall exceed \$150,000. The RMA Deputy Director of Public Works and Facilities upon reaching the not-to-exceed amount of \$2,171,250 shall return to the Board for further authorization; and
- f. Authorizing and directing the RMA Deputy Director of Public Works and Facilities to return to the Board for further authorization to execute a Certificate of Completion, and to execute and record with the County Recorder a Notice of Completion, when it is determined that the contract for construction of the New Juvenile Hall, Project 8811, Bid Package No. 10590, is complete in all respects in accordance with the Plans and Special Provisions.

PASSED AND ADOPTED on this 28th day of March 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting on March 28, 2017.

Dated: March 29, 2017
File ID: RES 17-035

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No. 17-094

- a. Approving an increase to the New Juvenile Hall project cost from \$52,791,824 to \$58,671,291 with increase to the County match from \$17,791,824 to \$23,671,291;
b. Authorizing the transfer of \$5,879,467 from the General Capital Assignment within the fund balance of the General Fund to the General Balance Sheet Fund Assignment 3127 - New Juvenile Hall Project to cover increased project costs for the sole use towards the Monterey County SB81 project and to cover all County matching funds whether it be cash, in-kind match, and other participating County funding for the purpose of increased project costs;
c. Approving the award of the New Juvenile Hall Project, Project 8811, Bid Package No. 10590 to the lowest responsible and responsive bidder, Zovich & Sons Inc. dba Zovich Construction, in the amount of \$43,175,000;
d. Approving the Performance and Payment Bonds executed and provided by Zovich & Sons Inc. dba Zovich Construction, and Fidelity and Deposit Company of Maryland;
e. Authorizing the RMA Deputy Director of Public Works and Facilities to execute the contract and approve contract change orders in the amounts provided for in the August 28, 2001 Board Order. The granted authority shall not exceed \$2,171,250 in total and no single change or alteration shall exceed \$150,000. The RMA Deputy Director of Public Works and Facilities upon reaching the not-to-exceed amount of \$2,171,250 shall return to the Board for further authorization; and
f. Authorizing and directing the RMA Deputy Director of Public Works and Facilities to return to the Board for further authorization to execute a Certificate of Completion and to execute and record with County Recorder a Notice of Completion, when it is determined that the contract for construction of the New Juvenile Hall, Project 8811, Bid Package No. 10590, is complete in all respects in accordance with the Plans and Special Provisions.....

WHEREAS, the Board of Supervisors on April 22, 2014, Board Order and Resolution 14-106 the Board of Supervisors approved the change in Scope, Cost, and Schedule for the New Juvenile Hall Project, Project 8811 (Project), to reduce the Project from a 150 medium-security-bed Juvenile Hall complex to a 120 medium-security-bed facility with essential administrative and support space improvements based on the State of California conditional award of \$35 million, total project cost of \$52,791,824, and project completion date of September 2019;

WHEREAS, the Board of Supervisors on January 27, 2015 Board Order No. 15-00 Adopted Resolution No. 150009 confirming that the Board has \$16,992,638 set aside in the General Fund Balance Sheet Assignment 3127 – New Juvenile Hall Project for the sole use towards the Monterey County SB 81 project and to cover all County matching funds whether it be cash, In-Kind Match, and additional matching Funds, where all of the funds in the General Fund Balance Sheet Assignment 3127 are discretionary funds and allotted at the sole discretion of the Monterey County Board of Supervisors towards the New Juvenile Hall Project. Board action resulted in the full transfer of \$16,992,638 to the General Fund Balance Sheet Assignment 3127 for the New Juvenile Hall;

WHEREAS, the Board of Supervisors on July 7, 2015, Board Order and Resolution No. 15-202 the Board of Supervisors authorized a total cash match consisting of expenditures for FYs 2013 and 2014 in the amount of \$799,186 from General Fund Capital Projects Fund 404 for the Project along with the \$16,992,638 set aside in the General Fund, Balance Sheet Assignment 3127 for the Project, which represents the County's total cash match of \$17,791,824. Additionally, the Board of Supervisors confirmed that the \$799,186 in expenditures along with the \$16,992,638 set aside in the General Fund Balance Sheet Assignment 3127 represents the County's total cash match of \$17,791,824;

WHEREAS, the Project originally received bids on May 19, 2016. The lowest responsible base bid was \$46,677,000. It was \$8.2 million (22%) over the architect's construction estimate. The Bids were rejected and the Project's foundation was redesigned while preserving the original capacity and program space to reduce construction costs;

WHEREAS, the Board of Supervisors on October 4, 2016, approved (Adopted Resolution No. 16-259/Board Order No. 16-054) the Plans and Specifications for the re-bid of the Project, Bid Package No. 10590. The Project was advertised and bids were opened on February 9, 2017. The Resource Management Agency received five (5) bids from eleven (11) eligible bidders. The lowest responsible and responsive base bid of \$43,175,000 was from Zovich & Sons Inc. dba Zovich Construction, Antioch, CA. This bid exceeds the architect's design estimate of \$38,092,591 by \$5,082,409. It is not possible to render any other changes to reduce the cost of construction without jeopardizing the State funding. Additional County funding approval is necessary to continue the project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey as follows:

- a. Approve an increase to the New Juvenile Hall project cost from \$52,791,824 to \$58,671,291 with increase to the County match from \$17,791,824 to \$23,671,291;
- b. Authorize the transfer of \$5,879,467 from the General Capital Assignment within the fund balance of the General Fund to the General Fund Balance Sheet Assignment 3127 – New Juvenile Hall Project to cover increased project costs for the sole use towards the Monterey County SB81 project and to cover all County matching funds whether it be cash, in-kind match, and other participating County funding for the purpose of increased project costs;
- c. Approve the award of the New Juvenile Hall Project, Project 8811, Bid Package No. 10590 to the lowest responsible and responsive bidder, Zovich & Sons Inc. dba Zovich Construction, in the amount of \$43,175,000;
- d. Approve the Performance and Payment Bonds executed and provided by Zovich & Sons Inc. dba Zovich Construction, and Fidelity and Deposit Company of Maryland;
- e. Authorize the RMA Deputy Director of Public Works and Facilities to execute the contract and approve contract change orders in the amounts provided for in the August 28, 2001 Board Order. The granted authority shall not exceed \$2,171,250 in total and no single

change or alteration shall exceed \$150,000. The RMA Deputy Director of Public Works and Facilities upon reaching the not-to-exceed amount of \$2,171,250 shall return to the Board for further authorization; and

- f. Authorize and direct the RMA Deputy Director of Public Works and Facilities to return to the Board for further authorization to execute a Certificate of Completion and to execute and record with County Recorder a Notice of Completion, when it is determined that the contract for construction of the New Juvenile Hall, Project 8811, Bid Package No. 10590, is complete in all respects in accordance with the Plans and Special Provisions;

PASSED AND ADOPTED upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried this 28th day of March 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting on March 28, 2017.

Dated: March 29, 2017
File Number: RES 17-035

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy