



# Monterey County

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## Board Report

Legistar File Number: 16-857

August 23, 2016

**Introduced:** 6/30/2016

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Approve Amendment No. 2 to the Agreement (Multi-Year Agreement (MYA) #3000 \*1633) with The Labor Compliance Managers to continue to provide services associated with on-call labor compliance monitoring services under Request for Qualifications (RFQ) #10422, to increase the not to exceed amount of \$87,400 by \$145,000 for a total amount not to exceed \$232,400 and to extend the expiration date from December 31, 2016 for an additional year through December 31, 2017, for a revised term from December 1, 2013 to December 31, 2017, with the option to extend the Agreement for one (1) additional one (1) year increment at the County's discretion;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement; and
- c. Approve and authorize Auditor-Controller to amend the FY2016-17 Economic Development Departments adopted budget for East Garrison Development Reimbursement Fund 182, Department 1070, Unit 8431, Appropriation Unit DEO028 to increase appropriations and estimated revenues by \$50,000, funded by additional Developer Reimbursements in Fund 182, Revenue 5850. (4/5th Vote Required)

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 2 to the Agreement (Multi-Year Agreement (MYA) #3000 \*1633) with The Labor Compliance Managers to continue to provide services associated with on-call labor compliance monitoring services under Request for Qualifications (RFQ) #10422, to increase the not to exceed amount of \$87,400 by \$145,000 for a total amount not to exceed \$232,400 and to extend the expiration date from December 31, 2016 for an additional year through December 31, 2017, for a revised term from December 1, 2013 to December 31, 2017, with the option to extend the Agreement for one (1) additional one (1) year increment at the County's discretion;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement; and
- c. Approve and authorize Auditor-Controller to amend the FY2016-17 Economic Development Departments adopted budget for East Garrison Development Reimbursement Fund 182, Department 1070, Unit 8431, Appropriation Unit DEO028 to increase appropriations and estimated revenues by \$50,000, funded by additional Developer Reimbursements in Fund 182, Revenue 5850. (4/5th Vote Required)

SUMMARY/DISCUSSION:

On February 4, 2014, the Deputy Purchasing Agent executed the Agreement (MYA #3000 \*1633) with The Labor Compliance Managers to provide on-call labor compliance monitoring services under RFQ #10422 in an amount not to exceed \$50,000 for an initial term commencing on December 1, 2013 through and including December 31, 2015, with the option to extend the Agreement for three (3) additional one (1) year increments at the County's discretion.

On March 1, 2015, RMA-Public Works issued Task Authorization No. 1 for a cost not to exceed \$6,000 for the consultant to provide labor compliance monitoring services for the vertical (housing) construction at Phase 1 of the East Garrison development, and Task Authorization No. 2 for a cost not to exceed \$81,400 to provide labor compliance monitoring on the horizontal (infrastructure) construction at Phase 2 of the East Garrison development, for a total cost not to exceed \$87,400.

On April 3, 2015, the Deputy Contracts/Purchasing Agent executed Amendment No. 1 to the Agreement to increase the amount of the Agreement by \$37,400 resulting in a total not to exceed amount of \$87,400 and to extend the term of the Agreement by one (1) additional year through December 31, 2016.

On December 15, 2015, RMA-Public Works issued Task Authorization No. 1.1 for an additional cost not to exceed \$16,000 for the continuing vertical (housing) construction at East Garrison Phase 1 and adding the newly-started vertical (housing) construction at East Garrison Phase 2, both of which are expected to continue through FY16-17.

On June 21, 2016, RMA-Public Works issued Task Authorization No. 3 in an amount not to exceed \$54,000 to provide labor compliance monitoring for the construction of East Garrison's new Lincoln Park, and Task Authorization No. 4 in an amount not to exceed \$18,000 for such services related to the upcoming demolition of non-historical buildings at East Garrison Phase 3, both of which will be started and completed during FY16-17.

The East Garrison developer is further scheduling to start construction of the proposed new Fire Station in January 2017, and RMA-Public Works anticipates a new Task Authorization No. 5 in an amount not to exceed \$75,000 will be required for labor compliance monitoring on that project. Based on the developer's projected construction schedule, it is anticipated approximately \$57,000 (75%) of that cost will be incurred during FY16-17. (The balance of \$18,000 will be incurred in FY17-18, and a new amendment to the on-call services agreement to increase allowed expenditures will be required at that time.)

The County desires The Labor Compliance Managers to continue to provide services associated with on-call labor compliance monitoring services. Amendment No. 2 to the Agreement will increase the amount of the Agreement by \$145,000 resulting in a total not to exceed amount of \$232,400 and extends the term of the Agreement by an additional year through December 31, 2017.

Labor compliance monitoring ensures wages paid are in compliance with prevailing wages and will be required until all construction is complete which is anticipated to be in 2018. For reference purposes, the future components of the East Garrison development project that will require labor compliance monitoring services in future fiscal years include:

- Phase 2 inclusionary rental housing project (CHISPA) \$10,000
- Phase 3 Final Map tract infrastructure improvements \$80,000

- Phase 3 housing and commercial (Town Center) improvements \$10,000
- Phase 3 inclusionary rental housing project (ArtSpace) \$10,000
- Phase 3 Historic/Arts District development (Successor Agency) \$90,000
- Phase 3 Library/Sheriff Field Office \$75,000

Future amendments to the on-call services agreement with The Labor Compliance Managers will be required to fund these projects, together with any other projects RMA-Public Works may deem necessary as they are implemented over the next several fiscal years.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller Office have reviewed and approved Amendment No. 2 as to form and legality, and fiscal provisions, respectively.

FINANCING:

There is no impact to the General Fund as a result of the above actions. Based on the latest construction schedule, it is anticipated that \$125,000 will be needed for labor compliance monitoring. However, the FY 2016-17 Adopted Budget for Fund 182, Appropriation Unit DEO028 only included \$75,000 for this work. Therefore, an increase in appropriations in the amount of \$50,000 will be necessary where the financing source will be reimbursement from the developer. Other potential costs associated with this Agreement for other projects will be funded within the Board approved budget allocations for those specific projects within the Road Fund, Fund 002 or the Facilities Master Plan Projects, Fund 404.

Prepared by: G.H. Nichols, P.E., Special Projects Engineer

Reviewed by: Melanie Beretti, RMA Special Programs Manager  
Benny J. Young, Interim Director of Public Works & Facilities

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

- A. Amendment No. 2 to Agreement with The Labor Compliance Managers;
- B. Summary of Agreement with The Labor Compliance Managers (Attachments on file with the Clerk of the Board)
- C. PSA Master Agrmt Labor Compliance Managers
- D. Amendment No. 1 040515