



## Legislation Details (With Board Report)

**File #:** RES 19-015      **Name:** Increase Contract Contingency Funds Teichert Construction HWY 1 Climbing Lane

**Type:** BoS Resolution      **Status:** Passed - RMA Public Works and Facilities

**File created:** 2/27/2019      **In control:** Board of Supervisors

**On agenda:** 3/12/2019      **Final action:**

**Title:** Adopt a resolution:  
a. Approving Amendment Number 2 to the Board of State and Community Corrections SB81 Round 1 Construction Agreement, amending the Project Timetable to extend the end date to August 2020; and  
b. Authorizing the Director of RMA or designee to approve minor amendments that do not significantly impact the project's scope or budget for the duration of the project as well as amendments to the invoicing contract;

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Resolution, 3. Attachment B - BSCCA Contract Amendment No. 2, 4. Completed Board Order & Resolution, 5. Fully Executed Agreement between the County of Monterey and the Board of State and Community Corrections, 6. Fully Executed Agreement Between Monterey County and Wald , Ruhnke & Dost Architects, LLP.

Date	Ver.	Action By	Action	Result
3/12/2019	1	Board of Supervisors	adopted- rma public works and facilities	Pass

Adopt a resolution:

- a. Approving Amendment Number 2 to the Board of State and Community Corrections SB81 Round 1 Construction Agreement, amending the Project Timetable to extend the end date to August 2020; and
- b. Authorizing the Director of RMA or designee to approve minor amendments that do not significantly impact the project's scope or budget for the duration of the project as well as amendments to the invoicing contract;

**RECOMMENDATION:**

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

- a. Approving Amendment Number 2 to the Board of State and Community Corrections SB81 Round 1 Construction Agreement, amending the Project Timetable to extend the end date to August 2020; and
- b. Authorizing the Director of RMA or designee to approve minor amendments that do not significantly impact the project's scope or budget for the duration of the project as well as amendments to the invoicing contract;

**SUMMARY:**

Construction of the New Juvenile Hall was approved and Notice to Proceed was issued on April 24, 2017. There are two phases of the project. Phase I is about 80 % complete and is currently estimated to be finished June 2019, which is about one year behind schedule. Phase II can't begin until Phase I is completed for operational purposes.

Staff has continued to update BSCC about the contractor's failure to meet the project schedule. The Project Milestone Schedule needs to be amended to reflect this change and this amendment will need to be updated in the BSCC Construction Agreement. Once the County has completed the amendment, these modifications will be reported by the BSCC to the State Public Works Board for approval.

DISCUSSION:

On May 19, 2015, the Board of Supervisors approved the Chair to execute the BSCC Construction Agreement to proceed under the terms of SB81, Local Youthful Offender Rehabilitative Facility Financing Program. Article 5, number 2 of the Agreement states: *Without limiting the foregoing, BSCC approval shall be required upon any of the following events or circumstances: A delay or change in the date of substantial completion or final completion.* Approval is required before any material change to the Project Documents may be made by the County. Once this agreement has been fully executed by the BSCC and has been received by the California Department of Corrections and Rehabilitation (CDCR), an amended invoicing contract will be prepared for execution to reflect these changes as well.

These state agencies are also requesting updated signatory information for these contracts. Staff is requesting the Board authorize the RMA Director or designee have authority to approve these minor contract amendments for the duration of the project, provided any future amendments do not change the scope or cost of the project.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the amendments as to form and legality.

FINANCING:

The Total Project cost (includes design, environmental, permitting, and construction) was budgeted at \$58,671,291, of which \$23,671,291 was approved by the Board of Supervisors as the County's match. Agreement terms require payment of the local match before drawing state funds. To date, \$25,151,366 of the State funding has been expended, in addition to the County's match, and \$19,361,904 has been reimbursed. Due to the expected project delivery schedule, staff anticipates that the project will exceed its current project budget for construction and professional services. However, this second amendment does not reflect any change in the total cost of the project at this time.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project corresponds to the Public Safety Initiative to reduce violent crime and homicides, create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow. Further, the Project meets a Public Safety Key Objective to attain safe and appropriate facilities to house adult and juvenile offenders that prepare them for successful re-entry to society.

Check the related Board of Supervisors Strategic Initiatives:

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

Prepared by: Christine Poe, Management Analyst III, RMA (831) 755-5399  
Reviewed by: Neville Pereira, Interim Deputy Director, Public Works, Facilities & Parks  
Approved by: Carl P. Holm, AICP, RMA Director (831) 755-4879

Attachments:  
Attachment A - Draft Resolution

Attachment B - Draft BSCC Contract Amendment

Attachments on file with the Clerk of the Board  
cc: Marcia Parsons, Chief Probation Officer