



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

---

**File #:** A 14-207, **Version:** 1

---

- a. Approve the addition of the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, to the approved list of Capital Projects for Fiscal Year 2014-15 in the Capital Projects Fund 402; and
- b. Approve a fund transfer from Fund 402 Building Improvements for County Departments to the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543 for Fiscal Year 2014-15 including a project budget increase of \$169,239;
- c. Award a contract to Joseph Murphy Construction, Inc., the lowest responsible and responsive bidder for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, Bid Package No. 10418, in the total amount of \$291,100.00;
- d. Approve the Performance and Payment Bonds executed and provided by Joseph Murphy Construction, Inc.;
- e. Authorize a contingency (not to exceed ten percent of the contract amount) to provide funding for approved contract change orders;
- f. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders that do not significantly change the scope of work; and
- g. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, performed by Joseph Murphy Construction, Inc.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the addition of the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, to the approved list of Capital Projects for Fiscal Year 2014-15 in the Capital Projects Fund 402; and
- b. Approve a fund transfer from Fund 402 Building Improvements for County Departments to the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543 for Fiscal Year 2014-15 including a project budget increase of \$169,239;
- c. Award a contract to Joseph Murphy Construction, Inc., the lowest responsible and responsive bidder for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, Bid Package No. 10418, in the total amount of \$291,100.00;
- d. Approve the Performance and Payment Bonds executed and provided by Joseph Murphy Construction, Inc.;
- e. Authorize a contingency (not to exceed ten percent of the contract amount) to provide funding for approved contract change orders;
- f. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders that do not significantly change the scope of work; and
- g. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, performed by Joseph Murphy Construction, Inc.

### SUMMARY/DISCUSSION:

On June 3, 2014, the Board of Supervisors adopted Plans and Special Provisions for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543 (Project). The Project Scope for base bid work consists of installation of a new roof system and related equipment.

The Project was advertised and bids were opened on June 26, 2014. The lowest responsible and responsive bidder is Joseph Murphy Construction, Inc., with a bid in the amount of \$291,100 for the base bid work. This base bid is \$114,929 over the Project's construction estimate of \$176,171. The primary factors accounting for this variance: the construction estimate was prepared when the Project's scope of work was developed in 2009 and construction costs have since increased; material sampling performed in 2013 indicated the need for remediation work that was not accounted for in the construction estimate; and a determination was made to minimize disruption of the daily operations of the County and Superior Court by performing the remediation and some of the construction work during non-business hours and weekends. The Contractor has certified to make a good-faith effort to employ Monterey Bay Area residents on the Project in compliance with Section 5.08.120 of the Monterey County Code.

Staff and consultant project management and construction management costs have also increased by \$54,310 for the following reasons: consultant monitoring and oversight of the remediation and work during non-business hours in the amount of \$2,000; establishment of a 10% construction contingency in the amount of \$29,110; increased staff costs of \$23,200 for conducting a second procurement for a roofing contractor, for additional coordination with the Administrative Office of the Courts (AOC), and for the projected staff costs of noticing and managing the remediation, roof removal and roof replacement at a multi-departmental facility with a significant public presence.

The Project has been determined to be categorically exempt (Class 1) from the California Environmental Quality Act (CEQA) because it is a minor alteration to an existing public facility, which involves no expansion of an existing use. (See CCR Section 15301, Existing Facilities). A Notice of Exemption was filed on July 18, 2014.

This project was approved in the Fiscal Year (FY) 2013-14 Adopted Budget and was anticipated to be completed in FY 2013-14. This project was not identified as an approved project in FY 2014-15 and due to issues beyond staff's control this project has now slipped into FY 2014-15. Staff recommends adding this project to the approved list of Capital Projects for FY 2014-15 in the Capital Projects Fund 402, as well as an increase to the project budget of \$169,239. Project construction is scheduled to begin mid-September, with completion anticipated by November 2014.

The AOC, per the terms of a joint occupancy agreement and based on the Court's proportional occupancy of the site, has been notified of its responsibility to pay its share of the project costs, equal to 50.14%. On February 24, 2014, the AOC granted approval to proceed with the Roof Replacement Project in which the AOC's share was then \$100,280 or 50.14% of the estimated project cost of \$200,000. On July 9, 2014, the County sent a follow-up letter to the AOC notifying them of the revised project costs of \$369,239 which would increase the AOC's share of the project costs from \$100,280 to \$185,136. The AOC is provided 30 days to respond to County inquiries and staff is waiting to hear back from the AOC as to whether they will approve their share of the increased project costs.

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Contracts/Purchasing attended the bid opening and reviewed the low bid for conformance with applicable regulations. The Office of the County Counsel, Auditor-Controller, and Risk Management have reviewed and approved the contract documents as to form, fiscal terms, and insurance

provisions, respectively. Recommended actions a. and b. were presented to the Budget and the Capital Improvement Committees on July 30, 2014 and August 13, 2014, respectively.

**FINANCING:**

There is no impact to the General Fund. There are sufficient appropriations in the FY 2014-15 Adopted Budget for the Capital Projects Fund 402, project line Building Improvements for County Departments project. Staff recommends utilizing \$169,239 from this project line for the increased project costs, of which \$84,856 is the AOC's share. The project is contingent upon receiving the AOC's approval for its share of the increased costs.

Prepared by: Dave Pratt, Management Analyst III (831)796-6091

Approved by:

---

Robert K. Murdoch, P.E., Director of Public Works

Approved by:

---

Benny J. Young, RMA Director

Dated: August 15, 2014

Attachments: Project Budget; Bid Summary; Contract Agreement; Performance and Payment Bonds; Location Map (Attachments on file with the Clerk of the Board)