To: Honorable Board of Supervisors  
From: Neal Hay, Director of Development Services  
Department: Development Services  
Subject: Approval of Construction Change Orders 53 to 60 with Sletten Construction Company totaling a reduction of $217,392 and Authorization of Agreement Amendment #5 with Dewberry Architects in the amount of $124,790 for the Main Jail Expansion Project

Recommendation

It is recommended that the Board of Supervisors:

1) Authorizes Construction Change Orders 53 to 60 to the Trade Contractor Agreement with Sletten Construction Company totaling a decrease of $217,392.00; and

2) Authorizes the Board Chair to execute the Construction Change Orders; and

3) Authorizes Amendment #5 to the Independent Contractor Agreement with Dewberry Architects totaling $124,790.00; and

4) Authorizes the Director of Development Services to execute the agreement amendment and administer it in accordance with the provisions of the Sutter County Ordinance Code, the State Public Contract Code, the California Department of Corrections and Rehabilitation guidelines, and the Board of State and Community Corrections guidelines.

Background

The County of Sutter has received approval for $9,741,000 in lease-revenue bond financing for our Main Jail Expansion Project from the California Board of State and Community Corrections (BSCC). The total project originally estimated at $15,448,766 will add twenty-eight (28) maximum security male beds and fourteen (14) medium security female beds. The project will expand and upgrade support facilities including Medical Services and the Kitchen, reconstruct a Medical Observation Cell, construct a Safety Cell, construct a Negative Pressure Cell, construct a Holding Cell, construct emergency egress routes and staging areas, retrofit fire sprinklers into the Main Jail and Administration Building, correct seismic construction irregularities between the Main Jail and the Administration Building.

Discussion
The project began construction in June 2017 and since that time the County has approved Change Orders 1 through 52 totaling $3,790,373.00 to address a variety of circumstances from unmarked or improperly located building utilities, additional demolition, plumbing modifications, and structural reinforcements along the new Seismic Separation Wall, site improvements, HVAC ductwork at the Seismic Separation Wall.

As construction continues, the Department is working with our Construction Manager, Jacobs Project Management, to oversee and coordinate the work of the General Contractor, Sletten Construction. The project continues to encounter discrepancies between the existing facility, as-built drawings, design conflicts and County initiated changes that require construction change orders. The latest change orders are as follows:

Change Order #53: $37,207 addresses existing electrical and water utility lines that were not located per the facility as-built drawings and were damaged during the construction of the new Safety Cell (221B), Negative Pressure Room (221A) and Holding Cell (230).

Change Order #54: $12,369 relocates existing phone and data cables in the ceiling of Rooms A110 and A111 and it installs a new acoustical ceiling.

Change Order #55: $14,586 addresses existing electrical lines that had to be located and rerouted during the construction of the new Holding Cell (230) and it includes the fabrication and installation of shrouds over the fire sprinkler lines in the Woman's Dayroom (535) as required by the State Fire Marshal.

Change Order #56: $16,915 addresses demolition, plumbing and finishes as requested by the Sheriff’s Office to convert Rooms 416A-C into an Officer's Break Room.

Change Order #57: $18,342 addresses wall finishes in the expanded Network Room (A117AB), the installation of a suicide prevention device in Cell 550 as required by the BSCC, miscellaneous door thresholds, and providing and installing new stainless-steel table tops in the Men's and Women's Dayroom (500 & 535).

Change Order #58: $11,920 addresses costs incurred during the conversion of the existing Officer’s Break room into the new Holding Cell (Room 230) when an existing electrical line was penetrated, since it was not displayed when the floor was x-rayed.

Change Order #59: $4,631 provides the appropriately sized Mechanical Chiller pumps as well as the installation of a finished ceiling in the Law Library (224). It also corrects an administrative mathematical error that resulted in a difference of $271.

Change Order #60: $333,362 DEDUCTIVE deletes the increase in the scope of work identified in Change Orders #34, $205,705 and #52, $127,657. The reduction in work is being executed to shorten the completion time of the project. The extra work, which includes rehabilitating existing showers and including electrical conduit for camera replacements, will be performed in the near future following the completion of the Main Jail Expansion Project.

The full backup for each Change Order is available for review at the Department. The details of the abbreviated details of the listed Change Orders are attached and recommended for review and approval.

As construction has proceeded, the Department on the County's behalf requested the architectural design consultant, Dewberry Architects, provide a written proposal to provide oversight and coordination among the design consultant team to address the various construction contract change orders including the HVAC Upgrade and the Network Room Expansion. Evaluate and coordinate the replacement of the security cameras throughout the existing Jail. Dewberry provided Additional Services Request (ASR) #16 in the amount of $124,790.00 which addresses the requested services and is recommended for review and approval.

The expected completion date is June 30, 2019.
Prior Board Action

April 9, 2019: Authorization for the Sheriff-Coroner to execute the Second Agreement Amendment with the Board of State and Community Corrections.

February 12, 2019: Approved Construction Change Orders 42 to 52 with Sletten Construction Company totaling $2,373,901.00; Approved an amendment to the Fiscal Year 2018-19 Adopted Budget in the amount of $2,500,000.

January 22, 2019: Authorized the Amendment #2 to the Independent Contractor Agreement with Jacobs Project Management totaling $131,200

December 4, 2018: Approved Construction Change Orders 32 to 41 with Sletten Construction Company totaling $582,237.00; Authorized the purchase of security camera surveillance system from Gaynor Telesystems totaling $520,000.00; Authorized Agreement Amendment #4 with Dewberry Architects in the amount of $17,230; Approved of an amendment to the Fiscal Year 2018-19 Adopted Budget in the amount of $1,100,000.

September 11, 2018: Authorized Construction Change Orders 18R1, 22 - 29 and 31 with Sletten Construction; Authorized a Budget Amendment in the amount of $310,000

June 26, 2018: Authorized Construction Change Orders 20 and 21 with Sletten Construction

May 22, 2018: Authorized Construction Change Orders 17-19 with Sletten Construction

April 24, 2018: Authorized Construction Change Orders 14-16 with Sletten Construction; Authorized an Agreement Amendment #3 to the Construction Assistance Agreement with Dewberry Architects for County Initiated Design Changes; Authorize the Purchasing Agent the authority to procure new Facility Cooling Equipment

April 10, 2018: Authorized Construction Change Order 13 with Sletten Construction: Authorized an Agreement Amendment #2 to the Construction Assistance Agreement with Dewberry Architects for County Initiated Design Changes

March 13, 2018: Authorized Construction Change Orders 9 – 12 with Sletten Construction: Authorized a First Amendment to the Agreement with the Board of State and Community Corrections; and Authorized the Sheriff-Coroner to execute the Agreement Amendment

January 9, 2018: Authorized an Agreement Amendment #1 to the Construction Assistance Agreement with Dewberry Architects; Authorized Construction Change Orders with Sletten Construction Company; Authorized a Budget Amendment for the Main Jail Expansion

June 13, 2017: Awarded Construction Assistance Consultant Agreements to Dewberry Architects and Youngdahl Consulting Group; Authorized the County Administrative Officer to execute all agreement documents; and Authorized the Substitution of a Subcontractor per Public Contract Code Section 4107

April 25, 2017: Awarded a construction contract to Sletten Construction Company

The Board approved the purchase of a Pelco surveillance system for the Minimum Security Jail Upgrade Project in 2010.

Various other staff reports were considered and approved by the Board of Supervisors during the project’s funding application, funding acceptance and design phases of the project dating back until January 2012.
Board Alternatives

Limited viable alternative recommendations are available. The site issues encountered during construction must be addressed to support the continuation of the project. The owner-initiated design tasks will result in subsequent construction contract change orders that will update and improve the operational efficiency, control officer safety and inmate safety and security. The Department with assistance from our Construction Manager has made every effort to negotiate contract costs, work scopes and fees that are reasonable and within the existing project budget.

Other Department and/or Agency Involvement

The Board of State and Community Corrections administers the AB 900 Phase II program with input from the State Department of General Services and the State Department of Finance. The California Department of Corrections and Rehabilitation, Facility Planning, Construction and Management Division oversees the preparation of all financial documents prior to submission to the Department of Finance. The County Administrator’s Office, Sheriff’s Office, the General Services Department, the Health Department and the Development Services Department meet at key decision points to discuss the project and determine the best course of action to maintain the project’s progress. The County Counsel’s Office has reviewed the draft proposed change order.

Action Following Approval

The Department will issue the formal construction contract change orders to the contractor and insure that the work is completed in compliance with the contract documents. The Department will also issue the Professional Services Agreement Amendment to the architectural design firm.

Fiscal Impact

As an ongoing project, the costs have been transferred to the Designated Capital Project Fund 0016-1807, Project #C171807001 and Asset #024204. Original funding for the project included $9,741,000 in State bond financing, $3,358,109 from the General Fund and $2,349,657 from the Criminal Justice Development Impact Fee Fund for the County’s cash match, in-kind match and other costs. The Budget Amendment authorized on January 9, 2018, transferred $3,358,109 from the General Fund Committed Capital Projects (#31265) to the Capital Project Fund 0016-1807 Jail Expansion Project, authorized the transfer of an additional $149,000 from the Criminal Justice Development Impact Fee Fund (0102), and decreased the cancellation of fund balance in Fund 0016 to the actual balance available in Committed Capital Project-Jail Expansion (#31269). Additionally, it increased various contract appropriations in line item 52180 – Professional/Specialized Services. The Budget Amendment authorized on September 11, 2018, transferred $310,000 from the General Fund Committed Capital Projects (#31265) to the Capital Project Fund 0016-1807 Jail Expansion Project increasing appropriations to account 52180, Professional/Specialized Services. The Budget Amendment authorized on December 4, 2018, transferred $1,100,000 from the General Fund Committed Capital Projects (#31265) to the Capital Project Fund 0016-1807 Jail Expansion Project increasing appropriations to account 52180, Professional/Specialized Services. The Budget Amendment authorized on February 12, 2019, transferred $2,500,000 from the General Fund Committed Capital Projects (#31265) to the Capital Project Fund 0016-1807 Jail Expansion Project increasing appropriations to account 52180, Professional/Specialized Services.

When the project’s construction contract was awarded on April 25, 2017, the project budget included a construction contingency of $877,144.00. Through proposed Change Order #60, Jacobs Amendment #2, and Dewberry Amendment #5, the County has expended $3,557,887.00 on additional construction costs, $241,038.00 on additional construction design assistance costs, and $152,574.00 for construction project management which totals $3,951,499.00. The current remaining available project contingency is $315,645.00.
Standing Committee Review

As the project nears completion, it is urgent that all contract related matters be brought without delay directly before with the Board of Supervisors for consideration. These matters were not presented to the Public Works / Support Services Committee in an effort to maintain the project’s completion timeline.

Countywide Goals & Top Priorities Compliance

Construction of the Main Jail Expansion supports Goal C: Maintain a strong commitment to public safety (including Law Enforcement, District Attorney, Public Defender, Probation, Fire, Emergency Management and related services).

Respectfully Submitted,

s/ Neal Hay
Director of Development Services

Attachments:
1. Change Orders 53-60
2. Amendment 5 to Independent Contractor Agreement