

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-11

Urgent

Routine

AGENDA DATE October 24, 2006

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Authorize Staff to Negotiate and Execute a Contract for the Electrical Portion of Bid Package 6, Plaza and Sitework for the Gallo Center for the Arts.

STAFF RECOMMENDATIONS:

Authorize the Project Manager to negotiate and execute a contract with Collins Electric for the electrical portion of Bid Package 6, Plaza and Site Work, for the Gallo Center for the Arts Project and issue the appropriate Notice to Proceed.

FISCAL IMPACT:

The current construction budget for the Gallo Center for the Arts project is \$34,889,700. This is funded by \$15,000,000 from Stanislaus County and \$19,889,700 from the generous donations of the community through the Central Valley Center for the Arts (CVCA). An additional \$15,000,000 has been donated by the Gallo and Rogers families as an endowment to offset the operating cost of the Gallo Center for the Arts.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2006-852

On motion of Supervisor Mayfield, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Mayfield, Grover, DeMartini, and Chairman Simon

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT FOR DISCUSSION AND CONSIDERATION

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

**FISCAL IMPACT: (Continued)**

The additional elements needed to complete the project and for the enhancements to the project needed to fulfill the vision of the Gallo Center for the Arts are estimated to cost approximately \$5 million, which will be funded by the CVCA, bringing the total budget to just under \$40 million. Final budget adjustments and revisions to the project budget will be recommended upon receiving actual bids for the upcoming phases.

The Plaza & Site Work project in Bid Package 6 has been estimated to cost \$1,187,910. The electrical portion of the work recommended in this action totals \$139,100 and is within the Construction Manager's estimate of cost for this portion of the work. These funds are currently available within the construction budget.

**DISCUSSION:**

Bid Package 6, Plaza and Site Work

On May 23, 2006 the Board authorized staff to request bids for Bid Package 6, Plaza and Site Work. The Architect estimated the total construction cost exposure for the Bid Package is approximately \$1.19 million. This work includes the grape arbor, pedestrian paving, landscape, irrigation, miscellaneous site furnishings, and electrical/site lighting. A bid opening date of June 28, 2006 was set; however no bids were received. Staff contacted some local contractors who said they were too busy to do the work over the summer And thus did not submit a bid.

According to the Public Contract Code, when no bids are received, the County has the authority to negotiate the contract with qualified contractors without further complying with bidding requirements. On July 11, 2006, the Board authorized staff to cancel bid package 6 and to negotiate a contract for the work.

Staff has contacted qualified contractors and is negotiating a contract with those contractors. Within the plaza and site work scope of work there are 4 distinct parts. They are electrical work, irrigation and landscape work, concrete work, and the construction of a grape arbor. The budget for the plaza and site work is \$1,187,000.

Staff has completed negotiations on the electrical work and recommends a contract be awarded to Collins Electric Co of Modesto. The final price for the electrical work is \$140,200. The price is less than the estimated cost of \$166,000 for the electric work.

The electrical work is the first part of the work to be done in the plaza and site work package. Staff recommends approval to award the contract for the electrical work to Collins Electric so that Collins can start their work even though negotiations of the remaining portions of the plaza and site work have not been finalized. This action will facilitate the completion of the plaza as it will follow on to work the contractor is currently performing for the project.

Staff will return to the Board of supervisors within the next few weeks to recommend proceeding with the remainder of the work for completion of the plaza and surrounding areas.

**POLICY ISSUES:**

This proposal provides an opportunity to expand the development of arts and cultural awareness within the County. It will provide enhanced community services, facilitate a strong local economy and will provide another example of a creative partnership between Stanislaus County, and private contributors and the community. This project furthers the Board's priority of effective partnerships and facilitating a strong local economy.

**STAFFING IMPACT:**

The County's Chief Executive Office, Capital Projects staff and construction management staff are currently dedicated to the successful completion of this important project.

Stanislaus County Capital Projects  
825 12<sup>th</sup> Street, Modesto, CA 95354  
Phone: (209) 525-4380 FAX: (209) 525-4385

# TRANSMITTAL

**TO: Mary Jo Musto**  
Collins Electric  
611 W. Fremont Street  
Stockton, CA 95203

**SUBJECT: GALLO CENTER FOR THE ARTS**

**DATE: 12/5/06**

We are sending you   X   attached    under separate cover the following material:

<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Change Order	<input type="checkbox"/> Specifications
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Plans	<input type="checkbox"/> Computer Printout
<input type="checkbox"/> Prints	<input type="checkbox"/> Samples	<input type="checkbox"/> Updates

COPIES	DATE	DESCRIPTION
1	11/21/06	Fully-executed Contract for Gallo Center for the arts, BP 6, Site Work, Electrical only.

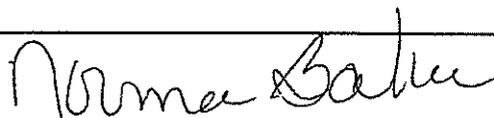
## REMARKS:

For your records.

*Note to Board: Approved by Board in Item B-11 on October 24, 2006.*

COPIES: Patricia Hill Thomas (Copy)  
Liz King, Board (Original + Copy)  
Terry Rein (Copy)  
Jim Kwartz, Auditor (Copy + Contract Cover Sheet & Original for Purchasing)  
File AB 2.1.1 (2910)  
File HB 24.2

SIGNED:

  
Norma Baker

**STANISLAUS COUNTY GENERAL CONSTRUCTION CONTRACT**

**DATED:**

November 21, 2006

**PARTIES: OWNER:**

County of Stanislaus  
1010 10<sup>th</sup> Street  
Modesto, California 95354

**CONTRACTOR:**

Collins Electrical Company Inc.  
P.O. Box 577  
125 Tuolumne Blvd.  
Modesto, California 95353  
(209) 667-9391

**THE WORK:**

Gallo Center for the Arts, BP 6, Plaza and Site Work  
Electrical Work Only  
Modesto, California

**THE OWNER AND THE CONTRACTOR AGREE THAT:**

1. **The Contract Documents.** The complete contract consists of the following documents:

Invitation to Bid  
General Conditions and Division 1  
Plans:  
    E-1.0,  
    L-1, L-2, L-3, L-4, L-5, L-6, L-7,  
    LO-1, LO-2, LO-3, LO-4, LO-5, LO-6  
Specifications:  
    16010, 16050, 16111, 16500 2.4  
Addendum 1  
Accepted Bid  
Insurance and Bonds

2. **The Work.** The Contractor shall provide all materials and labor and perform all construction work required by the Contract Documents.

3. **Time for Completion.** All work under this contract shall be completed within One Hundred Fifty (150) calendar days starting the first working day following the receipt from the Owner of the Notice to Proceed.

4. **Contract Price.** The Owner shall pay, in full payment for the work, the amount of One Hundred Forty Thousand Two Hundred Dollars (\$140,200) subject to additions and deductions as provided in the Contract Documents.

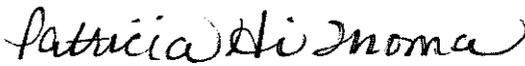
5. **Liquidated Damages.** Liquidated damages shall be Two Hundred Dollars (\$200) per calendar day.

This contract entered into as of the date first written above.

CONTRACTOR

COUNTY OF STANISLAUS

By:   
Philip J. Asborno

By:   
Patricia Hill Thomas  
Chief Operating Officer  
Assistant Executive Officer

Title: Secretary-Treasurer

APPROVED AS TO FORM:

Licensed in accordance with an  
act providing for the Registration  
of Contractor=s License No.

MICHAEL H. KRAUSNICK  
County Counsel

115427

By: 