

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

DEPT: Chief Executive Office

BOARD AGENDA # \*B-4

Urgent  Routine

AGENDA DATE November 24, 2009

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Make a Technical Budget Adjustment for the Sheriff's Public Safety Center Emergency Power and Fire Suppression System Improvements Project

STAFF RECOMMENDATIONS:

1. Approve a technical budget adjustment for the Sheriff's Public Safety Center Emergency Power and Fire Suppression System Improvements Project.
2. Direct the Auditor-Controller to make the necessary technical adjustment as outlined in the attached Budget Journal form.
3. Approve to amend the contract with Miller Pezzoni and Associates, Inc. for the amount not to exceed \$97,200 as outlined in the attached amendment.

FISCAL IMPACT:

On April 8, 2008, the Board of Supervisors approved to proceed with Emergency Power and Fire Suppression System Improvements at the Sheriff's Operation Center. The Board also awarded a contract to Miller Pezzoni and Associates, Inc for professional design engineering services for the lump sum amount not to exceed \$87,400.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2009-774

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**FISCAL IMPACT: (Continued)**

On September 30, 2008, the Board approved the plans and specification for the improvements prepared by Miller Pezzoni and Associates, Inc. and authorized the Project Manager to invite bids from construction contractors on November 5, 2008, and to return to the Board to recommend an award.

On November 18, 2008, the Board of Supervisors approved award of a construction contract for the Emergency Power and Fire Suppression System Improvements at the Sheriff's Operations Center to Greg Opinski Construction, Inc., for the lump sum amount of \$1,044,000.

On October 6, 2009, the Board approved an amendment to the contract with the Miller Pezzoni and Associates, Inc. by \$9,800 to complete an Arc Flash Study required by recent changes to CAL OSHA regulations. At that time, it was reported in error that the maximum amended contract amount would not exceed \$87,200. Following the Board's approval of the amendment, staff identified the reported deficiency. The original contract amount approved by the Board on April 8, 2008 was for the lump sum amount not to exceed \$87,400. With the additional approval to amend the contract by \$9,800, the new contracted amount should have been reported not to exceed \$97,200.

At this time, the Chief Executive Office is returning to the Board to request approval to make a technical budget adjustment for the Sheriff's Public Safety Center Emergency Power and Fire Suppression System Improvements Project and to move existing appropriations of \$25,000 in the Capital Project budget from fixed assets to services and supplies as outlined in the attached budget journal form. With the Board's approval of this request, the project will remain on time and within budgeted appropriations previously approved by the Board.

**DISCUSSION:**

**Background**

The construction of the Sheriff's Operations Center was completed in 1995. The Sheriff's Operations Center, and the adjacent Central Kitchen, and Laundry facilities were not connected to emergency power. As was the practice in the 1990's the Sheriff's Operations Center did not include a server room.

On June 26, 2007, the Board of Supervisors accepted the updated Public Safety Center Jail Needs Assessment and Public Safety Services Master Plan, and authorized the staff to develop an overall implementation strategy which included the development of phasing options, funding options, and professional programming services.

In April 2008, the County contracted with Miller Pezzoni and Associates, Inc. to proceed with a study to identify specific areas and critical functions which require emergency

Approval to Make a Technical Budget Adjustment for the Sheriff's Public Safety Center  
Emergency Power and Fire Suppression System Improvements Project  
Page 3

power to maintain effective operations during an extended electrical power disruption. These critical areas included the Sheriffs Operations Center (SOC) and the IT server room in the Sheriff Headquarters facility, and existing kitchen and laundry facilities located in the Public Safety Center (PSC) adjacent to Headquarters. As a result of the study, the Board authorized the staff to proceed with the project.

In November 2008, the County contracted with Miller Pezzoni and Associates, Inc., a local electrical engineering firm Miller Pezzoni and Associates Inc., to add emergency power to the Sheriffs Operations Center, Kitchen and Laundry Facilities, and add a server room for the Sheriff's Operations Center with a fire suppression system. Miller Pezzoni and Associates, Inc were the original Electrical Engineers for the Sheriffs Operations Center and staff believed they would have superior knowledge for the study.

On September 30, 2008, The Board approved the design and the plans and specifications and authorized staff to request bids. The plans and specifications included one bid alternate. The bid alternate was to change the controls of the emergency generator farm from analog to digital. The change is not necessary at this time, but will be necessary before the generator farm is expanded again in the future.

On November 8, 2008 staff returned to the Board for approval to award a construction contract for the base bid only for the Emergency Power and Fire Suppression System Improvements at the Sheriff's Operations Center to Greg Opinski Construction, Inc., with an amount not to exceed \$1,044,000.

At this time, the Chief Executive Office is returning to the Board to request approval to make a technical budget adjustment for the Sheriff's Public Safety Center Emergency Power and Fire Suppression System Improvements Project and to move existing appropriations of \$25,000 in the Capital Project budget from fixed assets to services and supplies as outlined in the attached budget journal form. With the Board's approval of this request, the project will remain on time and within budgeted appropriations previously approved by the Board.

This effort is nearing completion and the project delivery results have been outstanding.

**POLICY ISSUES:**

Approval of this plan promotes the Board's Priority of A safe community. Approval of this action will facilitate *Efficient delivery of public services* and making the most efficient use of County resources to protect the community.

**STAFFING IMPACT:**

Approval to Make a Technical Budget Adjustment for the Sheriff's Public Safety Center  
Emergency Power and Fire Suppression System Improvements Project  
Page 4

The County anticipates substantial review and interaction with Sheriffs Department and Chief Executive Office Capital Projects staff on this project. Existing Capital Projects staff is coordinating this project with the Sheriff.



**AGREEMENT BETWEEN THE COUNTY OF STANISLAUS  
AND GREGG E. MILLER & ASSOCIATES, dba MILLER PEZZONI & ASSOCIATES  
FOR THE SHERIFF'S OPERATIONS CENTER and the KITCHEN LAUNDRY  
EMERGENCY POWER**

AMENDMENT NO. 2, Dated November 24, 2009

The Agreement between the **County of Stanislaus** ("County") and **MILLER PEZZONI & ASSOCIATES** "Architect") for the **SHERIFF'S OPERATIONS CENTER and the KITCHEN LAUNDRY EMERGENCY POWER** dated April 8, 2008 (collectively, the "Agreement") is hereby amended as follows:

**2. Consideration**

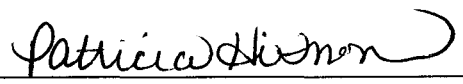
2.1 Amendment No. 1 had a typo that said the revised contract price was not to exceed \$87,200. The correct, revised not to exceed price will be \$97,200.


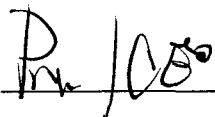
Except as specifically modified herein, the Agreement shall remain in full force and effect as written. To the extent that any provision of this Reformation and Amendment No. 2 conflicts with any provisions of the Agreement and Amendment No. 1, this Reformation and Amendment No. 2 shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day first mentioned above.

**COUNTY OF STANISLAUS**

**GREGG E. MILLER & ASSOCIATES  
dba MILLER PEZZONI & ASSOCIATES**

  
\_\_\_\_\_  
Patricia Hill Thomas  
Chief Operations Officer /  
Assistant Executive Officer

By:   
\_\_\_\_\_  
Title:   
\_\_\_\_\_

**APPROVED AS TO FORM:**

  
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John P. Doering, County Counsel