

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-6

Urgent

Routine

AGENDA DATE November 8, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Final Acceptance of the Phase III Tenant and Site Improvements at the Nick W. Blom Salida Regional Library by Menghetti Construction, Inc. of Modesto, California.

STAFF RECOMMENDATIONS:

1. Approve the final acceptance and completion of the Phase III Tenant and Site Improvements at the Nick W. Blom Salida Regional Library by Menghetti Construction, Inc. of Modesto, California.
2. Approval of the final contract with Menghetti Construction, Inc. of Modesto, California as follows:

Original Contract:	\$ 1,689,000
Change Orders:	\$ 96,487
Total Contract:	\$ 1,785,487

(Continued on Page 2)

FISCAL IMPACT:

On December 14, 2010, the Board of Supervisors approved to award a construction contract for the Phase III tenant and site improvements at the Nick W. Blom Salida Regional Library to Menghetti Construction, Inc. of Modesto, California for \$1,689,000. The total project budget was established at \$2,427,547, below the original estimates of \$2.5 to \$3.0 million to complete the Phase III tenant and site improvements. The project was funded by dedicated funds from the original Certificate of Participation 2004B borrowing for the project, and up to \$1.7 million from Library Public Facility Fees, which could only be used for capital improvements and could not be used for ongoing operational costs.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-689

On motion of Supervisor De Martini, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Final Acceptance of the Design-Build Construction of the Thomas W. Mayfield Regional Animal Services Facility with Menghetti Construction, Inc. of Modesto, California

Page 2

STAFF RECOMMENDATIONS: (Continued)

3. Authorize the Chief Executive Officer, or his designee, on behalf of the Board of Supervisors as the Awarding Authority, to sign the completion documents, record the Notices of Completion, release retention, and process all remaining close out activities for the above contracts and the project.

FISCAL IMPACT: (Continued)

On December 14, 2010, the total project budget approved by the Board of Supervisors for the Phase III tenant and site improvements for the Nick W. Blom Salida Regional Library was \$2,427,547 as outlined in the sources and uses chart below:

Approved Sources and Uses December 14, 2010

Nick W. Blom Salida Regional Library Sources	Amount
Library Public Facility Fees	\$1,700,000
Library Fund 2009 Fund Balance	\$727,547
Total	\$2,427,547

Schematic Design Replacment Facility Uses	Amount
Salaries: Project Management	\$124,829
Services and Supplies (Architectural Services, Construction Management, Code Required Testing, Legal Services, Printing, Office Supplies)	\$429,868
Cost Applied Charges	\$4,950
Construction Structures and Improvements	\$1,857,900
Total	\$2,427,547

At this time, staff is requesting the Board of Supervisors approve the final contract with Menghetti Construction, Inc. of Modesto, California for the final contract cost of \$1,785,487. During the course of construction, the Project Manager processed change order requests totaling \$96,487, consistent with the County's Change Order Policy, which increased the final contract cost from \$1,689,000 to \$1,785,487.

Pursuant to California Civil Code § 3196, the County will withhold the following monies due to Stop Notices filed against Menghetti Construction during the project (the specified claim amount plus 25% for possible legal fees pursuant to California Civil Code " 3082-3267) until these matters have been settled or adjudicated.

Stop Notice Filer	Stop Notice Amount	Amount Withheld
Volvo Rents	\$29,096.26	\$36,366.58
Groeniger & Company	\$12,146.08	\$15,182.60

Approval of the Final Acceptance of the Design-Build Construction of the Thomas W. Mayfield Regional Animal Services Facility with Menghetti Construction, Inc. of Modesto, California

Page 3

Stanislaus County will withhold the following monies due to Superior Court of California, County of Stanislaus, Case No. 868600 in which a Notice of Commencement of Action was filed:

<u>Plaintiff</u>	<u>Stop Notice Amount</u>	<u>Amount Withheld</u>
Central Valley Concrete, Inc. dba Central Valley Trucking	\$31,558.70	\$39,448.38
Total Amount to be Withheld:		\$90,997.56

As the awarding authority, the Board of Supervisors is also requested to authorize the Chief Executive Officer or his designee to sign the completion documents, record the Notices of Completion, release retention, and process all remaining closeout activities for the above contracts and the project.

The total project cost at completion is estimated to be \$2,257,750, well within the previously approved project budget of \$2,427,547. Any remaining appropriations at project closeout will be returned to the Library Public Facility Fees fund.

DISCUSSION:

Project Background

The Board of Supervisors adopted the Library Facilities Master Plan in 2001, which recommended the construction of Nick W. Blom Salida Regional Library. As a part of that master plan, the Board approved the purchase of the 56,000 square-foot former Breuner's furniture building at 4835 Sisk Road to be remodeled into the new Nick W. Blom Salida Regional Library and Community Facility.

On September 18, 2001, the Board of Supervisors authorized the purchase of this former Breuner's furniture building. At that time, it was determined the acquisition and remodeling of the former building was less expensive compared to acquisition and development of a new library site.

The acquisition and Phase I and Phase II library improvements were completed at a cost to date of \$7.4 million which was funded through a combination of bond proceeds and tobacco settlement funds. Phase III tenant and site improvements were planned for a future date following the completion of the construction of the 12th Street Office Building and Parking Garage; Paradise Medical Office Remodeling Project, and the Gallo Center for the Arts.

The Board had previously authorized the use of \$3,470,000 in Public Facilities Fees for the Salida Library Project and this amount was transferred into the project budget. In June of 2009, \$2,482,722 was deposited back into the Library Public Facility Fee fund from bond proceeds to reimburse PFF for Phase I and II renovations. It was recommended that the use of PFF funds for Phase III come as a separate request to the PFF Committee. On November 19, 2009, the PFF Committee reviewed the request

and approved the use of up to \$1.7 million in Library PFF for Phase III tenant and site improvements at the Nick W. Blom Salida Regional Library.

Phase III Objectives

The major objectives completed during Phase III included the following:

- Design and Remodel existing staff restrooms and break room;
- Design and Remodel basic improvements to a portion of the main building lobby and space designated as a future café/vendor area;
- Complete Site Improvements to include landscaping and irrigation;

- Complete Parking Lot Improvements;
- Add Canopy at entry doors to future tenant area;
- Repair or replace the HVAC system; and
- Repair Entry Canopy

Architectural Design Services

On April 6, 2010, the Board approved a contract for professional architectural design services for the development of a comprehensive scope of work for Phase III tenant and site improvements at the Nick W. Blom Salida Library to Pacific Design Associates, Inc. The bid documents prepared by Pacific Design were reviewed by Capital Projects and Library staff, Code Reviewers, and the Fire Marshal. Pacific Design Associates, Inc. employed an independent cost estimating firm, and the probable cost of construction is estimated to be within the project budget.

For cost control, the bid documents included five (5) deductive bid alternates. The recommended alternates included the following:

1. Delete the primer and sealer for the parking lot;
2. Delete the cabinets and sink in the break room; rough-in plumbing to remain;
3. Delete the skylight in the break room including the associated framing, roofing, ceiling, etc;
4. Delete the boiler; and
5. Delete the separate A/C units and controls for the community room and connect the existing duct work to the main system.

On December 14, 2010, the Board of Supervisors approved to award a construction contract for the Phase III tenant and site improvements at the Nick W. Blom Salida Regional Library to Menghetti Construction, Inc. of Modesto, California for \$1,689,000. The total project budget was established at \$2,427,547, below the original estimates of \$2.5 to \$3.0 million to complete the Phase III tenant and site improvements.

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Page 5

Upon completion, replacement of the HVAC system is anticipated to create energy savings, which will reduce operating costs for the facility. Renovations of the parking lot and landscaping now allow for safe access to the facility. The renovations have also provided for structural repair work to the existing canopy and exposed beams at the entry, and the repair some of the very old and deteriorating sewer waste lines within the building. The completion of this project will allow for the library to function more efficiently for the staff and patrons, and bring the site and building up to current code requirements.

POLICY ISSUES:

The Board of Supervisors has the responsibility for final acceptance of capital improvement projects. This project is important for the Board of Supervisors Priority of A Safe Community, A Healthy Community, Effective Partnerships, and Efficient Delivery of Public Services

STAFFING IMPACT:

Staff from the Chief Executive Office, Capital Projects, personal services contracts, construction management staff along with Library staff collaborated to ensure the completion of this project.

CONTACT PERSON:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333.

ATTACHMENTS AVAILABLE
FROM YOUR CLERK

RECORDING REQUESTED BY
AND RETURN TO:

Stanislaus County
Chief Executive Office
Attn: Patricia Hill Thomas
1010 10th Street, Suite 6800
Modesto, California 95354

NOTICE OF COMPLETION

Nick W. Blom Salida Regional Library: Menghetti Construction, Inc.

NOTICE IS HEREBY GIVEN:

- 1) That Stanislaus County is the owner of real property ("Property") in paragraph 3, below.
- 2) That Stanislaus County awarded a construction contract to Menghetti Construction, Inc. for a work of improvement on the Property described in Paragraph 3, below.
- 3) That the Property herein referred to is situated in the State of California, County of Stanislaus, City of Modesto and is described as follows:

APN 135-053-006 4835 Sisk Road, Salida, California 95368
- 4) That the full name and address of the Owner of said Property is as follows: Stanislaus County c/o Chief Executive Office, Attn: Patricia Hill Thomas, 1010 10th Street, Suite 6800, Modesto, CA 95354.
- 5) That the nature of the title of the stated Owner is: in fee.
- 6) The name of the original contractor for said work of improvement is Menghetti Construction, Inc. of Modesto, California.
- 7) That on November 7, 2011 a work of improvement on the real property herein is described was completed.

VERIFICATION

I, Richard W. Robinson, declare that I am the Chief Executive Officer of Stanislaus County, and that the County is the owner of the property described above. I have read the foregoing notice and know the contents thereof, and the same is true of my knowledge. I declare under penalty of perjury that the foregoing is true and correct. Executed on November 8, 2011 at Modesto, California.



Richard W. Robinson
Chief Executive Officer
of Stanislaus County