

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

DEPT: Chief Executive Office

BOARD AGENDA # \*B-8

Urgent  Routine

AGENDA DATE January 29, 2013

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Acquire Built-In Furniture, Fixtures and Equipment and Technology Equipment for the New Juvenile Commitment Center Project as Approved by the State of California and Related Actions for the Architect and General Contract Amendments to Implement the Changes Within the Approved Project Budget Along with a 15-Day Non-Compensatory Time Extension to the Substantial Completion Date

STAFF RECOMMENDATIONS:

1. Authorize the Project Manager process a Change Order with Roebbelen Contracting, Inc. for the lump sum amount not to exceed \$69,468, to acquire built-in furniture, fixtures and technology equipment for the Juvenile Commitment Center Project as approved by the State of California and funded within the approved project budget.
2. Authorize the Auditor-Controller to make the necessary budget transfers between the construction contingency and construction fixed assets accounts for the change order to Roebbelen Contracting, Inc.

(Continued on Page 2)

FISCAL IMPACT:

On December 10, 2010, the Board of Supervisors approved the project's initial financing plan. The original financing plan for the construction of a 60 bed facility was originally estimated not to exceed \$24,232,528. The financing plan included State funding of \$18 million towards construction, funded through a lease-revenue bond financing plan. The primary sources of cash match the County has committed includes funding of \$1,725,000 from Public Facility Fees (PFF), funding of \$2,732,528 from the Criminal Justice Facility Fund, and a non-cash match from land valued at \$1,775,000 at the site where the new facility is being constructed, for a total match of \$6,232,528.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-43

On motion of Supervisor Withrow, Seconded by Supervisor Monteith  
and approved by the following vote,

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

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.

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**STAFF RECOMMENDATIONS: (Continued)**

3. Authorize the Project Manager to process an amendment with Lionakis for the lump sum amount not to exceed \$6,500 for additional design and specifications necessary to acquire built-in furniture, fixtures and technology equipment at the Stanislaus Juvenile Commitment Center Project, within the approved project budget.
4. Authorize the Project Manager to process a non-compensatory 15-calendar day contract time extension to Roebbelen Contracting, Inc. to extend substantial completion of the Stanislaus Juvenile Commitment Center Project.

**FISCAL IMPACT: (Continued)**

On January 12, 2010, the Board of Supervisors awarded a contract to the firm of Lionakis for professional architectural design services for an amount not to exceed \$1,867,336 for the design work. On August 3, 2010, the Board of Supervisors approved an amendment to the contract for professional architectural services with Lionakis for the two-way Radio System, Card Access System, and Arc Flash Study for an amount not to exceed \$41,000.

On September 20, 2011, the Board of Supervisors approved a conditional award of a construction contract conditioned upon State approval to proceed with the construction of the Stanislaus County Juvenile Commitment Center Project to Roebbelen Contracting, Inc. for the lump sum amount not to exceed \$14,983,000, with a total project budget of \$22,713,828 outlined in the sources and uses chart below:

<b>Juvenile Commitment Center Sources</b>	<b>Amount</b>
<b>State Funding</b>	\$16,481,300
<b>Detention Public Facility Fees</b>	\$1,450,000
<b>Criminal Justice Public Facility Fees</b>	\$275,000
<b>Criminal Justice Facilities Fund</b>	\$2,732,528
<b>Land</b>	\$1,775,000
<b>Total</b>	\$22,713,828

<b>Juvenile Commitment Center Uses</b>	<b>Amount</b>
<b>Cash Uses for Design/Construction</b>	\$20,938,828
<b>Non-Cash Uses for Land/Site Acquisition</b>	\$1,775,000
<b>Total</b>	\$22,713,828

On December 14, 2012, the State Public Works Board (SPWB) recognized Stanislaus County's revised Project Costs due to construction bids that were significantly below

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budget which resulted in significant savings to the State. The SPWB recognized the new construction cost to be \$14,983,000 with a construction contingency of \$1,498,000 for a total State funding of \$16,481,000, a total savings of \$1,519,000 from the original conditional award of \$18,000,000. The SPWB decided that Project savings would remain available for allocation to the Project in case of construction increases. At this time, the Project Manager is returning to the Board of Supervisors for approval to process a change order with Roebbelen Contracting, Inc. for the lump sum amount not to exceed \$69,468 to acquire additional fixed furniture, fixtures and technology equipment for the Stanislaus Juvenile Commitment Center Project. The Board of State and Community Corrections (BSCC) has approved this additional scope as reimbursable by the State. The Project budget has funding for this proposed change.

This request is consistent with the County's Change Order Policy that requires Board of Supervisors' approval for any change order that exceeds \$25,000.

The Project budget has remaining contingency funds for this proposed addition. This change order allows the County to acquire necessary furniture, fixtures and equipment through State funds instead of using County cash match. Even with this additional cost, the County will be returning significant savings to the State at the end of the Project.

At this time, the Project Manager also requests approval to process an amendment to Lionakis for the lump sum amount not to exceed \$6,500 for additional design and specifications necessary to acquire the fixed furniture, fixtures and technology equipment at the Stanislaus Juvenile Commitment Center Project. The Project Budget has funding for this proposed amendment.

## **DISCUSSION:**

### Project Background

Stanislaus County is partnering with the State of California to build a 60-bed Juvenile Commitment Facility. The project is being constructed on approximately 4.72 acres of the greater 33.4± acres of county owned land on which the county's existing juvenile facility is located. The juvenile commitment center will be dependent on the adjacent, existing facility for several core operational components, including, admission and release, central administration, the Medical Clinic, laundry, building maintenance, and the main warehouse.

The juvenile commitment center will be approximately 45,600 square feet and will provide 60 beds in three housing units. One housing unit will contain 30 beds, while the other two will each contain approximately 15 beds. This project also includes support services space for administration; central control; routine medical examinations;

education, administration and classrooms; religious, recreational, and counseling programs; visitor processing and visitations; facility storage; and a service delivery and loading dock. The visitor processing and visitation space in this new facility may also be utilized for wards housed in the existing facility. Moreover, the central control in the new juvenile commitment center will be integrated with the electronics system at central control in the existing juvenile detention center so that the related functions can be transferred during sleeping hours to maximize staffing efficiencies.

In addition, this project will include the construction of a new vocational kitchen that will provide food service for both the new and the existing facility and support a culinary arts program. It will be located in the end of the new facility closest to the existing facility to facilitate food service to that building. A large multi-purpose room will be included as part of this project to provide indoor recreation and visitation. Two new outdoor recreation areas will be provided within secured fenced areas adjacent to the new housing units to provide direct access from the housing units. This project will also include, but is not limited to, electrical; plumbing; mechanical; computerized heating, ventilation, and air conditioning; security; and fire protection systems. Approximately 86 parking spaces will also be provided for both staff and visitor parking as part of this project.

#### Furniture, Fixtures and Equipment

The County contracted with Lionakis to design the project, and a contract to construct the project was awarded to Roebbelen Contracting, Inc. The contract as designed requires Roebbelen to provide all furniture, fixtures and equipment that are **built-in** and permanently **affixed** to the building. Roebbelen's contract did not include furniture, fixtures and equipment that were **movable**, such as lobby seating, tables and seating in interview rooms, etc. These **movable** pieces were to be purchased outside of Roebbelen's contract with County cash match funds.

The County's contract with the State allows for the reimbursement by the State of construction activities as follows:

**"State Funds:** State funds can be used for construction activities that occur after the SPWB has approved the project's scope and cost and the CSA has approved the project's final architectural plans and specifications. Project costs eligible for these state funds are:

1. Construction/expansion/renovation of the CSA-approved youthful offender rehabilitative facility project, including site preparation.

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2. On-site construction within a reasonable buffer zone surrounding the site boundary or security fence (if applicable) of the youthful offender rehabilitative facility and parking lot.
3. Fixed equipment items; e.g., heating, ventilation, air conditioning, plumbing, lighting, communications, surveillance, security and life/safety equipment, etc., as necessary for the operation of the youthful offender rehabilitative facility.
4. Fixed furnishings; e.g., built-in and permanently-affixed counters, tables, cabinets and seats, etc., as necessary for the operation of the youthful offender rehabilitative facility.
5. Installation of fixed equipment and fixed furnishings as necessary for the operation of the youthful offender rehabilitative facility.”

To most effectively manage and use the County's cash match as well as the State's funds for this Project, the Chief Executive Office and Probation staff would like to amend the design of the Juvenile Commitment Center to provide for **fixed** furnishings in some instances where **movable** furnishings were specified (such as the lobby, family visit rooms, interview rooms, program rooms, staff stations and central control); provide for a new metal detector to be **affixed** at the main lobby; and provide for various, **fixed** technology equipment necessary for communications, surveillance, security and life safety. The Board of State and Community Corrections (BSCC, formerly known as CSA) has agreed that all items fall within the five categories of eligible Project costs listed above.

Staff has negotiated a Change Order with Roebbelen Contracting to acquire this added furniture, fixtures and equipment for the lump sum amount not to exceed \$69,468. The Project Budget has funding for this proposed addition in the construction contingency.

Staff has negotiated an Amendment with Lionakis for the design and specification necessary to acquire the fixed furniture, fixtures and equipment for the lump sum amount not to exceed \$6,500. The Project Budget has more than sufficient funding for funding for this proposed amendment and for this equipment which is needed for the Project.

#### Non-Compensatory 15-Calendar Day Contract Time Extension

The recommended action also includes a 15-calendar day non-compensatory time extension which is recommended for appropriate completion of this Project. The additional period will allow for final Fire Marshal inspections and others that have been challenging to reserve due to staffing shortages by other Agencies. These final inspection authorities include both the State Fire Marshal and the local fire authority and will allow for final completion requirements requested by the Fire Marshal. In addition,

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the fixed furnishings and technology equipment will be processed during this time period.

Approval of this time extension will revise the date of Substantial Completion from January 27, 2013 to February 11, 2013. This is still consistent with the County's schedule with the State to occupy the Juvenile Commitment Center by June 30, 2013.

The General Contractor, Roebbelen has done a remarkable job in this construction effort as well as the Lionakis Design Team in delivering a project that is a model of design and construction. This is the first SB 81 Project authorized in the State of California and next steps beyond construction completion will include transition and dedication ceremonies this coming Spring.

**POLICY ISSUES:**

Approval of this action supports the Board of Supervisor's priorities of A Safe Community and Efficient Delivery of Public Services by leveraging innovative State Lease Revenue Bond grant funding for the construction of this project.

**STAFFING IMPACT:**

Current Chief Executive Office Capital Projects staff working in collaboration with the Probation Department will continue to implement the project.

**CONTACT PERSON:**

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

**AGREEMENT BETWEEN THE COUNTY OF STANISLAUS AND LIONAKIS  
FOR THE ARCHITECTURAL DESIGN  
OF THE JUVENILE HALL COMMITMENT CENTER**

**AMENDMENT NO. 2**

The Agreement between the **County of Stanislaus** ("County") and **Lionakis** ("Consultant") for the Architectural Design of the **Juvenile Hall Commitment Center** dated January 12, 2010 (collectively, the "Agreement") is hereby amended as follows:

**1. Scope of Work** Modify Appendix A – Scope of Work, Paragraph 1 – The Project Description as follows:

Add new paragraph "**Scope for Administration of Furniture, Fixtures and Equipment**" with the following:

- Provide Consultation and assistance in inclusion of allowable funding and operational items:
  - Additional fiber lines, servers and switches, rack installation and coordination, new IDF cabinet and fiber, termination equipment, cabling, etc.
  - Scoping, research and material collecting, coordination and meetings with Probation, and documenting all of the added furnishings, equipment, and fixtures, related RFI's, etc.


**2. Compensation** Modify Paragraph 2.1 Total Compensation:

	Agreement	Amendment No. 1	Amendment No. 2	Revised Agreement
Option 1, Schematic Design Option including Basic Services and ODC's	\$307,680	\$0	\$0	\$307,680
Option 2, Design Development Option including Basic Services and ODC's	\$484,370	\$19,845	\$0	\$504,215
Option 3, Construction Documents Option including Basic Services and ODC's	\$629,400	\$12,490	\$0	\$641,890
Option 4, Bid Option including Basic Services and ODC's	\$52,680	\$1,035	\$0	\$53,715
Option 5, Construction Administration Option including Basic Services and ODC's	\$393,206	\$7,630	\$6,500	\$407,336
<b>TOTAL ALL FIVE PHASES</b>	<b>\$1,867,336</b>	<b>\$41,000</b>	<b>\$6,500</b>	<b>\$1,914,836</b>

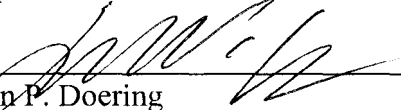
Except as previously modified and specifically modified herein, the Agreement shall remain in full force and effect as written. To the extent that any provision of this Amendment No. 2 conflicts with any provisions of the Agreement, or Amendment 1, this Amendment No. 2 shall control.

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

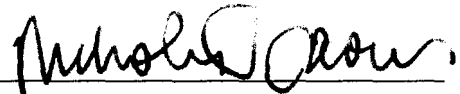
**STANISLAUS COUNTY**

By   
Patricia Hill Thomas  
Chief Operating Officer/  
Assistant Executive Officer

Approved as to Form

By   
John P. Doering  
County Counsel

**LIONAKIS**

By   
Title Principal