



# Mendocino County

## Legislation Text

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**File #:** 19-0871, **Version:** 1

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**To:** Board of Supervisors

**From:** Executive Office

**Meeting Date:** October 1, 2019

**Department Contact:** Steve Dunncliff

**Phone:** 463-4441

**Department Contact:** Doug Anderson

**Phone:** 234-6054

**Item Type:** Regular Agenda

**Time Allocated for Item:** 30 Minutes

**Agenda Title:**

Discussion and Possible Action Including Approval of Agreement with Vanir Construction Management in the Amount of \$1,509,698 to Provide Construction Management Services for the SB 844 Jail Expansion Project for the term of October 1, 2019 through June 30, 2023

**Recommended Action/Motion:**

Approve Agreement with Vanir Construction Management in the amount of \$1,509,698 for construction management services for the SB 844 Jail Expansion Project for the term of October 1, 2019 through June 30, 2023; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

On September 23, 2013 and again on August 4, 2015, resolutions were authorized to pursue grant funding for jail improvements; these applications were unsuccessful. On February 7, 2017, Resolution 17-019 authorized submittal of a proposal for funding through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844) for additional specialty housing and expanded program, training, and mental healthcare space at the County jail. The County's proposal was ultimately successful in securing \$25 million in state reimbursement; this item also authorized local match of approximately \$1.047 million. On December 19, 2017, an agreement was approved with Nacht & Lewis, in the amount of \$2.901 million, for architectural services related to this project. On April 24, 2018, a modification to the project location was approved with a local match increase of approximately \$1,000,000. FY 19-20 budget includes \$500,000 increase in local match to this project for a total of approximately \$27,547,000. On July 16, 2019 staff was directed to present the Construction Management Contract Award item to the Board as a regular item.

**Summary of Request:**

Construction Management is a critical function in any successful construction project, and due to the technical nature of detention facilities and the extensive compliance requirements for public projects and BSCC funding these services should be provided by an outside contractor. The construction manager will be the County's key cost and risk control partner for this project whose primary task is to keep the project on time and on budget while advising the County of issue or conditions that could impact the successful completion of the project. Critical functions include a constructability and clarity review of the construction documents to ensure that the design is straightforward and uses the most cost effective systems that meet the project requirements. This firm will also be responsible to thoroughly market our project to the local and regional construction firms and

pre-qualify the prime contractors and key subcontractor as necessary to ensure that only fully qualified contractors are eligible to compete for the work. Finally this firm will provide the on-site management of the work including quality control, tracking of construction issues, change management and commissioning of the building systems prior to occupancy.

On February 21, 2019 the County issued Request for Proposal 07-19 for Construction Management Services for the Jail Expansion Project. At the submission deadline on April 4, the County had received one proposal from Vanir Construction Management, Inc. of Sacramento. Vanir Construction Management is the most experienced construction management company working with California counties and municipalities on detention facilities and has direct experience with our Jail Expansion Project through their work as the construction cost estimating consultant to our project Architect, Nacht & Lewis. Despite considerable outreach efforts by staff to encourage other qualified firms to submit proposals, no other proposal were received; the non-responding firms cited the lack of qualified personnel available as the reason they did not respond to our RFP.

Vanir's initial proposal with an estimated fee of \$2,657,453 included the scope that was requested in the RFP but not necessary for this project. Some of those services were duplicative of services included in our contract with Nacht & Lewis. Others were estimates for inspection and testing services that are not normally a part of Construction Management Services and more appropriate to be obtained as a separate contract with a testing and inspection firm after the construction drawings are more fully developed and the testing requirements defined. Finally at the request of County staff, further reductions were made to the cost for oversight by senior management, and their field and home office staff support, services that are not essential to the services being provided. These negotiations have resulted in the current proposal of \$1,509,698 that staff is recommending for award.

This contract is structured as a time and materials contract with a fee not to exceed the contract price. As a result, the county will only pay for the actual cost of services provided to the county. The contract term is through June of 2023 approximately 6 months beyond the expected completion date for this project.

In the event that additional services are required from this firm to complete the Jail Expansion Project, changes to this contract will be brought before the Board.

Funding for the Construction Management Contract will be from the Jail Expansion Project Budget.

**Alternative Action/Motion:**

Do not authorize approval; reject all proposals submitted under RFP 07-19 and direct staff to issue a revised RFP for Construction Management Services for this project.

**Supervisory District:** District 2

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** BU 1712

**current f/y cost:** \$175,000

**annual recurring cost:** N/A

**budgeted in current f/y:** Yes

**if no, please describe:**

**revenue agreement:** No

**budget clarification:** Construction Management Services are included in the Jail Expansion Project budget (BU 1712) as a state reimbursed portion of the project's soft costs. Funding for pre-construction services will be reimbursed after construction begins.

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Executive Office

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Lindsey Dunham, Deputy Clerk I

Date: October 7, 2019

Final Status:**Approved**

Executed Item Number: **Agreement** Number:  
19-239

**Note to Department** Number of Original Agreements

Returned to Dept: 3 Original Agreement Delivered to Auditor?

Yes