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Agenda Date: 11/13/2018

Agenda Placement: 6J

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Steven Lederer - Director of Public Works  
Public Works

**REPORT BY:** Juan Arias, Deputy Director of Public Works - Engineering - 259-8374

**SUBJECT:** Napa County Re-entry Facility - Professional Services Agreement for Construction Management/Inspection and Associated Services Amendment #2

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### **RECOMMENDATION**

Director of Public Works requests approval of and authorization for the Chair to sign the following with Vanir Construction Management Inc. regarding the Napa County Re-entry Facility and the Napa County Replacement Jail projects:

1. Amendment No. 2 to Agreement No. 170850B increasing the amount by \$35,141 for a new maximum of \$254,864 for construction management, inspection and associated services for off-site utilities construction; and
2. Amendment No. 2 to Agreement No. 170851B increasing the amount by \$71,345 for a new maximum of \$777,445 for construction management, inspection and associated services for the Napa County Re-entry Facility.

### **EXECUTIVE SUMMARY**

On April 18, 2017 the Board of Supervisors authorized for the Chair to sign agreements with Vanir Construction Management Inc. for construction management, inspection and associated services for the Napa County Re-entry Facility and the off-site utilities construction projects. The agreement was subsequently amended on September 11, 2018 for additional construction management services required due to a number of issues that delayed completion of the project, including unexpected underground site conditions, the October 2017 fires and issues with utilities disconnect/reconnect. Staff has now identified the need for additional construction management services required for the closure of the project. While the projects remain within budget, given these challenges, a contract extension for Vanir is necessary to continue access to their services until the closure of the project.

Vanir Construction Management is not a local vendor.

**FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	CIP Budget - Fund 3000, Subdivision 30005-05, Program 13025  CIP Budget - Fund 3000, Subdivision 30005-05, Program 14021  88% of the costs under this contract for the work associated with off-site utilities will be covered under program 13025 and 12% under program 14021. Costs for work associated with the Re-entry Facility will be covered under Program 14021.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Department of Public Works reviewed the possibility of completing the project using our own staff for construction management. However, due to the unique nature of this project, including the highly detailed and specialized reimbursement process required by our state grants, currently we do not have the capacity or unique skills to provide the construction management services in-house.
Is the general fund affected?	No
Future fiscal impact:	There is no future fiscal impact past the current year..
Consequences if not approved:	Completion of the Napa County Re-entry Project may be affected and state funding may be jeopardized.
Additional Information:	

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

Staff conducted a qualifications based process for the selection of a firm to provide construction management, inspection and associated services for the project. On November 1, 2016 staff issued a Request for Qualifications and three firms including Consolidated CM, Moss Justice and Vanir Construction Management submitted Statements of Qualifications. Firms were evaluated taking into account the lead firm, sub-consultants and staff experience and qualifications in various construction management/inspection areas and the scope of work areas for construction of major public works building facilities preferably similar to the Re-entry Facility. In addition, the teams were evaluated in terms of assembly of a team in such a way to provide cost efficiencies to the County.

Staff from the Department of Public Works, the Department of Corrections and the County Executive Office participated in the qualifications based selection process. Vanir's construction management and inspection experience and qualifications in the construction of various similar facilities, experience and knowledge in similarly funded projects, SB 1022 funding requirements and environmental/permitting requirements for similar projects were qualifications based factors by which the rating panel selected them as the most qualified firm. On April 18, 2017 the Board of Supervisors authorized for the Chair to sign agreements with Vanir Construction Management Inc. for construction management, inspection and associated services for the Napa County Re-entry Facility and the off-site utilities construction projects.

On December 6, 2017 the Board of Supervisors approved plans and specifications for the "Napa County Re-entry Facility Project," PW 17-100, authorization to advertise for sealed bids and opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code contingent on all State approvals to bid related to the State Assembly Bill (SB) 1022 funding process. The required State approvals were obtained and the project was let out to bid with bids opened on March 23, 2017. Vila Construction of Richmond California was the lowest responsible, responsive bidder and a Notice to Proceed with Construction was then issued to Vila Construction effective May 22, 2017. Since then, Vanir Construction Management has been providing construction management services for the projects.

On August 14, 2018 the Board was presented with a status report and presentation for the Napa County Justice Center that includes the Napa County Re-entry Facility and the Napa County Replacement Jail. Staff advised the Board of project challenges that included unexpected site conditions, the October 2017 fires and issues with utilities disconnect/reconnect challenges. Given these challenges the project construction duration was extended and additional construction management services from Vanir Construction Management were required for the projects. The agreement was subsequently amended on September 11, 2018 for these services.

The project is on schedule for commencement of move in in November and for beginning of operations of the facility this December. Staff has identified the need for additional construction management services from Vanir to provide for sufficient services through the critical final stages of the project including the documentation closeout necessary to meet our Grant requirements and obtain State reimbursement for the project. Close-out activities also include punch-list administration, building systems commissioning and final contract change order negotiations. Attached for reference are project budget sheets. No additional appropriations are being requested for this item as staff anticipates unspent existing project appropriations will cover the costs associated with this item. Approval of these services is critical to the successful completion and for beginning of operations this December and for close-out of the projects.

## **SUPPORTING DOCUMENTS**

A . Budget Update

CEO Recommendation: Approve

Reviewed By: Helene Franchi