



**GENERAL SERVICES AGENCY
CAPITAL PROJECTS
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 4, 2018 - **REVISED**

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Maria Benavides		PHONE: 205-1124

SUBJECT: Countywide Space Project Phase II, Amendment No. 2 and General Services Notice of Completion

REQUEST(S):

That the Board of Supervisors:

1. Approve Amendment No. 2 to Agreement No. 28443 with Forcum Mackey, Inc. to increase the agreement amount by \$249,670.75, from \$5,865,973.93 to \$6,115,644.68 for Phase II of the Countywide Space Improvement & Relocation Project.
2. Authorize the Chairman to sign the Agreement Amendment.
3. Authorize the Chairman of the Board of Supervisors to sign the Notice of Completion for Bid Package "A" (General Services), subject to review and approval as to form by County Counsel.
4. Direct the Clerk of the Board of Supervisors to record the Notice of Completion for Bid Package "A" (General Services) with the office of the Tulare County Recorder.
5. Approve an adjustment to the Capital Projects budget for Fiscal Year 2018/19 in the amount of \$500,000 to accommodate anticipated costs associated with the General Services, County Counsel, and TCiCT portions of the Countywide Space Improvement & Relocation Project, as well as associated ADA improvements.
6. Approve the necessary budget adjustments per the two attached AUD 308s (4/5ths vote required).

SUBJECT: Countywide Space Project Phase II, Amendment No. 2 and General Services Notice of Completion

DATE: December 4, 2018

SUMMARY:

Construction is currently in progress for Phase II of the County Wide Space Improvement & Relocation Project. The Phase II portion of the Project includes the renovation of the former Tulare County Office of Education (TCOE) building (General Services bid package "A") and renovation of the Government Plaza building (Government Plaza bid package "B").

On December 19, 2017, the Board awarded the Phase II portion of the Project to Forcum-Mackey Construction, Inc. The awarded contract amount was \$5,425,000. On June 26, 2018, the Board approved the first amendment to Agreement No. 28443 with Forcum-Mackey, Inc. to increase the agreement amount by \$440,973.93, from \$5,425,000.00 to \$5,865,973.93, and increase the contract time by 8 calendar days for General Services bid package "A."

The following are summaries of the current Proposed Change Orders (PCOs) related to the General Services and Government Plaza portions of the County Wide Space Improvement & Relocation Project. The proposed change orders for General Services total \$18,384.18. The proposed change orders for Government Plaza total \$231,286.57. The cost of the Government Plaza PCOs will be covered by the existing contingency in that project's budget. The combined total for both projects requested for approval is \$249,670.75.

The PCOs primarily address unforeseen conditions and additions to the project scope.

Bid Package "A" (General Services) Proposed Change Order Summary			
Proposed Change Order Description	PCO No.	Days	Amount
First Floor Hall LVT	34	0	\$1,352.35
Ceiling Tile First Floor	35	0	\$1,397.09
Plywood at IT Room	36.1	0	\$2,680.65
Drop Ceiling	37	0	\$3,801.00
HVAC Unit Replacement	38	0	\$15,681.75
Door 438 Unlock	39	0	\$141.91
Toilet Backup	40	0	\$310.80
Irrigation Allowance credit	41	0	(\$15,000.00)
Door 401 Hardware	42	0	\$3,454.50
Door Stops and Closures	43	0	\$755.28
Conduit Repair	44	0	\$3,809.85
PCO 1 Error adjustment (from amendment 1)	1	0	(\$1.00)
		Total Days	Total Amount
		0	\$18,384.18

Bid Package "B" (Government Plaza) Proposed Change Order Summary			
PCO Description	PCO No.	Days	Amount

SUBJECT: Countywide Space Project Phase II, Amendment No. 2 and General Services Notice of Completion

DATE: December 4, 2018

Floor Moisture Remediation	19.1	0	\$101,628.87
Sierra Room Changes	33	0	\$16,446.49
Added data in OES	37	0	\$2,061.19
HHS East Wing Water Heater	41	0	\$2,150.40
IT Marker Boards	34	0	\$3,739.05
1C Power and Data Changes	36.1	0	(\$8,359.46)
Lighting Changes	35.1	0	\$1,923.40
Data in Floor Boxes	38	0	\$1,628.93
Lighting Changes added one more light	44	0	\$432.45
RFI 28 Relocate Fire Extinguisher	39.1	0	\$514.11
Wi-Fi in Room 2070-2071	40	0	\$430.19
RFI 29 phase 1A floor box relocation	43	0	\$1,080.41
Added power and data	45	0	\$572.30
RFI 31 Room 2012 Electrical	46	0	\$429.47
IT Door Hardware Changes	47.1	0	\$3,446.18
Change in 2B and West 2C	48.1	0	\$67,390.60
Break Room Circuits	49	0	\$2,103.65
Phase 2A Changes	50.2	0	\$7,708.50
power and data room 1025, 1030, 1031, 1033	51	0	\$1,622.48
Drinking Fountain Scope Deletion	52	0	(\$2,331.00)
RFI 40 HVAC Duct in Phase 2A	55	0	\$676.53
RFI 39 Light in Room 1064	56	0	\$228.81
Added Data in Phase 1A	57	0	\$2,798.85
New Office in Phase 2A and 2C	58.1	0	\$18,947.90
Added Data in Phase 2A and 2C	59	0	\$1,949.40
Added Insulation in Phase 2A	60	0	\$2,066.87
		Total Days	Total Dollars
		0	\$ 231,286.57

In fiscal year 2018/19, \$1,000,000 was budgeted for the Countywide Space Improvement & Relocation Project. However, in order to accommodate anticipated costs associated with the General Services, County Counsel, and TCiCT portions of the project, as well as associated ADA improvements, Capital Projects is requesting a \$500,000 adjustment in its budget for this project. The amount of the budget adjustment will be covered by existing Capital Projects fund balance.

The General Services portion of the project was completed in July 2018. The Government Plaza portion of the project is in progress, and is ahead of schedule. Currently the Government Plaza portion of the project is projected to be completed in May of 2019.

In conclusion, staff is requesting that the Board approve Amendment No. 2 to Construction Agreement No. 28443 with Forcum-Mackey Construction, Inc. increasing

SUBJECT: Countywide Space Project Phase II, Amendment No. 2 and General Services Notice of Completion

DATE: December 4, 2018

the total contract amount by \$249,670.75, approve the Notice of Completion for the General Services phase, and approve the necessary budget adjustment per the attached AUD 308.

FISCAL IMPACT/FINANCING:

The project is funded in the Capital Projects Fund 030-086-3200-8127 and 030-086-3460-8153. There are sufficient funds in both expense lines to accommodate the \$249,670.75 in proposed change orders.


The attached AUD 308 increases expense line 030-086-3200-8127 by \$500,000. The amount of the budget increases will be covered by existing Capital Projects fund balance, and will accommodate anticipated costs associated with the General Services, County Counsel, and TCiCT portions of the project, as well as associated ADA improvements.

Many of these costs are necessary to relocate the Departments and would have been more costly to the County if they were undertaken at a future date while the Departments were occupying this space. The project's change order contingency and savings from the furniture purchase will cover these additional costs.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Business Plan includes the Organizational Improvement initiative. This project will ensure that several departments have the necessary functional spaces to achieve their mission and serve their customers.

ADMINISTRATIVE SIGN-OFF:



Mark Van Fossen
Capital Projects Coordinator II

cc: County Administrative Office

Attachment(s)

A – Amendment No. 2 to Agreement No. 28443 with Forcum-Mackey Construction, Inc.

B – Notice of Completion

C – Capital Projects AUD 308

D – Probation AUD 308

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF COUNTYWIDE)
SPACE PROJECT PHASE II, AMENDMENT) RESOLUTION NO. _____
NO. 2 AND GENERAL SERVICES NOTICE) AGREEMENT NO. _____
OF COMPLETION)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved Amendment No. 2 to Agreement No. 28443 with Forcum Mackey, Inc. to increase the agreement amount by \$249,670.75, from \$5,865,973.93 to \$6,115,644.68 for Phase II of the Countywide Space Improvement & Relocation Project.
2. Authorized the Chairman to sign the Agreement Amendment.
3. Authorized the Chairman of the Board of Supervisors to sign the Notice of Completion for Bid Package "A" (General Services), subject to review and approval as to form by County Counsel.
4. Directed the Clerk of the Board of Supervisors to record the Notice of Completion for Bid Package "A" (General Services) with the office of the Tulare County Recorder.
5. Approved an adjustment to the Capital Projects budget for Fiscal Year 2018/19 in the amount of \$500,000 to accommodate anticipated costs associated with the General Services, County Counsel, and TCiCT portions of the Countywide Space Improvement & Relocation Project, as well as associated ADA improvements.
6. Approved the necessary budget adjustments per the two attached AUD 308s (4/5ths vote required).

**SECOND AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 28443**

THIS SECOND AMENDMENT (“Amendment”) to Tulare County Agreement Number 28443 (the “Agreement”) is entered into by and between the **COUNTY OF TULARE** (“COUNTY”) and **Forcum Mackey Construction** (“CONTRACTOR”) as of December 4, 2018, with reference to the following:

- A. The COUNTY and CONTRACTOR entered into the Agreement on December 19, 2017, for the purpose of providing construction services for the County Wide Space Improvement Project Phase II;
- B. Whereas, the Parties entered into Amendment No. 1 to the Agreement on June 26, 2018 whereby they increased the Contract Sum and the Time of Completion to account for changes in the Project; and
- C. COUNTY and CONTRACTOR now wish to further amend the Agreement in order to provide additional construction services for the County Wide Space Improvement Project Phase II.

ACCORDINGLY, COUNTY and CONTRACTOR agree as follows:

1. Article IV: Contract Sum of the Agreement is hereby revised to read as follows:

The County shall pay the Contractor in current funds for the performance of the Work, subject to additions and deductions by Change Order or as otherwise provided in the Contract Documents, a stipulated Sum of \$6,115,644.68.

2. This Second Amendment becomes effective as of December 4, 2018.

3. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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**SECOND AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 28443**

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

Forcum Mackey Construction

Date _____

By _____

Print Name _____

Title _____

Date _____

By _____

Print Name _____

Title _____

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

COUNTY OF TULARE

Date _____

By _____

Chairman, Board of Supervisors

ATTEST: Jason T. Britt
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy Clerk

Approved as to Form:
County Counsel

By _____
Deputy

Matter # _____

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The County of Tulare, a political subdivision of the State of California, is the owner of the work of improvement stated below.
2. The full address of the owner is: County of Tulare, 2800 W. Burrel Avenue, Visalia, California, 93291
3. The County of Tulare, a public agency, owns the hereinafter described work of improvement.
4. No other person(s) or corporation(s) owns any interest therein.
5. The name of the project is the County Wide Space Move Project Phase II (General Services Bid Package "A") at:
2637 W. Burrel Avenue, Visalia, CA.
6. On the 4th day of December, 2018 the Board of Supervisors of Tulare County in Resolution Number _____ accepted as complete the work of improvement in Tulare County Agreement Number 28443 for the project identified above.
7. The name of the contractor for the work of improvement described in Tulare County Agreement Number 28443 is Forcum-Mackey, Inc. The contractor's address is 15695 Jasmine Avenue, Ivanhoe, CA 93235.
8. The project was located at 2637 W. Burrel Avenue, Visalia, County of Tulare, State of California.

The undersigned affirms that he is authorized to execute this Notice of Completion for the County of Tulare, that he has read the foregoing Notice, knows the contents hereof and that the facts stated herein are true; that he executes this Notice on behalf of and pursuant to the authorization of the Board of Supervisors of the County of Tulare.

COUNTY OF TULARE
BOARD OF SUPERVISORS

Chairman of the Board

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 2018, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Date: _____

Notary Signature

AUD-308 - Budget Adjustment Form

2:48 PM

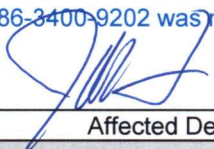
11/27/2018				05/19		2019	
Date		Document ID Number		Accounting Period		Budget Fiscal Year	
		General Services Agency		Brenda B Medrano		205-1117	
		Agency Name		Contact Person		Phone	
						Extension	

Action** A,C,D	Fund	Dept	Appr #	<u>LEVEL 1 Finish Here</u>			Current Amount	Revised Amount	Inc / Dec Amt	
C	030	086	0861CAP				27,942,099	28,742,099	800,000	
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Appropriations Total							<i>Need Not Equal Zero</i>	27,942,099	28,742,099	800,000

Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	<u>LEVEL 2 Start Here</u>			
C	030	086	0861CAP	3400	8147		2,345,000	2,645,000	300,000	
C	030	086	0861ICAP	3200	8163		1,000,000	1,500,000	500,000	
C	030	086		3400		9202		300,000	(300,000)	
C	030	086		3200		9202		500,000	(500,000)	
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Line Total							<i>Must Equal Zero</i>	\$ 3,345,000	\$ 4,945,000	\$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

Recognize budget transfer related to Probation Youth Facility and Vocational Education Probation. Revenue 030-086-3400-9202 includes \$300,000 from Probation's Youth Facility AUD 308 and \$500,000 for Probation's Voc Ed Building. Capital Project's transfer in line 030-086-3400-9202 was not included in Probation's AUD 308.

 11/27/18
Affected Dept Head Signature

Other Affected Dept Head Signature

Checked By: _____
County Executive Office Action: No. _____ Date: _____
() Approved () Disapproved

Entered By: _____
Date: _____
Distribution: 1: BOS/CAO/Auditor

By: _____
Board of Supervisors Action: No. _____ Date: _____

**** Action Codes: A=Add, C=Change, D=Deactivate**
 * Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, **except for ISFs**
 * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa
 * Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa

County of Tulare Budget Adjustment Form

3:37 PM

11/27/18							5/19			2019		
Date				Doc ID			APRD fm fm fy fy			Budget F/Y yy		
				Probation			Choua Yang			713-2758		
				Agency Name			Contact Person			Phone		
							Ext					
Action** A,C,D	Fund	Dept	APPR #					Current Amount	Revised Amount	Inc / Dec Amt		
C	001	205	205INTRA					7,029,554	7,529,554	500,000		
							LEVEL 1 Finish Here					
							Appropriation Totals					
							This level may not					
							balance due to					
							revenue lines posted					
							in level 2 below.					
Appropriations Total										7,029,554		
										7,529,554		
										500,000		
Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt		
C	001	205	205INTRA	1300	9100		Line Totals	300,000		(300,000)		
A	001	205	205INTRA	1300	9102		Line Totals		800,000	800,000		
C	001	205		1300		9292		3,756,242	4,256,242	(500,000)		

Each fund must balance Total Inc/Dec must be zero \$ 4,056,242 \$ 5,056,242 \$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail) Perform a SMART BUDGET ROLL-UP before VALIDATING.

To adjust the Probation Department's budget to correct the operating transfer out expense line from 9100 to 9102 for the Youth Facility project in the amount of \$300,000 and to transfer \$500,000 for the Probation Vocational Education building project to Capital Projects. Funds from Probation Trust Fund 509 will be moved to the general fund to cover the costs of the projects.

Michelle Baniel
Affected Dept Head Signature

Other Affected Dept Head Signature

Checked By: _____
 County Executive Office Action: No. _____ Date: _____
 () Approved () Disapproved
 By: _____
 Board of Supervisors Action: No. _____ Date: _____

Entered By: _____
 Date: _____
 Distribution: 1: BOS/CAO/Auditor

** Action Codes: A=Add, C=Change, D=Deactivate
 * Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, and vice versa
 * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa