



**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 18, 2018

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 type="checkbox"/>	N/A <input checked="" 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: Amend Agreement No. 27574 with Bernards Bros., Inc.

REQUEST(S):

That the Board of Supervisors:

1. Approve Amendment No. 6 to Agreement No. 27574 with Bernards Bros., Inc. to increase the agreement amount by \$127,164 from \$52,844,281 to \$52,971,445.
2. Authorize the Chairman to sign the Agreement Amendment subject to review and approval as to form by County Counsel.

SUMMARY:

On April 19, 2016, the Board approved Agreement No. 27574 with Bernards Bros, Inc. to provide construction services for the South County Detention Facility in Porterville, California. The awarded contract amount was \$52,442,000. The Board has previously approved five change orders in the amount of \$402,281. The current contract amount is \$52,844,281. The project consists of the construction of a 510 bed jail facility in Porterville. The facility is a 2-story structure with the housing units having a tiered design. The facility includes support services for food, laundry, medical, video visitation, storage, administration, and program space.

For this change order, there are a total of twenty-four (24) proposed change orders (PCOs) that have been accepted. The PCOs consist of both additions and deductions. The current completion date is currently July 19, 2018. However, Bernards Bros. is behind schedule and is expected to complete the project in January, 2019. Staff will resolve any contract extensions or claims with regard to time after construction is complete. The following is a summary of the PCOs:

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PCO #	Description	Amount	Contract Time
027.1	Change smoke control damper size	\$13,621	0 days
066.2	Dental X-ray casework revisions	\$1,405	0 days
073.1	Roofing slivers	\$30,520	0 days
075.2	TV in pre-booking room 613	\$-420	0 days
081.1	Rated walls change	\$8,146	0 days
127.2	Finish changes	\$2,711	0 days
150	Interview room 619 removal	\$-14,758	0 days
154.1	Additional downspout and overflow	\$3,191	0 days
194.1	Pipe in chase wall	\$2,148	0 days
214.1	Head of wall at 2 hour rated wall	\$1,595	0 days
237.1	Finish schedule clarifications	\$5,744	0 days
245.2	Loading dock and trash compactor	\$1,328	0 days
254	Epoxy showers for moisture barrier	\$19,609	0 days
255.1	Plumbing chase room 809	\$1,372	0 days
262	Power to AHU TCP's	\$2,822	0 days
265.1	Quarry tile in rooms 807, 808, 809 and 811	\$6,377	0 days
267	Deletion of bollards	\$-4,953	0 days
273.1	Door holders at 725D and 718A	\$4,087	0 days
275	FAT test corrections	\$6,230	0 days
286	Padded flooring/bench room 6A106	\$1,468	0 days
310	Mobile storage shelving lighting change	\$-1,704	0 days
311	Additional landscaping boulders	\$29,813	0 days
314	Occupancy sensor	\$1,226	0 days
320	L-1 and L-2 faucets mixing valves	\$5,586	0 days
	Total Change Orders	\$127,164	0 Working Days

It is requested that the Board approve Amendment No. 6 to Agreement No. 27574 with Bernards Bros., Inc. to increase the agreement amount by \$127,164 from \$52,844,281 to \$52,971,445; and authorize the Chairman to sign the Agreement Amendment subject to review and approval as to form by County Counsel. This amendment is subject to review and approval as to form by County Counsel due to the need for continuous services to maintain the project's construction schedule while amendments are prepared.

FISCAL IMPACT/FINANCING:

This project is funded through State Assembly Bill 900 (AB900) which designated funds for County Jail and Reentry Facilities and is budgeted in the Capital Projects Fund line 030-086-3230-8148. The amount budgeted for change orders was 5% or \$2,622,100.

To date, construction change orders, including those proposed, total \$529,445. Construction management changes to the agreement with Vanir Construction Management total \$425,000. Therefore, \$954,445 of contingency funds have been used and \$1,667,655 remain to cover any additional construction change orders.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Business Plan includes the Safety and Security initiative to

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provide for the safety and security of the public. The South County Detention Facility aligns with the initiative by providing improved facilities for the protection of the public.

ADMINISTRATIVE SIGN-OFF:



Kyle Taylor
Capital Projects Coordinator III

cc: County Administrative Office

Attachment(s) Agreement Amendment with Bernards Bros., Inc.

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

IN THE MATTER OF AMEND AGREEMENT)
NO. 27574 WITH BERNARDS BROS., INC.) RESOLUTION NO. _____
) AGREEMENT NO. _____
)

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. 6 to Agreement No. 27574 with Bernards Bros., Inc. to increase the agreement amount by \$127,164 from \$52,844,281 to \$52,971,445.
2. Authorized the Chairman to sign the Agreement Amendment subject to review and approval as to form by County Counsel.

**SIXTH AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 27574**

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

Bernards Bros., Incorporated

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 # _____