

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/07/2021 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2021/405

In the Matter of approving the award of a design-build construction agreement with Sletten Construction Company, conditioned upon final approval of award and funds by the State under SB 844 (Adult Local Criminal Justice Facilities Construction Financing Program), and authorizing the Conty Administrator to execute the agreement along with any amendments within the approved project budget.

Whereas, on February 7, 2017 the Board Of Supervisors (Board) approved and authorized the Sheriff submitting a proposal to the California Board of State and Community Corrections for up to \$70 million in bond financing under the State's SB 844 Adult Local Criminal Justice Facilities Construction Financing Program for the West County Reentry, Treatment and Housing Project for the construction of a medical facility, reentry services suite, vocational classroom, intensive services housing unit and the provision rehabilitation services to adult offenders at the County's West County Detention Facility campus ("SB 844 Project"); and **Whereas**, on September 10, 2019, the Board approved the use of design-build procurement method and the best value method of procurement of the construction services for the SB 844 Project; and **Whereas**, staff solicited requests for qualifications (RFQs) from contractors that were interested in bidding on the SB 844 Project; and **Whereas**, three RFQs were received and evaluated by an evaluation committee, and of these three all were found to have met the established pre-qualification criteria and were invited to submit a bid proposal; and **Whereas**, on November 9, 2021, the County received three RFP responses and a selection panel evaluated the proposals in accordance with the State approved selection criteria set forth in the RFP and awarded points based on specific criteria published in the Request for Proposals, including additional facility enhancements; and **Whereas**, a selection panel evaluated the proposals in accordance with the approved selection criteria and ranked the proposals in the following order: (1) Sletten Construction Company; (2) Hensel Phelps Construction Company; (3) Broward Builders, Inc. **Whereas**, on February 11, 2022, the Department of Finance is tentatively scheduled to consider a request to approve the award of the County's agreement to Sletten Construction Company for the construction of the SB 844 Project. The Department of Finance (DOF) requires as a prerequisite to its action that the County first conditionally approve the award of the County's agreement for the construction of the project; and **Whereas**, staff recommends the Board of Supervisors approve a design-build construction agreement, conditioned upon DOF approval, to Sletten Construction Company; and **Whereas**, Contra Costa County has approved the amount of up to \$56,500,000 derived solely from General Fund revenue sources as and for its cash match as outlined in the Board Order accompanying this Resolution.

Now, Therefore Be It Resolved, the Board of Supervisors finds as follows:

1. The recitals set forth above are true and correct.
2. Assures that any County cash contribution matching funds for the Project will be derived exclusively from lawfully available funds of the County and will be compatible with the State's lease revenue bond financing.
3. Assures that the payment of any County cash contribution matching funds for the Project (i) will be within the power, legal right, and authority of the County; (ii) will be legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) will be available for authorization by necessary and appropriate action on the part of the governing body of the County.
4. Assures that the funds identified as the County's proposed cash contribution matching funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and

will not be the subject of a grant of a security interest by the County. In addition, the funds identified as the County's proposed cash contribution matching funds and the Project are not and will not be mortgaged, pledged or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.

5. Based upon the detail set forth in the Board Order accompanying this Resolution, the evaluation team scored Sletten Construction Company highest.
6. Sletten Construction Company submitted the most complete and impressive proposal that meets the Project needs, including County requested enhancements within the stipulated contract sum of \$95.5 million. Some of the additional enhancements include:
 - a. LEED Silver certification;
 - b. Upgraded flooring in classroom and program rooms;
 - c. Upgraded doorframes to stainless steel at select locations;
 - d. Additional skylights/lighttubes to increase daylight in internal locations;
 - e. Additional interior glazing to increase visibility at select interior locations.
7. Sletten Construction Company had the higher composite score on the six evaluation factors enunciated in the RFP for a total score of 518.75 out of a possible 600 points. The six evaluation factors published in the RFP included Subconsultant/Subcontractor Outreach & Procurement, Bridging Document Conformance, Design & Construction Qualifications, Best Value Enhancements, Interview/Presentation Questions, and Cost to Complete.

Further Resolved, the Board of Supervisors hereby awards the design and construction contract conditioned upon State funding and State approval to proceed with design and construction of the SB 844 Project to Sletten Construction Company for the stipulated sum of \$95.5 million. **Further Resolved**, the County Administrator, or designee, is authorized to execute the Design-Build agreement, and any amendments within the approved contract amount, upon receipt of confirmation of State funding and State approval.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Eric Angstadt; 925-655-2042

By: , Deputy

cc: