



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: December 7, 2021

Subject: Award a Design-Build Contract to Sletten Construction Company, a Montana Corporation

RECOMMENDATION(S):

ADOPT Resolution No. 2021/405 awarding a Design-Build Contract to Sletten Construction Company, a Montana Corporation, in an amount not to exceed \$95,500,000, for the design and construction of five secure housing units, a medical treatment center, re-entry program space and family visitation facilities at the West County Detention Facility (WCDF).

APPROVE and AUTHORIZE the County Administrator, or designee, to execute the Design-Build Contract after the Public Works Director has received the required insurance, bonds, and Guaranty from Sletten Construction Companies.

AUTHORIZE the County Administrator, or designee, to approve final plans, specifications, and design documents necessary to implement and construct the West County Reentry, Treatment and Housing (WRTH) project consisting of five secure housing units, medical treatment facility and other spaces described in Project Document 011110 (Summary of Work), Project Document 011114 (Summary of Work – Design Services and Deliverables), and the Project Bridging Documents.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/07/2021** ☐ APPROVED AS RECOMMENDED ☒ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

NO: John Gioia, District I
Supervisor

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

By: June McHuen, Deputy

Contact: Eric Angstadt;
925-655-2042

cc:

RECOMMENDATION(S): (CONT'D)

APPROVE and AUTHORIZE the County Administrator, or designee, to execute stipend agreements for payment of a \$75,000 stipend each to Broward Builders, Inc., a California Corporation, and Hensel Phelps Construction Company, a Delaware partnership, in accordance with the Request for Proposals released on July 27, 2021.

FISCAL IMPACT:

Funding for the construction contract comes from a \$70 million grant from the State of California authorized by Senate Bill 844 (SB844) and \$25.5 million from the general fund appropriated in prior fiscal years.

Building Construction	\$76 million		
Contractor Fees and Costs	\$16.3 million		
Owner Allowances	\$ 3.2 million		
Total Contract Gauranteed Price	\$95.5 million		
County staff and consultants	\$18 million		
Equipment	\$ 5 million		
Contingency	\$ 8 million		
Total Project Budget	\$126.5 million		

BACKGROUND:

The Contra Costa County systems of facilities for the detention of adults consists of three facilities, Marsh Creek Detention Facility, Martinez Detention Facility (MDF) and West County Detention Facility. Marsh Creek is a low security facility with a woodworking shop and open plan housing units with a rated capacity of 188 adults built in the 1940s. The Martinez Detention Facility is currently the only facility for higher security inmates with a rated capacity of 695 adults built starting in 1977. The West County Detention Facility is a medium security facility built starting in 1987 with a rated capacity of 1096 adults.

The approach to incarceration has changed dramatically in the decades since Contra Costa County last constructed a detention facility. The approach to incarceration has shifted towards a more therapeutic rather than punitive philosophy with greater emphasis on treatment, education and training to prepare incarcerated individuals for reentry into society. In addition, two other trends have influenced the need for a different type of detention facility from those currently in the county system. The State of California has realigned the responsibility for some longer term incarceration back to the counties as they have lowered the State prison population, primarily commencing with the passage of Assembly Bill 109 in 2011. And there is an increasing proportion of incarcerated individuals with significant mental health and other medical issues in the system who require more advanced treatment due to closure of State and other treatment facilities. As part of the September 2020 consent decree the County entered into with the Prison Law Office to resolve litigation the County agreed to expand medical, mental health treatment and programming space in the County detention facility system. The WRTH project is a significant step in meeting those consent decree requirements.

The WRTH project is designed to meet the needs and requirements discussed above. The project was originally designed for a total of 416 replacement beds, 96 of which were for treatment of mental health issues, plus a medical facility and reentry, family reunification and workforce readiness space, designed for use by community based organizations (CBOs) as part of the grant application for funds authorized by SB 844. The County was approved for a grant of \$70 million dollars to help construct the facility. However, due to COVID and the delays in getting through the grant approval process the scope of the project had to be reduced because of the escalation of construction prices.

The current WRTH project as proposed to the Board today is for 288 beds, 96 of which are still mental health treatment beds, and all of the reentry, family reunification and workforce readiness spaces from the initial proposal. The project was reduced by 128 general population beds in order to preserve all the medical, treatment and programming spaces. A summary of spaces is provided below:

- **WRTH Project - 288 high-security replacement beds (5 housing units)**
 - **192 High security beds (3 Standard Housing Units)**
 - Each housing unit has 2 large classroom spaces in the unit.
 - Non-contact visitation spaces provided within the unit.
 - Each unit has ADA accessible spaces for housing and visitation.
 - **96 behavioral health beds (2 Behavioral Health Housing Units)**
 - **64 beds (1 Special Services Housing unit)**
 - Intended for short-term decompensation or detox episodes
 - Contains a Day Room, 20-person Classroom, 20-person Program room, 10-person small group room and three 4-person interview rooms

- **32 beds** (1 Intensive Services Housing unit)
 - Intended for inmates with serious and persistent mental illness who cannot function in the general population
 - Includes 16 rated cells (double bunk), including two “safety cells”
 - Contains a Day Room, two 16-person Classrooms, , three 4-person interview rooms, an exam room and secured behavioral health staff office.
 - Includes video visitation and in-person visitation booths in the housing unit.
- **Total Classroom space** in the housing units is 4,270 square feet (SF) combined.
- **Medical Facility** total of 4,185 SF including optometry and dental facilities
- **Reentry Services Suite** with a total space of 3,176 SF
- **Vocational Classroom** with 980 SF

There will be no addition of beds to the County detention system as a whole. Once WRTH is constructed 288 beds will be removed from the Martinez Detention Facility reducing its rated capacity of beds registered with the State of California Board of State and Community Corrections (BSCC) from the current 695 beds to 407 beds. Other ongoing projects at MDF including remodel of Module M for mental health treatment, Module C for plumbing and ADA improvements, and a remodel of Module F will also lower the rated capacity of MDF by a further 50 beds.

The WRTH project is an opportunity for the County to modernize part of its detention system, add needed space for medical treatment and mental health service provision and reentry and training service space for CBOs while leveraging local matching dollars by almost three to one with the State SB844 grant. Construction of WRTH will allow the reduction in capacity of the older MDF by almost 50% (695 to 357 beds) thereby slightly reducing the overall detention system capacity.

The tentative project schedule following Board action today would be as follows:

State of California approval 2/10/2022 (Tentative)
 Notice to Proceed 2/16/2022
 Finalize Design 11/24/2022
 Start Construction 12/1/2022
 Final Completion 8/31/2024
 Operational 11/28/2024

The schedule does depend on the State of California final approval of the grant and project and any delays on the part of the State in taking their final action could negatively impact the project schedule.

Request for Qualifications (RFQ):

The Public Works Department released the RFQ on October 14, 2019. The RFQ release was communicated to known contractors, including those in the County’s Local Vendor Database, advertised in the Daily Builder and published in the Contra Costa Times. It was posted to the Public Works Department Plan Room which is accessed via link on the Contra Costa County website under the Contracting Opportunities page.

The RFQ required that a design-build team describe their outreach efforts to include minority business enterprises, woman-owned business enterprises, and small, local, disabled veterans, and other business enterprises as part of their subcontractors.

The RFQ also required the design-build teams to provide references from past projects. Specific questions included: quality of personnel and supervision, adherence to project schedule and budget, timely payment to subcontractors and suppliers, and adequacy of equipment.

The County received responses from three Design-Build teams, the County Administrator’s Office, in coordination with Public Works Department staff and the project construction management firm Vanir Construction Management, Inc. reviewed the information submitted and created a short list of three qualified firms that would be invited to participate in the Request for Proposals process.

Request for Proposals / Selection Process:

The three shortlisted firms were invited to bid with the request for proposals released on July 27, 2021. On November 9, 2021 the Public Works Department received proposals from all three firms. A five person selection committee consisting of Chief Assistant County Administrator Eric Angstadt, Undersheriff Mike Casten, Assistant Sheriff Tom Chalk, Capitals Projects Division Manager Ramesh Kanzaria and Ron Mastalski, Project Manager with Vanir Construction Management scored the proposals and conducted interviews with the three teams.

In summary, the best value proposal evaluation process included two categories of factors: (1) the Evaluation Factor Categories evaluated on a “favorable / unfavorable” basis as follows:

- A. Green Building Criteria/LEED-NC Silver or Higher
- B. Skilled Labor and Safety Record
- C. Schedule Compliance - a realistic plan to achieve the Project completion date

and (2) scored Evaluation Factor Categories with points assigned as follows:

- A. Subconsultant/Subcontractor Outreach – (10 available points)
- B. Bridging Documents Conformance – (20 available points)
- C. Design & Construction Qualifications – (25 available points)
- D. Best Value Enhancements – (10 available points)
- E. Interview / presentation questions – (20 available points)
- F. Cost to Complete (Alternate 10) – (25 available points)

An additional 10 points was available to bidders if all three “favorable / unfavorable” factors were scored as “favorable.” Each member of the selection team independently filled out a scoring sheet for each proposal with a maximum of 120 points available. The scores from each panel member were added together giving a total score for each proposal with a maximum of 600 points. As described in the RFP, “The qualifying Bidder with the maximum points will be recommended for the award of the Contract.”

The results of the scoring process had Sletten with the highest rated proposal with 518.75 points and they were also the highest rated proposal for all five scoring members. Based on their unanimous highest scoring proposal, the selection committee recommends Sletten Construction Company’s proposal as the best value for Contra Costa County citizens.

The contractor will be required to enter into a Project Labor Agreement in connection with the services to be performed under the contract.

The RFP provided that a stipend in the amount of \$75,000 would be paid to any responsible bidder, other than the bidder to whom the Contract is awarded, that submitted a proposal determined by the County to be both balanced and responsive. The stipend is designed to compensate non-awarded bidders for (1) some of the additional efforts bidders expend in developing, refining and enhancing their proposals during the RFP and supplemental information process, and (2) for County’s ownership of the bidder’s proposal documents.

CEQA

An Environmental Impact Report for the project was approved by the Board on July 21, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

Not approving the action would leave the County with multiple requirements to increase the amount of medical treatment, mental health treatment and programming space in older detention facilities which would require significant remodeling efforts at a substantially greater and without the possibility of partially offsetting those costs with State grant funds.

CLERK'S ADDENDUM

ADOPTED the recommendations as revised to APPROVE and AUTHORIZE the County Administrator, or designee, to execute stipend agreements for payment of a ~~\$75,000~~ \$100,000 stipend each to Broward Builders, Inc., a California Corporation, and Hensel Phelps Construction Company, a Delaware partnership, in accordance with the Request for Proposals released on July 27, 2021.

ATTACHMENTS

Resolution 2021/405

PowerPoint Presentation