



**Contra
Costa
County**

To: Board of Supervisors
From: Michael J. Lango, General Services Director
Date: January 25, 2011

Subject: AWARD OF DESIGN-BUILD CONTRACT (ADDITIVE ALTERNATE NO. 1) FOR THE
REMODELING OF 40 MUIR ROAD, MARTINEZ (WH300B)

RECOMMENDATION(S):

APPROVE the plans, specifications, and design for the above project, consisting of Schematic Bridging Drawings (59 sheets) dated November 1, 2010 prepared by Interactive Resources, Inc.

DETERMINE that the design-build proposal (Additive Alternate No. 1) submitted by Vila Construction Company, Richmond ("Vila"), for the above project, is the most advantageous to the County, and that Vila has complied with the requirements of the County's Outreach Program and the Project Labor Agreement policy.

AWARD a design-build contract to Vila for Additive Alternate No. 1, in the additional amount of \$1,236,672, for the Remodeling at 40 Muir Road, Martinez, and DIRECT the General Services Director, or designee, to prepare the contract.

ANNOUNCE the contract award publicly pursuant to Public Contract Code Section 20133 and DECLARE that the basis of award is best value and that this Board Order constitutes the written decision required by Section 20133.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/25/2011** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Mary N. Piepho, District III
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
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: January 25, 2011

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Mike Lango (925)
313-7120

DIRECT that Vila shall submit two good and sufficient surety bonds in the amount of \$1,126,672 and that Vila and its subcontractors

RECOMMENDATION(S): (CONT'D)

shall sign a Project Labor Agreement for the project, and ORDER that, after Vila has signed the contract and returned it, together with the bonds, the signed Project Labor Agreement, evidence of insurance, and other required documents, and the General Services Director has reviewed and found them to be sufficient, the General Services Director, or designee, is authorized to sign the contract for this Board.

ORDER that the General Services Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

AUTHORIZE the General Services Director, or designee, to order changes or additions to the construction work and to execute written change orders pursuant to Public Contract Code Section 20142.

DELEGATE to the General Services Director, or to any licensed architect or engineer employed by the County, the authority to approve further plans, specifications, and design prepared by the design-build team for the above project.

DELEGATE, pursuant to Public Contract Code Section 4114, to the General Services Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

DELEGATE, pursuant to Labor Code Section 6705, to the General Services Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping or other provisions to be made for worker protection during trench excavation covered by that section.

DIRECT the General Services Director, or designee, to submit to the Legislative Analyst's Office, before September 1, 2013, the report required by Public Contract Code Section 20133(e).

FISCAL IMPACT:

Project costs, which are estimated to be \$1,236,672, will be funded initially from reserves for capital projects. Once the remodeling work is complete, the project costs will be recovered through the Real Estate Asset Management Program (RAMP). Funds will be recovered through savings generated from moving out of leased space and into this County-owned facility.

BACKGROUND:

The buildings at 30 and 40 Muir Road, in Martinez, are owned by the County. The building at 30 Muir Road is two stories, with a total area of approximately 40,600 square feet. The building at 40 Muir Road is two stories, with a total area of approximately 22,400 square feet. Both buildings have been vacant since October 2008.

In 2007, the County hired an engineering firm to evaluate the structure and building systems at 30 and 40 Muir Road and to identify any existing building deficiencies. The evaluation determined that the buildings would require major renovation in order to be re-used, including upgrades for disabled access, a new HVAC system, new roof, new windows, and repainting of the exterior wood siding. These improvements to the building shells need to be undertaken no matter which department eventually occupies the buildings.

In June 2009, a project to remodel 30 and 40 Muir Road for DCD was presented to the Finance Committee and the Committee recommended proceeding with the project. In December 2009, the Board of Supervisors authorized the General Services Department to carry out the necessary processes to implement the project. Subsequent to the Board's December 2009 authorization, DCD determined that 40 Muir Road was not required to meet DCD's facilities needs.

The 40 Muir Road project work involves remodeling the building shell to improve and upgrade conditions that are deficient or do not meet current code requirements, including the following key elements:

- Replace the existing roof
- Replace and upgrade the mechanical system central plant (boiler, chiller, fans)
- Replace exterior windows
- Remodel restrooms and elevators for ADA compliance
- Repaint the building exterior

The present project does not include tenant improvement work (interior remodeling). The interior remodeling will be designed and constructed after a specific County department is identified for occupancy of the 40 Muir building.

In May 2010, a Request for Qualifications for design-build services was issued and 25 statements of qualification were received in June 2010. A selection committee comprised of County staff from DCD and GSD short-listed the field to six teams. A Request for Proposals ("RFP") was issued to the six teams in November 2010 and proposals were received in December 2010. The selection committee conducted interviews of these teams in December 2010.

In the RFP, remodeling 30 Muir Road for DCD was included as the Base Bid, and remodeling the building shell at 40 Muir Road for future use was included as Additive Alternate No. 1. This approach allowed the County to potentially take advantage of economies of scale and obtain a competitive proposal for the 40 Muir Road improvement work, an approach that would be more cost effective for the County than seeking bids for the 40 Muir Road improvements as a smaller, stand-alone project.

Vila Construction Company, Richmond, CA, submitted a proposal with a price of \$7,706,205 for remodeling 30 Muir Road (Base Bid) and a price of \$1,236,672 for remodeling the building shell at 40 Muir Road (Additive Alternate No. 1). Following evaluation of the proposals by the selection committee, Vila's proposal was determined to be the best value for the County, and Vila's proposal received first ranking (i.e., the most advantageous to the County). The Vila team includes KPA, Oakland, as the architect. The proposals ranked second and third, respectively, were submitted by Roebellen Contracting, El Dorado Hills, and Howard S. Wright Contractors, LP, Emeryville.

On January 18, 2011, the Board awarded a design-build contract to Vila, in the amount of \$7,706,205, for the 30 Muir Road remodeling work (Base Bid). At that time, the General Services Department was still considering the proposal submitted by Vila for remodeling the building shell at 40 Muir Road (Additive Alternate No. 1). Accordingly, the Board Order mentioned that Additive Alternate No. 1 would soon be presented to the Board for contract award, in which case it would be added to Vila's design-build contract for remodeling 30 Muir Road.

The design-build proposal submitted by Vila for Additive Alternate No. 1 (40 Muir Road remodeling work) is the best value and is most advantageous to the County because of a combination of factors, including price, project schedule, value engineering approach, experience, and qualifications. The basis of the contract award to Vila for Additive Alternate No. 1 is best value. This Board Order constitutes the written decision required by Public Contract Code Section 20133.

The Contract Compliance Officer has reported that Vila has documented an adequate good faith effort to comply with the requirements of the County's Outreach Program. The General Services Director, therefore, recommends that a design-build contract be awarded to Vila for Additive Alternate No. 1, in the additional amount of \$1,236,672. If approved by the Board, the recommended contract award would result in a total design-build contract to Vila of \$8,942,877, consisting of \$7,706,205 already awarded for the Base Bid (30 Muir Road remodeling) and \$1,236,672 additional for Additive Alternate No. 1 (40 Muir Road remodeling). The final contract form is subject to approval by County Counsel.

Under the terms of the RFP, a condition of contract award is that the design-build contractor and its subcontractors enter into the County's standard-form Project Labor Agreement ("PLA"). Vila has signed the PLA and will have each subcontractor sign the PLA before performing construction work on the above project.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, are on file with the Clerk of the Board, and copies are available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

If a design-build contract is not awarded at this time for Additive Alternate No. 1, the required building shell upgrades to 40 Muir Road would have to be made in the future as a stand-alone project, which would likely cost approximately 20% to 25% (\$250,000 to \$300,000) more.

CHILDREN'S IMPACT STATEMENT:

Not applicable.