



COUNTY OF HUMBOLDT

For the meeting of: 1/14/2020

File #: 19-1810

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Consent

SUBJECT:

Change Order Authorization for Americans with Disabilities Act (ADA) Department of Justice (DOJ) Consent Decree Barrier Removal at the Mental Health Facility, 720 Wood Street, Eureka, CA. and Supplemental Budget (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize the Purchasing Agent to sign the third change order for ADA DOJ consent decree barrier removal at the Mental Health Facility, Project Number 2018-402; and
2. Approve the following supplemental budget for Fiscal Year 2019-20 in fund 3552, Budget Unit 152 (4/5th vote required).

Revenue:	3552152-9101	ADA Compliance ISF - Transfer In	\$96,000
Expenditure:	3552152-8897	720 Wood ADA	\$96,000

SOURCE OF FUNDING:

ADA Internal Service Fund (3552)

DISCUSSION:

On Sept. 7, 2016, the county entered into a consent decree with the United States Department of Justice (DOJ) that required the commencement of the Humboldt County Americans with Disabilities Act (ADA) Compliance Project. The purpose of the county’s ADA Compliance Project is to bring all county-owned and leased facilities providing programs, services and activities to the public into compliance with the ADA. The Mental Health Facility is a facility listed as part of this compliance effort.

On Dec. 10, 2018, the County of Humboldt entered into a consultant services agreement with Brokaw Designs, Inc. to design ADA improvements at the Mental Health Facility and on April 2, 2019, your Board authorized staff to publish and solicit public bids for the project. On March 26, 2019, staff opened and received two responsive and responsible bids. On July 9, 2019, your Board authorized staff

to award the Mental Health Facility ADA DOJ Consent Decree Barrier Removal Project to Adams Commercial General Contracting, Inc. (ACGC) in the amount of \$283,005. The scope of construction work included ADA modifications to the facility as follows:

- providing three accessible parking stalls;
- installing an accessible pedestrian path of travel to the public right of way;
- altering four restrooms including one shower; and
- renovating two service counters inside the facility.

During the course of construction, the contractor has uncovered several unexpected building deficiencies unknown to county staff and the design team prior to construction which required correction prior to completion of the contracted project scope. Corrective measures for these deficiencies resulted in the need for three change orders to the project scope to date.

Change Order 1 amount \$12,767: The contractor uncovered a broken electrical service vault that needed to be replaced prior to completing the path of travel upgrades. In addition, the contractor discovered sub-standard framing studs inside the patient room restroom which also contained asbestos-laden fire proofing. The asbestos required the employment of a certified hazardous abatement team. Staff requested a credit for a reduction in truncated domes at the facility main entrance as part of this change order and received a \$4,059, credit for this reduction in scope.

Change Order 2 amount \$15,244: This change order was due primarily to the discovery of additional asbestos-containing materials as well as the addition of plumbing for a new high/low drinking fountain in the lobby required under the DOJ Consent Decree.

Change Order 3 amount \$33,770.44: This change was due to:

- the discovery of additional asbestos-containing materials located during the patient room restroom remodel,
- Mental Health's request to substitute standard grab bars in the patient room restroom with anti-ligature grab bars,
- correction of a dimensional conflict in the architectural drawings for restroom 106,
- adding furring at the drinking fountain location due to discovery of a previously unknown concrete shear wall located behind the wall coverings,
- replacement of the second lavatory in restroom 106 due to substandard condition of the existing unit, and
- the replacement of an aging and deficient waste line in restroom 106 discovered after wall coverings were removed.

The contractor has yet to begin renovation efforts on one of the four restrooms included in the project scope. Once construction commences with the final restroom, additional building deficiencies may be discovered and may result in the need for an additional change order at that time.

FINANCIAL IMPACT:

The original contract sum with ACGC combined with Change Orders 1 and 2 is \$311,062. This

combined with the \$33,770 from Change Order 3 establishes a revised current contract value of \$344,787.05. Staff will seek reimbursement from Brokaw Design, Inc. for the value of additional work resulting from correcting the dimensional conflict found in the architectural drawings for restroom 106. Additional expenses resulting from additional air clearance testing as well as additional fire alarm modifications are included in the supplemental budget request. The requested supplemental budget will increase the ADA Compliance project budget by \$96,000. The ADA ISF fund balance (Fund No. 3552) is approximately \$2,862,000. There are sufficient funds to cover this supplement request.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by fostering transparent, accessible, welcoming and user friendly services and enforces laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the recommendation to authorize the Purchasing Agent to sign Change Order 3 however, this is not recommended as the county may be subject to fines for non-compliance, as the Mental Health Facility is a facility identified by the DOJ with ADA barriers that must be removed prior to the termination of the consent decree and the project is currently under construction and cannot be completed until the corrective measure cost increases are approved.

ATTACHMENTS:

Change Order 3

PREVIOUS ACTION/REFERRAL:

Board Order No.: C10, C5

Meeting of: 4-2-2019, 7-9-2019

File No.: 19-422, 19-762