



# COUNTY OF HUMBOLDT

For the meeting of: 11/2/2021

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File #: 21-1586

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

Humboldt County Juvenile Hall Replacement Facility Construction Project, Change Order Numbers: 10.0, 11.0, 12.0 and 13.0, Project Number 170212

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve, and authorize the Public Works Director to execute, Change Order Number 10.0 for a total cost increase of \$39,196.96 and a time extension of three (3) calendar days;
2. Approve and authorize the Public Works Director to execute, Change Order Number 11.0 for a total cost increase of \$8,358.35 and a time extension of zero (0) calendar days;
3. Approve and authorize the Public Works Director to execute, Change Order Number 12.0 for a total cost increase of \$21,158.44 and a time extension of zero (0) calendar days; and
4. Approve and authorize the Public Works Director to execute, Change Order Number 13.0 for a total cost increase of \$197,463.12 and a time extension of thirty-five (35) calendar days.

**SOURCE OF FUNDING:**

Criminal Justice Construction Fund; Board of State and Community Corrections Senate Bill 81; Local Youthful Offender Rehabilitative Facility Construction Funding; Certificates of Participation; and General Fund (1100)

**DISCUSSION:**

On August 16, 2016, the Board of Supervisors awarded the Humboldt County Juvenile Hall Replacement Project to Hal Hays Construction, Inc. in the amount of \$15,338,000.00 with a five hundred (500) calendar day construction completion schedule for two (2) phases of building and site development.

On June 21, 2021, the Board approved a \$250,000.00 application from the Humboldt County Probation Department for Additional Request for General Fund Appropriation Funding Above Baseline and was attributed to previous years savings due to Covid-19 unspent funds. This funding application was specifically for flooring replacement and asbestos abatement in the Probation Main Building at 2002 Harrison Avenue.

Humboldt County's new juvenile hall facility is designed to replace, expand and modernize the existing juvenile hall building (original construction in 1968). New building feature improvements include building code seismic upgrades and fire suppression systems, Americans with Disabilities Act of 2010 facility compliance, upgraded security and surveillance measures providing safe and secure correctional operations for occupants and county staff. The overall scope of site construction work within the construction contract is not only the completion of the new juvenile hall building, but also includes the demolition of the old juvenile hall building, which had been previously adjoined to the Probation Building as a single structure, and which required significant structural remediation. The construction of three (3) recreation yards including covered recreation basketball courts and an open grass field will occupy the land area where the old juvenile once occupied.

Currently, Phase 1 of the project, consisting primarily of the construction of the new juvenile hall building, has been approved for occupancy by the State Fire Marshal on April 27, 2021, after 1485 days of construction. Immediately following the Fire Marshal approval, county correctional staff relocated the resident youths, their associated services and daily operations to the new facility which is currently in full operation.

Phase 2 will be the final phase involving the completion of new recreation yards, demolition of the older juvenile hall facility, underground utility separations, secure county vehicle parking areas and Probation Building interior renovation. Phase 2 is currently at 95% completion.

This project is primarily funded through a state-legislated grant and bond. The California SB-81 Local Youthful Offender Rehabilitative Facility Financing Program provides partial project funding from the state but is wholly contingent upon acceptance of an agreement for leaseback of the facility to the state Board of Corrections by Humboldt County. This multi-agency state project coordination has been monitored by the California State Public Works Board, in partnership with the California Department of Corrections and Rehabilitation, and with building construction oversight and lease agreements provided by the California Board of State Community Corrections ("BSCC"). Humboldt County Department of Public Works has performed the construction management, administration and budget tracking for the county and state.

The Replacement Juvenile Hall Project started construction April 3, 2017, with a \$15,338,000.00 construction budget of which the state grant provided \$12,930,869 and Humboldt County contributed matching funds of \$2,407,131.00. Additionally, Humboldt County is required to guarantee the funding of contingencies, construction change orders generally and all cost overruns.

The project budget line-item for "Contingencies" is typically 5% of the construction budget and is specifically intended to cover only construction Change Orders during and throughout the course of construction. For Humboldt County's Juvenile Hall project budget, the state agreed to a construction contingency amount of \$766,900.00 for change orders. It is important to recognize that the contractually approved contingency category amount is only for budgeting purposes and does not necessarily limit the total change orders to that amount, nor does it limit the county's obligation to fully fund all project cost overruns.

Prior to the start of construction and with the acceptance of Resolution 16-95 on August 16, 2016, (Agenda item C-15), the Humboldt County Board of Supervisors committed all of the funding requirements to satisfy the BSCC agreement including the county “Cash Match” requirements.

Construction Change Orders executed to date include nine (9) change orders for a total of \$172,230.00 and with 115 days time extension to the project were formally approved by the Public Works Director under authority consistent with California Public Contract Code Section 20142. Four (4) additional Change Orders; 10.0, 11.0, 12.0 and 13.0 are for current consideration before the Board and are detailed below.

Change Order 10.0 formally recognized three (3) days of weather delays, additional hazardous materials that required additional abatement measures, plumbing modifications, increased height of concrete block walls and structural infill of skylights in the Probation Building to comply with new retrofit requirements. The total construction budget cost increase resulting from Change Order 10.0 is \$39,196.96 and included a three (3) day extension to the construction completion schedule.

Change Order 11.0 added an additional fire sprinkler, modified chain-link fencing specifications, repaired damages to undocumented electrical conduits in the Probation Building and substituted an interior door style at the new juvenile hall to facilitate staff operations. Costs for Change Order 11.0 totaled \$8,358.35 and with no extension of construction schedule granted.

Change Order 12.0 increased the weather protection to galvanized steel roof supports, included additional emergency lighting, and an exterior roof ladder to support facility maintenance and inspections. A drive aisle asphalt paving area was also increased in scope to include an adjacent existing area that was too damaged to accept new patch material and to establish uniformity. Previous work in the Probation Building was also uncovered in the course of scheduled work and revealed undocumented structural changes performed previously in the field and which had to be rectified to accommodate new work and new structural systems. Costs for Change Order 12.0 totaled \$21,158.44 and with no extension of construction schedule granted.

Change Order 13.0 provided fifty-five (55) feet of enhanced concrete footing protection around the new Juvenile Hall Building foundation at Recreation Yard 3. Additionally, the Probation Building demolition work uncovered an undocumented concrete structural beam condition that required extra work for reinforcement. Change Order 13.0 also includes the replacement of flooring throughout both floors of the Probation Building. This additional flooring work will be funded individually by the Probation Department reserve funds and is not part of the state-required contingency budget. This change to the project is by special request from the Probation Department to take advantage of construction interruptions and current staff relocation at the facility. The new flooring work does not meet the state guidelines for contingency budget category usage. For this reason, the costs for new flooring are not included with other contingencies that meet the state requirements. Costs for Change Order 13.0 totaled \$197,463.12 and includes thirty-five (35) days extension of construction schedule granted of which \$17,943.65.00 are to be recognized by the state as acceptable “contingency” change orders.

The construction contingency budget for all cumulative change orders 1.0-13.0 totals \$258,887.00 from the original budget “Contingency” of \$766,900.00 and with \$508,013.00 remaining. The cumulative change orders 1-13 have granted a total of one hundred fifty-three (153) days of time extension to the original construction contract.

**FINANCIAL IMPACT:**

Change Orders 10.0, 11.0 and 12.0 are consistent with construction contingencies under the original project budget as approved by the State and Humboldt County. There are sufficient funds budgeted in the Capital Projects budget, 1100-170.

Change Order 13.0 also is consistent with construction contingency except for the Probation Building asbestos removal and flooring replacement, which will be funded from Probation Department’s share of the fiscal year 2021-2022 General Fund budget as approved at the Board of Supervisors meeting of June 21, 2021. Facility interior design improvements to the Probation Building do not meet the requirements of the state agreement and do not qualify for contingency treatment like the other change orders. The funding for the asbestos removal and flooring replacement has been included in the approved fiscal year 2021-2022 budget for Probations Juvenile Hall budget unit 1100-234.

**STRATEGIC FRAMEWORK:**

The recommended actions support the Board of Supervisors’ Strategic Framework by providing for and maintaining infrastructure.

**OTHER AGENCY INVOLVEMENT:**

California Board of State Community Corrections; California State Public Works Board; California State Department of Finance; California Department of Corrections and Rehabilitation

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board may choose not to approve Change Orders 10.0, 11.0, 12.0 and/or 13.0. However this alternative is not recommended since the work covered thereby is necessary to complete the project in a safe manner and benefits the safety and usability of the project and will adversely affect the timely completion of this project.

**ATTACHMENTS:**

- Change Order No. 10.0
- Change Order No. 11.0
- Change Order No. 12.0
- Change Order No. 13.0

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: G-6; H-3; C-8; C-8; C-17; C-25; C-10; C-18; C-18; H-5; C-19-; C-12; C-15; C-37; C-13; C-21

Meeting of: 2/3/11; 4/10/12; 11/27/12; 12/11/12; 5/14/13; 8/13/13; 4/8/14; 7/1/14; 10/6/15; 11/30/15; 5/31/16; 6/7/16; 8/16/16; 6/27/17; 12/11/18; 2/19/19

File No.: 19-153, 20-202, 20-207

