



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

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**Title:** 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 Ratify Agreement with Thyssenkrupp Elevator Corporation

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Change Order 4, 3. Executed TK Agreement

Date	Ver.	Action By	Action	Result
6/23/2020	1	Board of Supervisors	approved	Pass

**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 Ratify Agreement with Thyssenkrupp Elevator Corporation

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize the Purchasing Agent to sign the fourth Change Order for the ADA DOJ Consent Decree Barrier Removal at the Mental Health Facility, Project Number 2018-402; and
2. Ratify the agreement signed by the Purchasing Agent on Aug. 20, 2019, with Thyssenkrupp Elevator Corporation for ADA barrier removal at the Mental Health Facility.

### 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 Humboldt County Americans with Disabilities

Act 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 that 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 May 1, 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
- 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 four change orders to the project scope to date.

Change Order 1 in the amount of \$12,766.96, resulted from:

- Uncovering a broken electrical service vault that required replacement prior to completion of the path of travel upgrades.
- Discovering sub-standard framing studs inside the patient room restroom, which also contained asbestos laden fire proofing requiring 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 in the amount of \$15,244.63, resulted primarily from:

- Discovery of additional asbestos containing materials.
- The addition of plumbing for a new high/low drinking fountain in the lobby required under the DOJ Consent Decree.

Change Order 3 in the amount of \$33,770.44, resulted from:

- 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.

- Replacement of an aging and deficient waste line in restroom 106 discovered after wall coverings were removed.

Before you today is Change Order 4 in the amount of \$45,901.76, resulting from discovery of the following building deficiencies:

- A new door and frame were necessary as the plans called to reverse the existing door swing. After field investigation, it was determined that the existing door and frame could not be altered to swing in the direction allowing for the required maneuvering clearances defined in the ADA.
- During demolition of a wall to re-plumb a toilet, a considerable amount of previously unknown pipes were found in the wall and had to be relocated in order install the new toilet waste lines to meet appropriate toilet clearances as outlined in the ADA.
- A ceiling access door and water shut off valves were required to be installed as the existing shutoff valves had failed.
- A ceiling access hatch had to be installed as a cost saving measure to gain access to relocate a vent pipe found where the new accessible shower was to be located.
- The relocation of an existing toilet flange was required as the existing location would not allow for an ADA compliant wall mount toilet to be installed.

The primary change order expense in this request is due to the program's staff requesting contractor not remodel more than one area of the building at a time. Bid documents did not contain this phased approach requirement. This caused three months of additional contractor supervision and added costs for supplementary mobilizations.

Due to an administrative oversight the agreement with Thyssenkrupp Elevator Corporation was signed by the Purchasing Agent on Aug. 20, 2019 to complete ADA barrier removal elevator work contained in the DOJ Consent Decree on or before Sept. 7, 2019. Today, staff recommend that your Board ratify that agreement. Due to the complexity of the required barrier removal and age of the elevator this work was recently completed and is pending a Certified Access Specialist inspection for compliance.

#### FINANCIAL IMPACT:

The original contract sum with ACGC combined with Change Orders 1, 2 and 3 is \$344,787.03. This combined with the \$45,901.76, Change Order 4, establishes a revised current contract value of \$390,688.79.

The Thyssenkrupp Elevator Corporation agreement for elevator ADA improvements totals \$65,730.

Including design work and other project costs of \$90,781, the change order contained in today's report brings the total project cost to \$547,200. The ADA Compliance budget, 3552-152, has sufficient funds for these cost increases budgeted in fixed assets due to cost savings in other projects.

#### 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 4 or approve the supplemental request however, this is not recommended as the county may be subject to fines for non-compliance, as the Mental Health Facility was a facility identified by the DOJ in the consent decree with ADA barriers that must be removed and the project is currently under construction and cannot be completed until the corrective measure cost increases are approved.

ATTACHMENTS:

Change Order 4  
Thyssenkrupp Agreement

PREVIOUS ACTION/REFERRAL:

Board Order No.: C10, C5, C4  
Meeting of: 4-2-2019, 7-9-2019, 1-14-2020  
File No.: 19-422, 19-762, 19-1810