



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

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Fifth District

DATE: February 28, 2023

08

TO: Board of Supervisors

SUBJECT

GENERAL SERVICES – AUTHORIZATION OF A CHANGE ORDER TO THE CONSTRUCTION MANAGER AT RISK CONTRACT FOR SAN DIEGO CENTRAL JAIL ELEVATOR MODERNIZATION PROJECT (DISTRICT: 1)

OVERVIEW

On September 13, 2016 (22), the Board of Supervisors (Board) authorized the Director, Department of Purchasing and Contracting, for a period of five years, to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code and Public Contract Code Section 20146 to advertise and award Construction Manager at Risk contracts for various projects up to \$10 million.

On December 8, 2018, after a successful RFP, the County awarded a Construction Manager at Risk Contract (#559290) to Balfour Beatty Construction, LLC for the San Diego Central Jail Elevator Modernization project. The project was commenced in response to meet the operational needs of the facility and includes modernizing eight elevator systems, as well as making accommodations for connecting the Central Jail with the underground tunnel used to access the Downtown Courthouse. At the time of the procurement and contract award the expected scope of the project was to modernize eight elevators and the expected budget for the project was \$9.7 million.

When the project was planned in 2016, specialized parts required to operate elevator doors located throughout multiple floors of the building were working, and replacement parts were readily available. These parts were not included in the scope of the modernization project. As of today, those parts are now experiencing end of life issues, have become obsolete by the manufacturer, and cannot be found for replacement. Due to a change in availability of parts required for regular maintenance from the elevator manufacture, an estimated 73 sets of elevator doors now need to be replaced to complete the elevator modernization project and allow the Sheriff to operate the facility. The change will cost approximately \$700,000.

Today's actions request the Board to authorize a change order to construction contract #559290 for the San Diego Central Jail Elevator Modernization project. If approved, the additional required doors are expected to be installed by November 2023.

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RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Authorize the Director, Department of Purchasing and Contracting, in accordance with Public Contract Code Section 20137, to execute a change order or change orders with Balfour Beauty Construction, LLC, not to exceed \$700,000 to include the replacement of additional elevator doors. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The authorization to issue a change order to a construction contract for the Elevator Modernization Project at San Diego Central Jail will have a positive effect on all occupants at the facility including Black, Indigenous, and People of Color (BIPOC) communities who may be disproportionately represented in the justice system by providing modern infrastructure in the facility.

SUSTAINABILITY IMPACT STATEMENT

The authorization to issue a change order to a construction contract for the Elevator Modernization project at the San Diego Central Jail would contribute to the County of San Diego’s Sustainability Goals of engaging the community, providing equitable access for justice-involved individuals, and protecting the health and wellbeing of vulnerable individuals as they enter and leave custody.

FISCAL IMPACT

Department of General Services

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan for the Department of General Services, Major Maintenance Internal Service Fund (MMISF). Existing appropriations of \$11,200,000 in the MMISF are included for the San Diego Central Jail Elevator Modernization project. The funding source is an internal agreement with the Sheriff’s Department. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Expenditures resulting from this action will create private sector jobs and economic opportunities in San Diego County.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The implementation of Public Contract Code section 20146 allows a county, with approval of the Board of Supervisors (Board), to utilize Construction Manager at Risk (CMAR) construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county. The CMAR delivery method allows the County to hire a construction manager early in the process to work collaboratively with the County’s design team, which is

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contracted for separately under Board Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, and later with the general contractor. This collaborative effort between the CMAR, general contractor, and the design effort allows for design reviews and suggested cost saving alternative methods of construction at an earlier stage in the design process.

On September 13, 2016 (22), the Board authorized the Director, Department of Purchasing and Contracting, for a period of five years, to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code and Public Contract Code Section 20146 to advertise and award Construction Manager at Risk contracts for various projects up to \$10 million.

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This change will impact the contract by approximately \$700,000 and will exceed the Department of Purchasing and Contracting's \$10 million authority. It is expected that the new contract amount will be approximately \$10.4 million. There will be no change to the overall project budget.

The contractor is currently in the construction phase with 6 of the 8 elevator systems modernized. The work needs to be done sequentially to minimize the impact to Sheriff operations. Issuing a change order to the existing contract will allow the contractor to modernize elevator doors for all elevator systems impacted by the availability of specialized parts needed to open and close the doors. This would in turn allow the County to leverage economies of scale, ensure the work can be performed in sequential order, and minimize the disruption, confusion, and increased overhead costs that can result from having multiple prime contractors on site.

Today's action requests the Board to authorize the issuance of a change order to construction contract #559290 for the San Diego Central Jail Elevator Modernization project. If approved, the estimated time of completion is November 2023.

ENVIRONMENTAL STATEMENT

The proposed San Diego Central Jail Elevator Modernization project is exempt from the California Environmental Quality Act (CEQA) under Article 5, Section 15061(b)(3) of the CEQA Guidelines, as the activity does not have the potential for causing a significant effect on the environment and it can be seen with certainty that the replacement of elevator equipment within an existing facility would not have a significant effect on the environment. Therefore, the activity is not subject to CEQA.

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LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed action to authorize a change order to the construction contract for San Diego Central Jail Elevator Modernization project aligns with the Empower Strategic Initiative in the County of San Diego’s 2023-2028 Strategic Plan by providing modern infrastructure, innovative technology and appropriate resources to ensure superior service delivery to our customers.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

N/A