

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

191



FROM: Economic Development Agency

SUBMITTAL DATE:
April 10, 2014

SUBJECT: United States Government – United States District Court and United States Bankruptcy Court Heating, Ventilation and Air Conditioning Replacement Project – Approval of Contract through Easy Indefinite Quantity Contract and Project Budget, District 2/District 2, [\$999,286], General Fund-Court Facilities Fund-40% and Lease Payment from GSA-60%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize use of the Easy Indefinite Quantity Contract (EZIQC) sponsored by the National Joint Powers Alliance (NJPA) for a construction agreement with ACCO Engineered Systems to complete the United States (US) Government – United States (US) District Court and United States (US) Bankruptcy Court Heating, Ventilation and Air Conditioning (HVAC) Replacement Project;
2. Approve the plans, specifications and contract documents for the US Government – US District Court and US Bankruptcy Court HVAC Project;

(Continued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 67,000	\$ 932,286	\$ 999,286	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 26,800	\$ 372,914	\$ 399,714	\$ 0	
SOURCE OF FUNDS: General Fund-Court Facilities Fund-40%; Lease Payment from GSA-60%				Budget Adjustment: No For Fiscal Year: 2013/14 – 2014/15	

C.E.O. RECOMMENDATION:

APPROVE

BY:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY:
 Esteban Hernandez
 Departmental Concurrence

FORM APPROVED COUNTY OF RIVERSIDE
 BY:
 P. VICTOR
 DATE: 4/14

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 3-19 of 1/07/14; 3.31 of 8/28/12

District: 2/2

Agenda Number:

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SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Economic Development Agency

FORM 11: United States Government – United States District Court and United States Bankruptcy Court Heating, Ventilation and Air Conditioning Replacement Project – Approval of Contract through Easy Indefinite Quantity Contract and Project Budget; District 2/District 2, [\$999,286], General Fund-Court Facilities Fund - 40% and Lease Payment from GSA - 60%

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RECOMMENDED MOTION: (Continued)

3. Approve the attached construction agreement between the County of Riverside and ACCO Engineered Systems(ACCO) of Glendale, California, in the amount of \$953,286 and authorize the Chairman of the Board to execute the agreement on behalf of the county;
4. Authorize the Assistant County Executive Officer/EDA to administer the agreement in accordance with applicable Board policies; and
5. Approve the additional cost of \$999,286 to begin construction of the US Government – US District Court and US Bankruptcy Court HVAC Replacement Project and set forth the total project budget of \$1,099,286 overall.

BACKGROUND:

Summary

On October 11, 2011, the Board of Supervisors ratified membership of the County of Riverside in the NJPA evidenced by the attached membership agreement. The county's membership in NJPA allows participation in the EZIQC program. The Gordian Group, the county's consultant for Job Order Contracting (JOC), administers the EZIQC program, which operates in the same manner as JOC in which firms bid competitively against a construction task catalogue (CTC) that has fixed market based prices. EZIQC is a contract procurement method that allows the Economic Development Agency (EDA) to move more quickly to the construction phase and deliver projects sooner.

The United States Federal Government currently holds a leasehold interest in the county owned property also known as the US Bankruptcy Court, located at 3420 12th Street, Riverside, California and US District Court located at 3470 12th Street, Riverside, California. The original lease was executed on December 21, 1994 for the US Bankruptcy Court and April 7, 1998 for the US District Court. As a requirement of both leases, the county is responsible for the total maintenance and repair of the leased premises. The US Bankruptcy Court building was completed in approximately 1997 and the US District Court was completed in approximately 1998. The HVAC units have been regularly maintained, but due to their extended use, are nearing the functional life expectancy and require replacement. In an effort to avoid potential HVAC failures and critical court downtime, the county is proposing to replace all six existing HVAC units for the US Bankruptcy Court and the US District Court prior to summer 2014. The US Bankruptcy Court holds four HVAC units and the US District Court holds two HVAC units. This effort is part of the county's commitment to provide a high level of customer service and satisfaction to the courts which provide an important economic impact to the region by their presence.

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BACKGROUND:

Summary (Continued)

On January 7, 2014, the Board of Supervisors approved Item 3-19, which approved the US Government – US District Court and US Bankruptcy Court HVAC Replacement Project in-principle and authorized funding for project development costs which consist of design, project management, testing and inspection. On August 28, 2012, the Board of Supervisors approved a pre-qualified list of architectural and engineering firms to be retained on an as-needed basis. EDA selected Shadpour Consulting Engineers, Inc. (Shadpour) from the pre-qualified list to provide mechanical engineering services for the US Government - US District Court and US Bankruptcy Court HVAC Replacement project.

Shadpour has completed the plans and specifications, and EDA has approved the plans and specifications for the project. The plans and specifications were provided to ACCO, an approved EZIQC contractor, for review and a job walk was held at the site on February 10, 2014. Following review of the project site, plans and specifications, ACCO submitted their proposal in accordance with the EZIQC contract in the amount of \$953,286.

Approval of the plans and specifications and construction agreement via the NJPA's EZIQC program will expedite the delivery of the US Government – US District Court and US Bankruptcy Court HVAC Replacement project.

Impact on Residents and Businesses

The replacement of the HVAC units will increase the comfort levels for visitors and employees at the courthouses and increase the likelihood that the courts will continue our long established partnership through their occupancy of these vital facilities in the downtown Riverside region. The State of California Employment Development Department reported that the annual income for legal occupations in Riverside, San Bernardino and Ontario is approximately \$91,060. Both courthouses employ approximately 125 personnel, which include judges, judicial law clerks, legal assistants, court reporters, interpreters and other various legal and business support staff.

The US Government - US District Court and US Bankruptcy Court HVAC Replacement project will allow regional construction companies to bid and provide important temporary construction jobs to our economy. Retaining the design professionals, construction workers and legal occupations in Riverside helps support local businesses which includes restaurants, specialty businesses, and gasoline stations; support local taxes and public services.

Additional Fiscal Information

(Commences on Page 4)

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Additional Fiscal Information

The approximate allocation of the overall project budget is as follows:

DESCRIPTION	PREVIOUSLY APPROVED DEVELOPMENT COSTS	ADDITIONAL COSTS TO SET FORTH THE PROJECT BUDGET	TOTAL PROJECT BUDGET
Design	45,000	15,000	60,000
Construction	0	953,286	953,286
Project Management	25,000	0	25,000
Specialty Inspection and Testing	15,000	0	15,000
Facilities Management Services	0	10,000	10,000
Project Contingency	15,000	21,000	36,000
Project Budget Summary	\$ 100,000	\$ 999,286	\$ 1,099,286

On January 7, 2014, the Board of Supervisors approved the development costs of \$100,000 to begin design and identify the project scope for the US Government – US District Court and US Bankruptcy Court HVAC Replacement project. EDA is ready to begin the installation of the HVAC system and is requesting the approval of \$999,286 to complete the project, setting forth the total project budget in the amount of \$1,099,286.

Expenditures for FY 2013/14 are estimated at \$67,000; expenditures for FY 2014/15 are estimated at \$932,286. All costs associated with this project will be reimbursed from the General Fund-Court Facilities Fund in the estimated amount of \$399,714 at 40%, and Lease Payment from GSA Fund in the estimated amount of \$599,572 at 60%, thus no additional net county costs will be incurred and no budget adjustment is required at this time.

Contract History and Price Reasonableness

On August 20, 2013, ACCO was awarded the NJPA EZIQC contract via a public bidding process. ACCO was selected after bidding a competitive cost adjustment factor of 1.41 in accordance to the NJPA bid and contract documents for prevailing wage work performed outside of normal working hours. As a NJPA member, the County of Riverside can utilize EZIQC contracting to expedite delivery of projects based on the fair market prices for construction goods and services in the CTC.

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Contract History and Price Reasonableness (Continued)

In accordance with the EZIQC contract, ACCO provided a responsible and responsive proposal for the US Government – US District Court and US Bankruptcy Court HVAC Replacement project. Cost reasonableness for the project is achieved by the fair market value of the construction goods and services established in the CTC being provided in a lump sum proposal for the costs adjustment factor that reduces the amount to one dollar and forty-one cents.

Each NJPA EZIQC contract has a limit of \$2 million per year, and options for a total of four years. The contractor has a maximum potential for \$8 million of work if the full term of the contract is exercised. County Counsel has reviewed and approved the EZIQC contract documents as to form.

Attachments:

Copy of Membership to National Joint Powers Alliance
Plans and Specifications
Construction Agreement with ACCO Engineered Systems