



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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"To Enrich Lives Through Effective And Caring Service"

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November 05, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

36 November 5, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS:
CAMP VERNON KILPATRICK REPLACEMENT PROJECT
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED TOTAL PROJECT BUDGET
AWARD DESIGN-BUILD CONTRACT
SPECS. 7175; CAPITAL PROJECT NO. 77295
(THIRD DISTRICT)
(3 VOTES)**

SUBJECT

This is a joint recommendation with the Chief Probation Officer to approve an appropriation adjustment, revise the total Project budget, award a design-build contract with Bernards Bros. Inc., and authorize the Department of Public Works to execute the design-build contract with Bernards Bros. Inc., for completion of the Camp Vernon Kilpatrick Replacement Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the award and execution of the design-build contract are within the scope of the previously adopted Mitigated Negative Declaration for the Camp Vernon Kilpatrick Replacement Project.
2. Approve the appropriation adjustment, which transfers \$4,019,000 in appropriation from Provisional Financing Uses-Services and Supplies, to the Fiscal Year 2014-15 Capital Projects/Refurbishments Budget, under Capital Project No. 77295, to fully fund the Camp Vernon Kilpatrick Replacement Project.
3. Approve the revised total Project budget of \$52,241,456 for the Camp Vernon Kilpatrick

Replacement Project, and authorize the Director of Public Works, or her designee, to carry out the Project.

4. Find that Bernards Bros. Inc., is the responsive and responsible bidder that submitted the most advantageous and best value proposal to the County for design and construction of the Camp Vernon Kilpatrick Replacement Project using the design build project delivery method, based on the best value criteria stated in the Request for Proposals, including qualifications, technical design, construction expertise, proposed delivery plan, price, skilled labor force availability, design excellence, acceptable safety record, and lifecycle cost.

5. Award a design-build contract to Bernards Bros. Inc., and authorize the Director of Public Works, or her designee, to execute the design-build contract with Bernards Bros. Inc., for a contract sum of \$33,274,100, and a maximum contract sum of \$34,674,100 (inclusive of a design completion allowance of \$1,400,000), subject to receipt by the County of acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of required contract insurance filed by the design-build entity.

6. Authorize the Director of Public Works, or her designee, to exercise control of the design completion allowance, including the authority to reallocate the allowance into the contract sum, as appropriate, to resolve cost issues with Bernards Bros. Inc., that are identified during the design phase of the Project, such as changes resulting from unforeseen conditions, including construction related impacts.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will approve an appropriation adjustment, revise the total Project budget, and award a design-build contract to Bernards Bros. Inc., and authorize the Department of Public Works (Public Works) to execute the design-build contract with Bernards Bros. Inc., to complete design and construction of the Camp Vernon Kilpatrick Replacement Project (Project). The Project site is located at 427 South Encinal Canyon Road, Malibu, California 90265.

Project Background and Description

The Project will design and construct a new, approximately 65,000 square-foot facility on approximately 11 acres of the greater 142 plus acres of County-owned land in Malibu. The new facility will provide approximately 120 beds and provide housing and program space for moderate to high-risk juvenile offenders.

The housing space will consist of approximately 25,000 square feet and will include five buildings (living units) with open dormitory style housing. These buildings will contain two semi-autonomous dormitories of 12 residents each. Each living unit will include personal laundry, administration and support, and counseling rooms. Each dormitory, within the living unit, will have a toilet/shower space, a group meeting room, a recreation/activity room, and an outside patio.

The facility includes an administration building with administration and Probation Department (Probation) staff offices; security administration that includes conference rooms, central control, communications room, intake/release/transportation, and public waiting; staff support space that includes staff sleeping rooms, restrooms, and showers; and medical and mental health services space that includes nurses station/offices, medical observation room, exam room, telemedicine exam room, and medical storage. The facility also includes a maintenance/warehouse building that

will provide storage, laundry, network/communications room, and trash/recycling holding.

In addition, the facility includes a support building that will provide education and vocational services, multipurpose space, which includes an indoor gymnasium, a dining area, and a kitchen. The educational space will provide curriculum for General Education Development (GED) testing, comprehensive high school, vocational training, and college-bound students.

The Project scope will include, but not be limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; perimeter fencing; fire protection systems; parking lots; sally port; landscaping; outdoor recreation courts and multi-purpose recreation field with running track; and emergency access roads.

On August 4, 2014, the Board awarded and authorized Public Works to execute an agreement with National Demolition Contractors to provide demolition/abatement services for the Project. Demolition activities are currently underway at the site to prepare for the Project's construction. Upon demolition and design completion, the Project's construction is anticipated to take 20 months to complete.

Revised Project Budget

Between June through September 2014, Public Works issued a Request for Proposals (RFP) and initiated an evaluation process to select a firm for design-build services for the Project. During the prequalification process and evaluation of interested design-build firms, it was determined that Bernards Bros. Inc.'s design-build proposal was found to have submitted the best value and most advantageous proposal to perform these services in accordance with the evaluation criteria stated in the RFP; however, the proposal cost was \$4.0 million over the previously estimated construction allocation.

Upon Project scope and budget evaluation by Public Works, Probation, and the Chief Executive Office (CEO), it was determined that significantly curtailing Project scope would be detrimental to the Project because the proper facility infrastructure and amenities would not be in place to allow Probation, the Los Angeles County Office of Education, and the Department of Mental Health (DMH) to effectively deliver a new rehabilitative treatment model to the incarcerated youth. Therefore, it is recommended that the Project budget be supplemented with additional funding to maintain the existing scope of work for the Project. Approval of the recommended actions is needed to initiate final design and construction of the Project.

Design Completion Allowance

The \$1,400,000 design completion allowance is intended to facilitate the resolution of issues identified only during the design phase of the Project, including issues concerning the County's scoping documents or changes required by jurisdictional agencies or due to unforeseen conditions discovered during design, including any increased design or construction costs associated therewith. The inclusion of the design completion allowance will facilitate the design decision process and minimize potential delays that could occur with design phase issues.

The use of the design completion allowance will be controlled by Public Works, with concurrence from the CEO, to reallocate funds from the design completion allowance into the contract sum.

Green Building/Sustainable Design Program

The proposed Project will support the Board's Green Building/Sustainable Design Program by incorporating into the Project design and construction sustainable features to optimize energy and water use, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Operational Effectiveness/Fiscal Sustainability (Goal 1), by maximizing the effectiveness of process, structure, operations, and strong fiscal management, to support timely delivery of customer oriented and efficient public services. It also directs us to provide Integrated Service Delivery (Goal 3), by maximizing opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services to provide a facility that enhances operations and the delivery of Probation youth rehabilitative services.

FISCAL IMPACT/FINANCING

The revised total Project budget is \$52,241,456, which includes plans and specifications, plan check, demolition, construction, equipment, consultant services, Arts Commission fee, miscellaneous expenditures, and County services. The Project Budget Summary is included in Attachment A.

Approval of the attached appropriation adjustment will transfer \$4,019,000 in appropriation from Provisional Financing Uses-Services and Supplies, to the Fiscal Year (FY) 2014-15 Capital Projects/Refurbishments Budget, under Capital Project No. 77295, to fully fund the Project.

The Project is funded with \$28,728,000 of State revenue from the Construction, Expansion, or Renovation of Local Youth Offender Rehabilitative Facilities Construction Program authorized under Senate Bill (SB) 81, and \$19,495,000 of prior year net County cost currently appropriated within the FY 2014-15 Capital Projects/Refurbishments Budget, under Capital Project No. 77295. Upon Board approval of the attached appropriation adjustment, the net County cost allocation will increase to \$23,514,000 from \$19,495,000.

Operating Budget Impact

An additional \$1,565,000 in ongoing operational costs is required to fund 13.0 positions (1.0 Assistant Probation Director, 6.0 Deputy Probation Officer (DPO) II's and 6.0 Group Supervisor Nights (GSN)) for the Project. The 6.0 DPO II positions are needed to address the increased workload associated with implementing the Integrated Treatment Model (ITM) which includes Dialectical Behavior Training. These positions will work directly with juveniles, on either a 4/40 or 5/40 shift, providing treatment services only. Since their duties are not custodial in nature, staff will not be eligible for the 56-hour work program. The treatment based DPO II will be a special assignment. Only those staff agreeing to the 4/40 or 5/40 shift will be approved for the position. The 6.0 GSN positions are needed to maintain a supervision ratio of 1:30 and address the change in dormitory design from an open single building concept to multiple smaller buildings, which increases the number of dormitories requiring supervision during sleep hours. The 1.0 Assistant Probation Director position will provide additional management oversight of the camp's operations.

For the ITM program by DMH and the Department of Health Services (DHS), an additional \$1,027,000 is needed to fund positions. DMH will need \$717,000 to fund 7.0 positions (1.0 Mental Health Clinical Supervisor, 5.0 Psychiatric Social Workers, and 1.0 Intermediate Typist Clerk), and

DHS will need \$310,000 to fund 3.0 positions (3.0 Registered Nurse I) once Camp Kilpatrick reopens. Additionally, furniture, fixtures, and equipment (FF&E) one-time costs estimated at \$1,500,000 is needed to furnish the replacement camp in FY 2015-16 (i.e., one year prior to opening of the new camp). Funding would offset the costs to furnish the Probation, DMH, and DHS offices, DPO sleeping quarters, classrooms for educational and vocational studies, and various other items.

Funding for these additional positions as well as one-time FF&E costs has not been identified. However, the Project will not be completed and fully operational until FY 2016-17. In the interim, the CEO and Probation will continue to work together to identify a funding source; as well as indicate the \$1,565,000 in ongoing funding for Probation, \$1,027,000 in ongoing funding for ITM services (both adjusted annually as needed), and \$1,500,000 in one-time costs; as a funding requirement in its Multi-Year Forecast.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The design-build contract with Bernards Bros. Inc., contains terms and conditions supporting the Board's ordinances and policies, including but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy No. 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy No. 5.060, Reporting of Improper Solicitations; Board Policy No. 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy No. 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrender Baby Law).

As required by the Board, language will be incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

As required by the Board, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund per the Board's Civic Art Policy adopted on December 7, 2004, and subsequently amended on December 15, 2009.

Further, various SB 81 grant-related agreements are currently being executed with the State. The execution of these agreements will allow the County, upon contract award, to request approval from the California Department of Finance and the Pooled Money Investment Board, which will allow the County to finalize the Contract with the selected Design Builder and to issue a Notice to Proceed.

ENVIRONMENTAL DOCUMENTATION

On November 26, 2013, the Board adopted the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Project. Approval of the award and execution for the design-build contract are within the scope of the Project in the adopted MND.

CONTRACTING PROCESS

On June 5, 2014, Public Works issued a RFP for design-build services for the Project. This contract opportunity was listed in the County's "Doing Business with Us" website.

The first phase of the RFP process was the submittal of a prequalification questionnaire (Part A) by all interested design-build firms. On June 24, 2014, four prequalification questionnaires were received for evaluation. The prequalification questionnaires were reviewed by an evaluation committee made up of members from the CEO, Probation, and Public Works. The evaluation was made based on responses to questions concerning the business type and ownership of each design build entity, evidence of the design-builder's experience and capacity to perform projects of similar size and complexity, licenses, registration, credentials, violations of State and Federal labor codes and safety regulations, debarment, default, bankruptcy, lawsuits on public works projects in the preceding five years, and other relevant criteria. Based on the review and evaluation of the prequalification questionnaires, three firms were determined to be prequalified. In accordance with the shortlisting requirements in the RFP, the top three firms were shortlisted and invited to submit technical and cost proposals (Part B) for the Project.

On September 25, 2014, the top three design-build firms submitted technical and cost proposals for evaluation. The technical and cost proposals were evaluated by the evaluation committee based on technical design and construction expertise, proposed delivery plans, price, life cycle costs, skilled labor force availability, acceptable safety record, design excellence, and design-build team personnel and organization. Final ranking of the proposers is listed in Attachment B. Bernards Bros. Inc., in its design-build proposal was found to have submitted the best value and most advantageous proposal to perform these services under the design-build delivery method, in accordance with the evaluation criteria stated in the RFP. These evaluations were completed without regard to race, creed, color, or gender.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Bernards Bros. Inc., Community Business Enterprises participation data and three-year contracting history with the County are on file with Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects during the performance of the recommended service. However, there will be impacts on the current County services related to Probation's operations during the course of construction while Camp Kilpatrick is temporarily vacated.

The Sports Program at Camp Kilpatrick was suspended for the spring 2014 sports season. The Sports Program has resumed its fall 2014 sports season at Probation's Challenger Memorial Youth Center.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division; and to the Department of Public Works, Project Management Division II.

The Honorable Board of Supervisors

11/5/2014

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Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer



JERRY E. POWERS
Chief Probation Officer

WTF: JEP:SHK
DJT:TJ:AH:zu

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Auditor-Controller
Probation
Public Works

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
CAMP VERNON KILPATRICK REPLACEMENT PROJECT
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED TOTAL PROJECT BUDGET
AWARD DESIGN-BUILD CONTRACT
SPECS. 7175; CAPITAL PROJECT NO. 77295
(THIRD DISTRICT)
(3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Project Scoping Document	January 2014
Design and Construction Award	November 2014
Construction Substantial Completion Occupancy Acceptance	October 2016 January 2017 June 2017

November 5, 2014

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
CAMP KILPATRICK REPLACEMENT PROJECT
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED TOTAL PROJECT BUDGET
AWARD DESIGN-BUILD CONTRACT
SPECS. 7175; CAPITAL PROJECT NO. 77295
(THIRD DISTRICT)
(3 VOTES)**

The Camp Vernon Kilpatrick Replacement Project will design and construct a new probation camp on approximately 11 acres of the greater 142 plus acres of County owned land in Malibu. The new facility will provide approximately 120 beds and provide housing and program space for moderate to high-risk juvenile offenders. The Project site is located at 427 South Encinal Canyon Road, Malibu, California 90265.

Request for Proposal Date: June 5, 2014

Proposer Ranking from Most Advantageous to Least:

	<u>Informed Average</u>	<u>Proposed Cost</u>
1. Bernards Bros. Inc.	770	\$34,996,100
2. Balfour Beatty Construction	589	\$41,402,869
3. Pankow	527	\$45,041,132

The design-build agreement for the construction of the Camp Kilpatrick Replacement Project will be issued to Bernards Bros. Inc., for a total of \$34,674,100 (including a \$1,400,000 design completion allowance).

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S. NO. 060

DEPARTMENT OF CHIEF EXECUTIVE OFFICE

November 5, 2014

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2014-15

3 - VOTES

SOURCES

USES

PROVISIONAL FINANCING USES - VARVIOUS
A01-CB-2000-13749-13760
SERVICES AND SUPPLIES \$4,019,000
DECREASE APPROPRIATION

PROBATION
REPLACEMENT CAMP
A01-CP-6014-65042-77295
CAPITAL ASSET - B & I \$4,019,000
INCREASE APPROPRIATION

SOURCES TOTAL: \$ 4,019,000

USES TOTAL: \$ 4,019,000

JUSTIFICATION

Reflects transfer of \$4,019,000 in appropriation from Provisional Financing Uses-Services and Supplies, to Capital Project No. 77295, to fully fund the Camp Vernon Kilpatrick Replacement Project.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

AUTHORIZED SIGNATURE Sabra White, Manager, CEO

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

36 NOV 05 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR ---

- RECOMMENDATION (checked)

AUDITOR-CONTROLLER

BY [Signature] Oct. 24 20 14

B.A. NO. 044

APPROVED AS REQUESTED (checked)

APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY [Signature] Oct 24 20 14