

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 15, 2009

Action Agenda,
Item No. 4-i

SUBJECT: Justice Center Facility Project Change Order and Revised Capital Project Ordinances

DEPARTMENT: Asset Management & Purchasing Services (AMPS), Financial Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):
Proposed Change Order
Capital Project Ordinances for:
Justice Center Facility
Emergency Services Relocation at Meadowlands

INFORMATION CONTACT:
Pam Jones, AMPS, 245-2652
Jeff Thompson, AMPS, 245-2658
Gary Humphreys, Financial Services, 245-2453
Paul Laughton, Financial Services, 245-2152

PURPOSE: To consider approving 1) a change order for the Justice Center Facility capital project in order to comply with life safety code issues, and 2) capital project ordinances for the Justice Center Facility and Emergency Services Relocation at Meadowlands projects.

BACKGROUND: The renovation phase of the Justice Center Facility project started in January 2009 and was scheduled for completion in June 2009. The completion was delayed while several options were explored to provide code worthy fire protection assemblies in the renovated areas. This extra effort was necessitated by a more destructive asbestos abatement procedure than was originally anticipated.

The original design for the renovation phase included several key tenets: 1) to utilize geothermal technology in the HVAC system for both existing and new space at the New Courthouse; 2) to resist the employment of sprinklers in the renovation area in order to preserve accidental water damage of the Mural Courtroom artwork; and 3) to update the electrical and lighting systems of the existing facility. No other major renovations were called for in design.

The demolition and asbestos abatement occurred in early 2009 to complete the electrical work and the installation of geothermal HVAC in the renovated area. Until the employees were moved from the existing building to the new addition, the extent of abatement that would be necessary could not be determined. In the final analysis, the removal of asbestos around radiators and existing HVAC ductwork required significant intrusion into the plaster areas of the existing Courthouse, which in turn compromised the fire rating assembly.

The build team, consisting of the designer (Corley Redfoot Zack Architects), Orange County Building Inspections, Hillsborough and Orange County Fire Marshals, and County Staff, worked closely through three iterations of re-design and cost evaluation over several months to arrive at the most efficient and lowest cost solution. The proposed design focuses on a building sprinkler

system that protects both the Mural and Battle courtrooms. The Mural sprinkler system will incorporate a dual triggered "pre-action" mechanism that will provide protection against the premature discharge of water onto the artwork and murals; water will only be discharged in the case of a fire in that area.

The construction scope and pricing based on this design is attached. Should this proposed change order and capital project ordinances be approved, completion of the facility will start immediately and will be completed in the first quarter of 2010.

FINANCIAL IMPACT: The attached change order for the Justice Center Facility project totals \$294,009. This project, with a currently approved budget of \$11,979,103, has available funds of \$157,000 towards this change order. Staff proposes the remaining \$137,009 needed to fund the change order be transferred from the Emergency Services Relocation at Meadowlands Capital Project. This amount also includes \$10,000 for contingencies that may arise during the sprinkler construction.

The Emergency Services facility has been completed for some time and currently has an unencumbered amount of approximately \$187,000 available. With the exception of installation of wire mesh window coverings sufficient to withstand flying debris in a high wind event, the project is complete. The cost of the window coverings has been set aside and is not included in the stated unencumbered amount.

RECOMMENDATION(S): The Manager recommends the Board: 1) Approve a change order in the amount of \$294,009 to the Justice Center Facility Project needed to comply with life safety code issues; 2) Approve the attached Justice Center Facility and Emergency Services Relocation at Meadowlands Capital Project Ordinances; and 3) Authorize the Manager to sign the change order.

Attach 1



B O R D E A U X
Construction Company Inc.

November 30, 2009

Ken Smith
Corley, Redfoot, Zack
222 Cloister Ct.
Chapel Hill, NC 27514

RE: Orange County Justice Expansion

Mr. Smith,
Bordeaux Construction Company, Inc. is hereby issuing a formal change proposal for the above referenced project for your review and approval.

CP #57R3 Summary of Changes per County Requested Revisions dated 09/25/09
"Code Revisions":

Mechanical Room XG 48

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls, New D/F/H.

- Labor: \$935.00
- Material: \$269.00
- Subcontractor: N/A
- Unit Prices (D/F/H) & (New Wall): \$1,185.00

"Non-Schedule Impacting Scope: New Base

- Subcontractor: \$120.00

Vestibule XG 49

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls, New D/F/H.

- Labor: \$2,574.00
- Material: \$838.00
- Subcontractor: N/A
- Unit Prices (D/F/H): \$5,000.00

"Non-Schedule Impacting Scope: New Base & Casing

- Subcontractor: \$2,640.00



B O R D E A U X
Construction Company Inc.

Storage XG02

"Schedule Impacting Scope": Remove D&H and New D&H.

- Unit Price (D/F/H): \$2,500.00

Non-Schedule Impacting Scope: New Base & Casing (N/A)

Vestibule XG01

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls:

- Labor: \$575.00
- Material: \$275.00
- Subcontractor: N/A

"Non-Schedule Impacting Scope: New Base & Casing

- Subcontractor: \$1,240.00

Stair XS-1

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls:

- Labor: \$4,780.00
- Material: \$1,920.00
- Subcontractor: N/A
- Unit Price (D/F/H): \$2,500.00

"Non-Schedule Impacting Scope: New Base & Casing

- Subcontractor: \$1,240.00

Stair XS-2

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls, New D/F/H.

- Labor: \$3,670.00
- Material: \$1,630.00
- Subcontractor: \$2,116.00 (Revisions per SK110509-A)
- Unit Prices (D/F/H): \$5,000.00

"Non-Schedule Impacting Scope: New Base & Casing

- Subcontractor: \$1,500.00



B O R D E A U X

Construction Company Inc.

Stair XS-1

"Schedule Impacting Scope": Demo, Fire Rating of Walls, New D/F/H.

- Labor: \$740.00
- Material: \$644.00
- Subcontractor: N/A
- Unit Prices (D/F/H): \$2,500.00

"Non-Schedule Impacting Scope: New Base & Casing (N/A)

Mural Courtroom

"Schedule Impacting Scope": Scaffolding and Cleaning

- Labor: \$720.00
- Material: \$288.00
- Subcontractor: \$10,262.00

Stair XS-2

"Schedule Impacting Scope": Demo, Remove D&F, New framing and patching, Fire Rating of Walls, New D/F/H.

- Labor: \$1,985.00
- Material: \$960.00
- Subcontractor: N/A
- Unit Prices (D/F/H): \$2,500.00

"Non-Schedule Impacting Scope: New Casing

- Subcontractor: \$1,000.00

Stair XS-1

"Schedule Impacting Scope": New framing and patching, Fire Rating of Walls, New D/F/H.

- Labor: \$1,550.00
- Material: \$375.00
- Subcontractor: N/A
- Unit Prices (D/F/H): \$2,500.00

"Non-Schedule Impacting Scope: New Casing

- Subcontractor: \$500.00



B O R D E A U X
Construction Company Inc

Ex. Lobby X201

"Schedule Impacting Scope": New framing and patching, Fire Rating of Walls, New D/F/H, Paint, Re-work Door X205

- Labor: N/A
- Material: N/A
- Subcontractor: \$2,140.00
- Unit Prices (D/F/H): \$965.00

"Non-Schedule Impacting Scope: New Casing

- Subcontractor: \$1,000.00

Attic Walkway

"Schedule Impacting Scope": Demo & Walkway Framing

- Labor: \$5,940.00
- Material: 4,400.00
- Subcontractor: N/A

"Non-Schedule Impacting Scope: (N/A)

Mechanical Revisions (Fire Dampers & Duct Removal & Re-Install per Inspections Dept. Revisions), Duct Insulation Removal and Re-Installation: \$23,682.00

Electrical Revisions:

1. (Life Safety Revisions per Inspections Dept. Revisions): \$19,651.00
2. Relocation of electrical panels in stairwell XS-1 as requested by OCBI office \$19,910.00
3. Patching of 70 sqft (\$20/sqft) of masonry wall demoed for piping \$1,400.00

Plumbing Revisions: (Oil Minder Pump per Bldg. Inspections Dept. Request) \$3,350.00

Sprinkler Revisions:

- **Furnish & Install complete Fire Protection System based on Shop Drawings received 11/24/09 \$100,000.00**



B O R D E A U X
Construction Company, Inc

BCC Direct Labor Cost: \$23,469.00
BCC Direct Material Cost: \$11,599.00
BCC Direct Subcontractor Cost: \$191,751.00
BCC Direct Unit Price Cost: \$24,650.00
Builders Risk: \$4,715.00
Change Order Bond: \$2,911.00
Taxes & Insurance on Labor: \$8,214.00
Sales Tax: \$898.00
BCC CO OH&P (Prime@15%): \$6,627.00
BCC CO OH&P (Subcontractors @10%): \$19,175.00

Total Cost: \$294,009.00

Please see the attached proposal breakdown and pricing from Bordeaux Construction Company. *If proposal is approved and executed by December 16th, 2009, the new "Final" Completion date for the above referenced project will be April 23rd, 2010*.*

**Upon acceptance of this proposal by the owner and execution of an change order by the owner; Bordeaux Construction reserves the right to review the schedule impact for code improvement revisions, the schedule impact of asbestos abatement revision and delays as associated with extended overhead cost, per revisions requested by Orange County Building Inspections Department.*

Sincerely,
Bordeaux Construction Company, Inc.

Chad Lloyd
Project Manager

**Justice Center Facility
Capital Project Ordinance**

Be it ordained by the Orange County Board of County Commissioners that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted.

- Section 1.** The project authorized provides funds for the construction of an addition to the Justice Center. This amendment provides for a transfer of sales tax proceeds of \$137,009 from the Emergency Services Relocation at Meadowlands Capital Project to this project to cover project costs.
- Section 2.** The officers of the County are hereby directed to proceed with the project within the total budget contained herein.
- Section 3.** The following revenue is anticipated to complete this project.

	FY 2008/09	Prior Amendments FY 2009-10	Amendment FY 2009-10 12-15-2009	FY 2009/10
Alternative Financing	\$10,200,000		\$0	\$10,200,000
2/3rds Net Debt Bonds	190,000		\$0	190,000
Sales Tax	497,961	\$1,091,142	\$137,009	1,726,112
Total	\$10,887,961	\$1,091,142	\$137,009	\$12,116,112

Section 4. The following amount is appropriated for this project

	FY 2008/09	Prior Amendments FY 2009-10	Amendment FY 2009-10 12-15-2009	FY2009/10
Design	\$1,032,961	\$341,142	\$0	\$1,374,103
Construction	9,855,000		\$137,009	9,992,009
Other		\$750,000	\$0	\$750,000
Total	\$10,887,961	\$1,091,142	\$137,009	\$12,116,112

- Section 5.** This ordinance supersedes any previous Capital Project Ordinances for this project.
- Section 6.** This ordinance shall remain in effect until the Board of County Commissioners takes action to amend the ordinance or close the project ordinance upon completion of the project.

Adopted this 15th day of December 2009.

**Emergency Services Relocation at Meadowlands
Capital Project Ordinance**

Be it ordained by the Orange County Board of County Commissioners that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project is hereby adopted.

Section 1. The project authorized provides funds for the purchase of the Meadowlands Drive facility and for upfitting the facility to accommodate the relocation of the Emergency Services Department. Proceeds from alternative financing, two-thirds net debt bonds, and transfers from other funds/projects finance the project. This amendment provides for the transfer of sales tax proceeds of \$137,009 from this project to the Justice Center Facility Capital Project.

Section 2. The officers of the County are hereby directed to proceed with the project within the budget contained herein.

Section 3. The following revenue is anticipated to complete this project:

	Through FY 2008-09	Amendment FY 2009-10 12-15-2009	FY 2009/10
Sales Tax	\$1,300,000	(\$137,009)	\$1,162,991
2001 Bonds	\$0	0	\$0
Private Placement	\$1,685,000	0	\$1,685,000
2/3 Net Debt Bonds	\$200,000	0	\$200,000
Transfer from Parks Operation Base Capital Project	\$222,765	0	\$222,765
Transfer from General Fund (Court Operations Reserve)	\$200,000	0	\$200,000
Transfer from Emergency Telephone Fund	\$60,958	0	\$60,958
Total Funding	\$3,668,723	(\$137,009)	\$3,531,714

Section 4. The following amount is appropriated for this project:

	Through FY 2008-09	Amendment FY 2009-10 12-15-2009	FY 2009/10
Land/Building	\$1,757,765	\$0	\$1,757,765
Planning/Architect/Eng	\$50,000	(\$37,009)	\$12,991
Construction	\$1,800,000	(\$100,000)	\$1,700,000
Equipment	\$60,958	\$0	\$60,958
Total Costs	\$3,668,723	(\$137,009)	\$3,531,714

Section 5. This ordinance shall be in effect from the original date of adoption, March 24, 2003, until June 30, 2010.

Adopted this 15th day of December 2009.