

**County of Santa Clara  
Facilities and Fleet Department**



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**DATE:** August 13, 2019

**TO:** Board of Supervisors

**FROM:** Jeffrey D Draper, Director, Facilities and Fleet

**SUBJECT:** Approve Pre-Qualification and Advertise Vietnamese-American Services Center Project

**RECOMMENDED ACTION**

Consider recommendations relating to the Vietnamese-American Services Center (VASC).

Possible action:

- a. Approve and authorize advertisement of the pre-qualification package for the VASC (Project No. 263-CP17011), and authorize the County Executive, or designee, to receive pre-qualification submittals by August 27, 2019 at 3:00 p.m., at the Facilities and Fleet Department (FAF) at 2310 North First Street, Second Floor, Suite 200, San Jose.
- b. Approve the Project, adopt plans and specifications, authorize advertisement of Contract Documents for the VASC (Project No. 263-CP17011), and direct the Clerk of the Board to open bids on Thursday, September 26, 2019 at 2:00 p.m., in the Office of the Clerk of the Board of Supervisors.
- c. Authorize the County Executive, or designee, to make clarifications, make minor changes, and issue addenda as necessary to the pre-qualification package, contract documents, and the advertisement including the timing of receipt of proposals.

**FISCAL IMPLICATIONS**

Funds for the construction phase are already available in the Capital Project 263-CP17011 "Vietnamese-American Service Center."

**CONTRACT HISTORY**

On September 11, 2018, Item 77, the Board of Supervisors (Board) approved the award of a Construction Manager at Risk (CMAR) contract to Gilbane Corporation in the amount of \$32,201,276, with an Supplemental Work Allowance (SWA) of \$1,600,000 for a total encumbrance of \$33,801,276 with a contract time of 240 calendar days for the pre-construction phase and 530 calendar days for the construction phase.

## **REASONS FOR RECOMMENDATION**

The pre-construction phase (Phase I) of the project was completed, and the CMAR's solicited subcontractor bids for the construction phase (Phase II). Unfortunately, the bids received increased the Guaranteed Maximum Price from \$31,790,436 to \$37,736,766, an increase of \$5,946,330 or 19 percent over budget.

Based on the limited number of subcontractor bids, both the design consultant, AEDIS Architects, and the construction management consultant, Swinerton Management & Consulting, recommended the County consider seeking more competition. FAF agrees with the consultants' analysis, FAF is recommending the use of the design-bid-build delivery method with prequalification of prospective general contractors to increase competition and hopefully receive lower bids to expedite the acquisition.

It is anticipated that the rebid will delay the project completion by 2 to 3 months in the overall project schedule. The construction time already allowed was very aggressive and reducing it more may increase costs and reduce number of bidders.

### **Prequalification Process**

To reduce risks and improve the likelihood of successful project delivery the Administration recommends pre-qualifying potential general contractors to ensure that only the most capable firms bid on the project. FAF plans to pre-qualify contractors via the following steps:

1. Using the standardized questionnaire and financial statement in a form specified by the public entity (Public Contract Code §20101[a]).
2. Adopting and applying a uniform system of rating bidders on objective criteria, on the basis of the completed questionnaires and financial statements (Public Contract Code §20101[b]).
3. Creating an appeal procedure, by which a contractor that is denied pre-qualification may seek a reversal of that determination (Public Contract Code §20101[d]).

A Review Panel will evaluate responses and determine the pool of Qualified Bidders.

### **Adopt Plans and Specs and Authorize Advertisement**

The associated construction documents are now ready for advertisement. Per Public Contract Code 20124, the Board is required to adopt the completed construction documents and authorize advertisement of the Invitation to Bid.

### **Modifications to Plans and Specs during Advertisement Period**

Authorization to the County Executive, or designee, to make minor modifications to the bid documents is needed to respond to clarifying questions raised by prospective bidders. If approved, the Administration will request ratification of any modifications at the time the contract award is recommended to the Board.

## **CHILD IMPACT**

This action will have no/neutral impact on children or youth.

## **SENIOR IMPACT**

This action will have no/neutral impact on seniors.

### **SUSTAINABILITY IMPLICATIONS**

This action will have no/neutral sustainability implications.

### **BACKGROUND**

On February 23, 2016, Item 12, the Board approved the designation of the County owned parcel located at Senter Road near Tully Road in San Jose as the site for the future VASC. It was the intent of the Board that the approximately 30,000 to 50,000 square foot building, along with a parking structure, house the VASC as well as other County services. The VASC will serve as a one-stop hub for the County's health and human services, supporting the delivery in a culturally sensitive and language-accessible manner.

### **CONSEQUENCES OF NEGATIVE ACTION**

The project would not be advertised at this time.

### **STEPS FOLLOWING APPROVAL**

Notify Roger Soohoo, Kim Huynh and Roberto Mendoza of FAF.

### **ATTACHMENTS:**

- Prequalification Questionnaire for VASC (PDF)
- VASC Doc 00 11 00 Notice to Bidders (PDF)