

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

August 20, 2024

FROM

DON DAY, Director, Project and Facilities Management Department

LYNN FYHRLUND, Chief Information Officer, Innovation and Technology Department

SUBJECT

Amendment and Change Order No. 2 to Construction Contract with Icon West, Inc. for the Acquisition and Improvements Project in Colton

RECOMMENDATION(S)

1. Approve **Amendment No. 2 to Contract No. 22-1071** with Icon West, Inc., increasing the contract amount by \$248,231, from \$24,780,075 to \$25,028,306, for the Acquisition and Improvements Project, for the Innovation and Technology Department in Colton (Four votes required).
2. Approve **Change Order No. 2 to Contract No. 22-1071** with Icon West, Inc., increasing the contract amount by \$705,073, from \$25,028,306 to \$25,733,379, for the Acquisition and Improvements Project, for the Innovation and Technology Department in Colton (Four votes required).

(Presenter: Don Day, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Fund (Net County Cost). The Acquisition and Improvements Project (Project) (WBSE 10.10.0768) budget of \$54,240,792 is comprised of the following components:

Description	Amount
Project Acquisition	\$14,500,000
Project Management and Inspection	\$ 1,500,000
Design	\$ 2,300,000
Construction	\$23,766,681
Construction Contingency	\$ 409,970
Labor Compliance	\$ 57,443
Materials Testing/ Inspection	\$ 120,000
Software/ Hardware	\$ 3,500,000
Furniture, Fixtures and Equipment	\$ 6,120,000
Amendment No. 1	\$ 710,903
Change Order No. 1	\$ 302,491
Amendment No. 2	\$ 248,231

**Amendment and Change Order No. 2 to Construction Contract with Icon West, Inc. for the Acquisition and Improvements Project in Colton
August 20, 2024**

Description	Amount
Change Order No. 2	\$ 705,073
Total Project Budget	\$54,240,792

Sufficient appropriation and revenue are included in the 2024-25 Capital Improvement Program (CIP) budget.

BACKGROUND INFORMATION

The Project, established in 2018 on behalf of the Innovation and Technology Department (ITD), is a design-bid-build construction project. The ongoing construction to renovate the 75,000 square foot three-story building located in Colton will house ITD's staff and consists of removing existing interior office walls for an open floor plan for cubicles, installation of new office furniture, installation of new site security fencing and solar canopies, as well as installation of two 750-kilowatt generators to provide emergency backup power for the facility.

Approval of Amendment No. 2 will compensate Icon West, Inc. (IWI), in the amount of \$248,231, for the additional work needed due to unexpected site conditions, including additional design work needed to provide access to Colton Electric's existing transformer, unforeseen conditions related to improper structural framing found after demolition of various areas throughout the building, and modifications to the vehicle gate per City of Colton requirements.

Approval of Change Order No. 2 will compensate IWI, in the amount of \$705,073, for additional work required to incorporate modifications related to revisions to the contract drawings not specified in the original bid documents, County-directed changes made in the field, or responses to IWI requests for information.

On May 24, 2022 (Item No. 68) the Board of Supervisors (Board) authorized the Project and Facilities Management Department (PFMD) to advertise for competitive bids via Request for Proposals ANE221-ANE2C-4606 for the Project.

On October 25, 2022 (Item No. 53), the Board awarded a construction contract to IWI, the lowest responsive and responsible bidder, the amount of \$23,766,681.

On December 5, 2023 (Item No. 43), the Board approved Amendment No. 1 in the amount of \$710,903 and Change Order No. 1 in the amount of \$302,491 to the construction contract with IWI, increasing the contract to a total of \$24,780,075.

The unanticipated additional costs related to Amendment No. 2 and Change Order No. 2 are related to events that took place after the competitive bid process that resulted in the original contract award to IWI. Therefore, no additional procurement activities are required.

Public Contract Code section 20136 requires all change orders and amendments to construction contracts must be approved by a two-thirds votes' approval of the Board.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

Amendment and Change Order No. 2 to Construction Contract with Icon West, Inc. for the Acquisition and Improvements Project in Colton August 20, 2024

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on June 24, 2024; Innovation and Technology (Lynn Fyhrlund, Chief Information Officer, 388-5501) on July 8, 2024; Purchasing (Leo Gomez, Supervising Buyer, 387-2148) on July 10, 2024; Project and Facilities Management (Robert Gilliam, Chief of Project Management, 387-5000) on July 11, 2024; Finance (Garrett Baker, Administrative Analyst, 387-3077) on August 2, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 5, 2024.

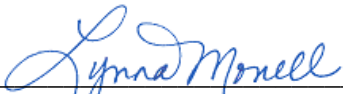
**Amendment and Change Order No. 2 to Construction Contract with Icon West, Inc. for the Acquisition and Improvements Project in Colton
August 20, 2024**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 20, 2024



cc: PFMD - Day w/agree
Contractor - c/o PFMD w/agree
File - w/agree
MBA 08/21/2024