

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS  
OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT  
AND RECORD OF ACTION**

July 23, 2024

**FROM**

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District  
DON DAY, Director, Project and Facilities Management Department**

**SUBJECT**

Amendment and Change Order to Contract with Oakview Constructors, Inc. for the County Fire Station 226 New Build Project in San Bernardino

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Fire Protection District:

1. Approve **Amendment No. 1 to Contract No. 23-835** with Oakview Constructors, Inc., in the amount of \$134,787, increasing the contract from \$7,682,000 to \$7,816,787, for the County Fire Station 226 New Build Project in San Bernardino (Four votes required).
2. Find that the specifications in Change Order No. 1 to Contract No. 23-835 with Oakview Constructors, Inc. calling for the installation of the Westnet station alerting system, and not allowing substitution of an equal product, is acceptable under Public Contract Code section 3400(c)(2), as installation of this system is required in order to match other products in use on a particular public improvement either completed or in the course of completion.
3. Approve **Change Order No. 1 to Contract No. 23-835** with Oakview Constructors, Inc., in the amount \$178,223, increasing the contract from \$7,816,787 to a total of \$7,995,010, for the County Fire Station 226 New Build Project in San Bernardino (Four votes required).
4. Authorize the Fire Chief/Fire Warden or Deputy Fire Chief to accept the work performed by Oakview Constructors, Inc. for the Westnet station alerting system when complete and sign the Acceptance Test Plan and Final System Acceptance Certificate.

(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 Discretionary General Funding (Net County Cost). The County Fire Station 226 New Build Project (Project) (WBSE 10.10.1032), with a total budget of \$10,162,819, will be funded by the San Bernardino County Fire Protection District (SBCFPD) through its Valley Regional Service Zone (5802262434). Sufficient appropriation for the Project is available in SBCFPD and the San Bernardino County Capital Improvement Program 2024-25 budgets.

The project is comprised of the following components:

Description	Amount
-------------	--------

**Amendment and Change Order to Contract with Oakview Constructors,  
Inc. for the County Fire Station 226 New Build Project in San  
Bernardino  
July 23, 2024**

Project Design	\$ 644,139
Project Management, Inspection and Testing	\$ 883,840
Construction	\$ 7,682,000
Construction Contingency	\$ 455,190
Project Contingency	\$ 184,640
Amendment No. 1	\$ 134,787
Change Order No. 1	\$ 178,223
<b>Total Project Budget</b>	<b>\$10,162,819</b>

**BACKGROUND INFORMATION**

SBCFPD provides emergency services to the City of San Bernardino (City) and other surrounding jurisdictions. Fire Station 226 is located in the City, was constructed in the 1950s, and has been utilized to provide emergency services since initial construction. The current facility is limited in the ability to provide modern fire service operations and no longer meets current building codes and safety standards, which have changed significantly.

On August 8, 2023 (Item No.64), as the result of a competitive bid, the Board of Supervisors approved a construction contract award to Oakview Constructors Inc. (Contractor), in the amount of \$7,682,000, for a contract period of 365 calendar days from the date of the issuance of the Notice to Proceed for the Project.

Approval of Amendment No. 1 to Contract No. 23-835 (Construction Contract) with the Contractor will allow the Project and Facilities Management Department – Project Management to continue with the construction of the Project in the City. During the course of construction, the Contractor encountered the following unforeseen conditions: debris removal, additional potholing on Del Rosa Avenue to identify underground utilities, and Southern California Edison (SCE) new electrical tie in on Del Rosa Avenue. These conditions and the extent of these conditions were unforeseen and could not have been anticipated at the time of bid or execution of the Construction Contract. These conditions have necessitated the execution of Amendment No. 1 to the Construction Contract in the amount of \$134,787.

Approval of Change Order No. 1 is for labor, materials, and equipment to address the following additional scope of work being added to the Construction Contract:

- 1) Entry gate at Fairfax Avenue
- 2) Change to the fence at the rear of the station
- 3) SCE specification to replace 4-inch conduit with 5-inch not identified on the plans
- 4) New fuel dispenser
- 5) Directive to the Contractor for Time Lapse recording
- 6) Alternate specified furniture
- 7) Install the Westnet station alerting system

The Westnet alerting system is a zoned notification system utilizing a series of remote alerting modules placed strategically throughout the fire station to notify fire personnel of an emergency call in the quickest, safest and most advanced means possible.

As provided above, Change Order No. 1 requires the Contractor to install the Westnet station alerting system without allowing an equal substitution. Public Contract Code section 3400 allows for the omission of an equal substitution, if a specified exemption applies and the Board makes

**Amendment and Change Order to Contract with Oakview Constructors,  
Inc. for the County Fire Station 226 New Build Project in San  
Bernardino  
July 23, 2024**

the appropriate finding. For this Project, the applicable exemption is one which allows for requiring a particular product if it is necessary “[i]n order to match other products in use on a particular public improvement either completed or in the course of completion” as stated in Public Contract Code Section 3400(c)(2). Approval of Recommendation No. 2 will enable SBCFPD to meet this requirement. The Westnet station alerting system requires SBCFPD to accept the work and sign the Acceptance Test Plan and Final System Acceptance Certificate. Approval of Recommendation No. 4 will provide authority to the Fire Chief/Fire Warden or Deputy Fire Chief to accept this work and sign these documents.

**PROCUREMENT**

The unanticipated additional costs in the amendment and change order are related to activities that took place after the competitive bid process that resulted in the original contract award to the Contractor. Therefore, no additional procurement activities are required.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Daniel Pasek, Deputy County Counsel, and Scott M. Runyan, Principal Assistant County Counsel, 387-5455) on June 21, 2024; San Bernardino County Fire Protection District (Bertral Washington, Deputy Fire Chief, 387-5974) on July 2, 2024; Purchasing (Leo Gomez, Purchasing Manager, 387-2063) on July 3, 2024; Project and Facilities Management (Robert Gilliam, Chief of Project Management, 387-5000) on July 5, 2024; Finance (Garrett Baker, 387-3077, and Ivan Ramirez, 387-4020, Administrative Analysts) on July 5, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on July 8, 2024.

**Amendment and Change Order to Contract with Oakview Constructors,  
Inc. for the County Fire Station 226 New Build Project in San  
Bernardino  
July 23, 2024**

Record of Action of the Board of Directors  
San Bernardino County Fire Protection District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, SECRETARY

BY   
DATED: July 23, 2024



cc:    PFMD - Hughes w/ agrees  
         Contractor c/o PFMD w/ agrees  
         File w/ agree  
JLL    07/25/2024