

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

September 12, 2023

FROM

DON DAY, Director, Project and Facilities Management Department

SUBJECT

Amendment to Contract for On-Call Professional Construction Management Services

RECOMMENDATION(S)

Approve **Amendment No. 1 to Contract No. 23-389** with CBRE Heery, Inc., to recognize the entity name change from CBRE Heery, Inc., to Turner & Townsend Heery, LLC, which will continue providing on-call professional construction management services, with no change to the contract total of \$4,500,000 or the period of May 23, 2023, through May 22, 2028.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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) as there is no cost associated with the recommended amendment.

BACKGROUND INFORMATION

On May 23, 2023 (Item No. 50), the Board of Supervisors (Board) approved Contract No. 23-398 with CBRE Heery, Inc. for on-call professional construction management services in the amount of \$4,500,000, for the period of May 23, 2023, through May 22, 2028. On June 29, 2023, Turner & Townsend Heery, LLC (Consultant), formerly known as CBRE Heery, Inc., submitted a letter and W-9 form formally notifying the County of its name change resulting from a stock sale. On May 4, 2023, the new entity name was recorded with the California Secretary of State (SOS). The SOS Entity number and Federal Tax Identification number remain the same. County policy requires a contract amendment and approval from the Board.

Amendment No. 1 to Contract No. 23-389 will update the entity's name from CBRE Heery, Inc., to the new Consultant name, update Article 13 Notices with the correct entity and entity address, and add Senate Bill 1439 requirements, so that the Consultant may continue to provide on-call professional construction management services to the County. Senate Bill 1439 requires a consultant to disclose whether it has made any campaign contributions of more than \$250 to any member of the Board or other County elected officer (Sheriff, Assessor-Recorder-Clerk, Auditor-Controller/Treasurer/Tax Collector and the District Attorney) within the earlier of: (1) the date of the submission of contractor's proposal to the County, or (2) 12 months before the date this contract was approved by the Board. Campaign contributions include those made by any agent/person/entity on behalf of the consultant or by a parent, subsidiary, or otherwise related business entity of consultant. All other terms and conditions of Contract No. 23-389 remain the same.

**Amendment to Contract for On-Call Professional Construction Management Services
September 12, 2023**

The Project and Facilities Management Department (PFMD) uses on-call professional services to accelerate the selection of design, engineering, or construction related professionals, resulting in valuable savings of time and cost in the overall design/construction timeline, thereby supporting the County and Chief Executive Officer goal and objective to operate in a fiscally-responsible and business-like manner.

PROCUREMENT

On December 1, 2022, Requests for Proposals (RFP) No. ANE223-ANE2C-4789 was released to solicit proposals for on-call professional services in the categories of architectural; healthcare architectural; civil engineering; structural engineering; healthcare structural engineering; mechanical, electrical, plumbing engineering; healthcare mechanical, electrical, plumbing engineering; construction management; healthcare construction management; audio visual design; and water infiltration testing, waterproofing, and roofing design.

On January 17, 2023, 80 responses were received for the RFP. Selection committees, comprised of personnel from PFMD, were established to review the responses according to the RFP selection criteria and County Policies 11-04, 11-04SP1 and 11-04SP3. Proposals were graded using the following criteria in evaluation and comparison of proposals submitted:

- Responsiveness to the RFP
- Professional Reputation of Firm
- Experience with Designing Projects for Public Agencies
- Experience with Publicly Bid Projects
- Adequacy of Staff/Sub-consultants
- Satisfaction of Current/Past Clients
- Proven Experience in Meeting Schedules
- Experience with Local Approval Agencies

On April 24, 2023, Denial of Award and Notice of Intent to Award (NOIA) letters were mailed via the United States Postal Service. Proposers had 10 calendar days, from the date of issuance of the NOIA, to submit a formal protest in writing to the Purchasing Department. No protests were received.

On May 23, 2023 (Item No. 50), the Board approved Contract No. 23-389 with CBRE Heery, Inc., for on-call professional construction management services in the total aggregate not-to-exceed amount of \$4,500,000, effective May 23, 2023 through May 22, 2028.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on August 2, 2023; Purchasing (Michelle Churchill, Supervising Buyer, 387-2070) on August 8, 2023; Project and Facilities Management (Robert Gilliam, Chief of Project Management, 387-5000) on August 10, 2023; Finance (Yael Verduzco, Principal Administrative Analyst, 387-5285) on August 25, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 25, 2023.

(MV: 75225)

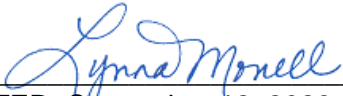
**Amendment to Contract for On-Call Professional Construction
Management Services
September 12, 2023**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: September 12, 2023



cc: PFMD - Day w/ agree
Contractor c/o PFMD w/ agree
File w/ agree
JLL 09/21/2023