

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

November 17, 2020

FROM

TERRY W. THOMPSON, Director, Real Estate Services Department – Project Management

SUBJECT

Amendment No. 2 to Construction Contract with Abboud Diamond Construction, Inc. for the Onyx Peak Solar Upgrade Project

RECOMMENDATION(S)

Approve **Amendment No. 2** to **Contract No. 18-755** with Abboud Diamond Construction, Inc. in the amount of \$28,369.70 increasing the construction contract from \$765,874 to a total of \$794,243.70 for Onyx Peak Solar Upgrade Project located in Onyx Peak, Big Bear (APN 0305-201-05). (Four Votes required)

(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of Amendment No. 2 will not result in the use of additional Discretionary General funding (Net County Cost). The Project budget of \$1,061,000 is comprised of the following components:

Design	\$ 40,000
Project Management, Inspection and Testing	\$ 156,398
Construction	\$ 817,478
Construction Contingency	\$ 47,124
Total Project Budget	\$ 1,061,000

On September 29, 2020, a Transfer of Appropriation was approved to move \$40,000 from 800 MHz Radio Replacement Project (10.10.0009) to Onyx Peak Solar Upgrade Project (10.10.0175) (Project) increasing the Project budget from \$1,021,000 to \$1,061,000. The revised total project budget of \$1,061,000 is funded from Discretionary General Funding that is included in the overall budget for the 800 MHz Radio Replacement project (10.10.0009) as previously approved by the Board of Supervisors (Board) as part of the 2020-21 Capital Improvement Program (CIP). There are sufficient funds in the Project budget to fund the additional cost of this amendment.

BACKGROUND INFORMATION

The Project located on APN 0305-201-05 in Big Bear will replace the existing failing solar panel array with higher capacity solar panels and add a second solar panel array to meet the

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increased electrical storage requirements, minimizing the need for emergency backup generator run time, thus satisfying the South Coast Air Quality Management District's emergency generator run time permit parameters. The upgrade to the Onyx Peak 800 MHz Antenna Site (Site) will provide reliable, cost effective electrical power to support the signal transmission from the site to support County Fire, Sheriff and Emergency Medical Responders thereby supporting the County and Chief Executive Officer Goals and objectives of Improving County Government Operations.

Following the award of the construction contract to Abboud Diamond construction, Inc. and prior to the start of construction, a fire destroyed an existing generator and shelter, which change the scope of work for the Onyx Peak 800 MHz Antenna Site. On June 11, 2019, IMEG Corp., Engineer of Record released Bulletin No. 2 adding the replacement of the generator building, new slab, electrical, two propane tanks and two new generators to the scope of work. Amendment No. 1 will compensate Abboud Diamond Construction, Inc. for Labor, Material, and Equipment with the modifications to scope.

Amendment No. 2 to Contract No. 15-445 with Abboud Diamond Construction, Inc. (contractor) will compensate the contractor for the additional labor, materials and equipment required to complete the scope of work due to the unforeseen soil conditions encountered during grading and coring of the new concrete slab and piers footings for the new Solar Arrays racking system.

PROCUREMENT

The unanticipated additional cost items in Amendment No. 2 are related to events that took place after the competitive bid processes that resulted in the original contract with Abboud Diamond Construction, Inc. and after Board approval of Amendment No.1 to Contract No. 15-445 with Abboud Diamond Construction, Inc. Therefore, no additional procurement activities are required.

Per Public Contract code sections 20136 and 20137, Board of Supervisors approval is required for this amendment to the contract with Abboud Diamond Construction, Inc.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5437) on October 1, 2020; Purchasing Department (Bill Brock, Buyer II, 387-2464) on October 26, 2020; Project Management (Don Day, Interim Deputy Director, 387-5000) on October 1, 2020; Real Estate Services (Jennifer Costa, Assistant Director, 387-5000) on October 26, 2020; Finance (Wen Mai, Principal Administrative Analyst, 387-4020) on October 30, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on November 3, 2020.

JG (806-0625)

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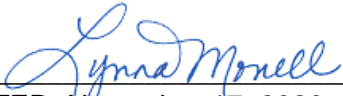
Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 17, 2020



cc: RESD/PMD- Garnica w/agree
Contractor- C/O RESD/PMD w/agree
File- w/agree
LA 11/23/2020