

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Hugh R. Riley, Assistant City Manager 

BY: Ky Spangler, Special Projects Consultant 

DATE: May 23, 2012 (CC Meeting of 6/6/12)

SUBJECT: Consider Additional Funding for Cabinetry and Casework Additions and Amendment No. 2 to the Agreement with K&Z Cabinet Company for the Ruben Castro Human Services Center

BACKGROUND & DISCUSSION

The Ruben Castro Human Services Center (RCHSC) is being constructed as a multiple-prime contract project with construction management provided by Barnhart Balfour-Beatty Construction (Balfour-Beatty). Bids were solicited from trades in September, 2010, opened on October 21, 2010 and bids were awarded by the Moorpark City Council on January 19, 2011. K&Z Cabinet Company, Inc., (K&Z) was selected as the lowest responsive and responsible bidder for the Finish Carpentry and Casework bid package and a construction agreement was executed on May 2, 2011.

Concurrently with the bidding process, the County of Ventura and the City of Moorpark entered into negotiations for the purchase of Building A for use as a County medical facility. A Ground Lease between the City of Moorpark and County of Ventura was approved on January 11, 2011. The Ground Lease also includes a Bill of Sale for purchase and of transfer of Building A to the County upon completion of construction with a purchase price of \$5,600,000.

During the course of construction, the Ventura County Health Care Agency requested additions and revisions to the cabinetry and casework specified for the medical center. Changes included addition of cabinets and countertops in office areas and the procedure room, drawer units at the reception desk, locks to drawers in locations accessible to patients, employee lockers in the breakroom, and changing stations in two restroom locations. The total amount of the cabinetry and casework changes requested by the Ventura County Health Care Agency is \$36,935 (Attachments 1 and 2). All

changes requested by the County are being tracked and any construction costs which exceed the \$5,600,000 building purchase price will be billed to and paid for by the County.

Additionally, the contractor submitted a Request for Information (RFI) for clarification regarding countertops shown on the architectural floor plans within Suite 200 of Building B. The architect verified that countertops were specified in the areas questioned, and the contractor subsequently provided pricing for the three locations. The total amount for the additional countertops is \$7,650 (Attachment 3).

K&Z's original contract amount is \$153,700 with a ten percent (10%) contingency of \$15,370. An Amendment in the amount of \$13,351 was previously issued for cabinetry and casework additions and changes in tenant suites in Building B. Currently the remaining contingency available under K&Z's contract is \$2,019. The present Amendment request is for \$44,585 which is \$42,566 above the available contingency. Therefore staff is seeking approval of this additional amount.

<u>Original Agreement</u>	\$ 153,700.00
Amendment No. 1	\$ 13,351.00
<u>Amendment No. 2</u>	
Ventura County Health Care Agency (Building A)	
Additions of cabinetry & casework, multiple locations	\$ 28,295.00
Breakroom lockers	<u>\$ 8,640.00</u>
Total, VC Health Care Agency	\$ 36,935.00
Building B	
Addition of countertops	<u>\$ 7,650.00</u>
Total Amendment No. 2 Amount	<u>\$ 44,585.00</u>
Revised Agreement Amount	\$ 211,636.00

FISCAL IMPACT

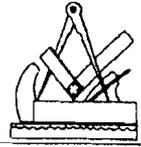
The Fiscal Year 2011/2012 Capital Improvement budget for the Ruben Castro Human Services Center (Fund 5020) is \$11,038,064. To date \$6,512,302 has been expended with \$3,465,038 left in encumbrances and \$1,060,724 available project balance. Therefore, no additional funds need to be budgeted for the proposed work at this time. Sufficient funds exist in the budget to cover this work.

STAFF RECOMMENDATION (ROLL CALL VOTE)

Approve additional funding in the amount of \$42,566 for cabinetry and casework changes for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 2 in the amount of \$44,585 to K&Z Cabinet Company, Inc., subject to final language approval of the City Manager and City Attorney.

- Attachment 1: K&Z Cabinet Company, Inc. Change Order Request dated March 15, 2012
- Attachment 2: K&Z Cabinet Company, Inc. Change Order Request dated January 25, 2012
- Attachment 3: K&Z Cabinet Company, Inc. Change Order Request dated February 3, 2012
- Attachment 4: Amendment No. 4 to K&Z Cabinet Company, Inc.

ATTACHMENT 1



K & Z Cabinet Co., Inc.

1450 South Grove Avenue, Ontario California 91761 • (909) 947-3567 • Fax (909) 947-3264 • State Lic. 319196

CHANGE ORDER REQUEST

Date: March 15, 2012 Job No: 5549

Contractor: Barnhart Balfour Beatty Attn: John Squillace Jr

612 Spring Rd Change Order
Request No.: 01-R1

Moorpark, CA 93021

Project: Ruben Castro Human Resource Center

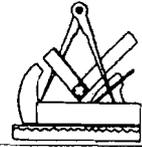
We Are Proposing The Following Changes:

Per Instruction Bulletin #5B – revised plan dimensions dated; 9-1-2011
 Bid package #8 – finish carpentry & casework; revised Architectural drawings – A0.2, A2.1, A2.1.1, A3.1, A7.2, A7.3, A8.5.2, A9.1, A10.8.1 & A10.10 – dated 8-17-2011, IB #5B-R Noted.

Casework Revisions:

1. Office #512, detail - 9/A8.5.1.
 - a. Add - 9 ½ Lin. Ft. - plastic laminate base cabinets.
Add \$2,950.00
2. Office #525, detail - 4/A8.5.1.
 - a. Add - 42 Lin. Ft. - plastic laminate upper cabinets.
 - b. Add - 42 Lin. Ft. – plastic laminate base cabinets with drawer units-
and knee space.
 - c. Add - 42 Lin. Ft. – plastic laminate counter tops.
Add \$16,990.00
3. Laboratory #529, detail - 6/A7.2.
 - a. Omit 3 ½ Lin. Ft. – plastic laminate upper cabinets.
 - b. Omit 3 ½ Lin. Ft. – plastic laminate base cabinets.
 - c. Omit 3 ½ Lin. Ft. – solid polymer top.
Deduct < \$950.00 >

COR #001 Continued



K & Z Cabinet Co., Inc.

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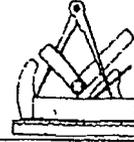
4.	Procedure #546, detail - 6/A8.5.1.	
	a. Add 3 Lin. Ft. Plastic laminate upper cabinets.	
	Add	\$350.00
5.	At various rooms and elevations change sink cabinet details to – 19/A10.8.1	
	a. At 18 – exam rooms & ultra sound room.	
	b. At rooms' #521, 527, 529, 540, 544 & 546.	
	c. Total – 24 rooms @ \$50.00 each.	
	Add	\$1,200.00
6.	Extra cost for shop drawing to incorporate revisions.	
	a. 40 hours @ \$50.00/ per hour.	
	Add	\$2,000.00
7.	Add keyboard trays at \$75.00 ea – installed.	
	(None Per RFI #0200 Response)	\$0.00
8.	Add Cabinet Locks to drawers per RFI 200 at \$45.00 ea.	
	Total 11 Each Required	\$495.00
9.	Men's #502, Women's #503, Detail #2/A7.03	
	Add Two Solid Polymer Changing Stations 3' x 0" x 2' 0"	\$1,220.00
10.	Reception #505, Detail 3/A8.5	
	Add 6 Drawer Units 1' 0" x 2' 6" x 2' 0"	
	Add 2 Drawer Units 1' 3" x 2' 6" x 2' 0"	\$4,040.00
	Total	<u>\$ 28,295.00</u>

- We are proceeding with this work based on your Company's verbal instructions on _____.
A written **billable** change order is required before we deliver this work per our agreement.
- We have proceeded with this work per your Company's instructions. Please issue us a written change order as soon as possible.
- We are **NOT** proceeding with this extra until we have received a written change order from your company.

The above quoted price is guaranteed for 30 days from the date of this quote.

ATTACHMENT 2

K & Z Cabinet Co., Inc.



1450 South Grové Avenue, Ontario California 91761 • (909) 947-3567 • Fax (909) 947-3264 • State Lic. 319196

CHANGE ORDER REQUEST

Date: January 25, 2012 Job No: 5549

Contractor: Barnhart Balfour Beatty Attn: John Squillace Jr.

799 Moorpark Avenue Change Order
Request No.: 03

Moorpark, CA 93021

Project: Ruben Castro Human Resource Center

We Are Proposing The Following Changes:
RFI #0270, Dated 1/09/2012, Sheet A2.1, A8.5.1, SK-A270.1, SK-A270.2
Specification Section #105123, Plastic Laminated Lockers

- 1. Add Lockers at Break Room #544
8 Plastic Laminated Wood Lockers
1' 0" x 5' 0" x 1' 6" at \$1,080/Each
ADD \$8,640.00 *write ok*

Exclusion: Graphic and Signage

- We are proceeding with this work based on your Company's verbal instructions on _____.
A written **billable** change order is required before we deliver this work per our agreement.
- We have proceeded with this work per your Company's instructions. Please issue us a written change order as soon as possible.
- We are **NOT** proceeding with this extra until we have received a written change order from your company.

The above quoted price is guaranteed for 30 days from the date of this quote.

K & Z CABINET CO., INC.

Hugo Cervera
Project Manager

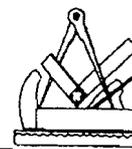
Accepted
By: _____
General Contractor/Construction Manager

Date: _____

By: _____
Owner's Authorized Representative

Date: _____

ATTACHMENT 3



K & Z Cabinet Co., Inc.

1450 South Grove Avenue, Ontario California 91761 • (909) 947-3567 • Fax (909) 947-3264 • State Lic. 319196

CHANGE ORDER REQUEST

Date: February 3, 2012 Job No: 5549

Contractor: Barnhart Balfour Beatty Attn: John Squillace Jr.

799 Moorpark Avenue Change Order
Request No.: 02-Revised

Moorpark, CA 93021

Project: Ruben Castro Human Resource Center

We Are Proposing The Following Changes:

Instruction Bulletin #18, Dated 10/25/2011; CD-18.1 to CD-18.3, Dated 10/11/2011; SK-194.1 to SK-194.5, Dated 9/13/2011

Casework Revisions and Additions:

1. Break Room #208, Detail SK-A194.1, RFI #0194
Add 20 ½ Lin. Ft. Upper Cabinets
Add 18 Lin. Ft. Base Cabinets
ADD \$9,470.00
2. Waiting #201, Detail 11/A10.81, RFI #0234
Add 7 Lin. Ft. Solid Polymer Tops
2' 0" With Radius Edges
ADD \$1,050.00
3. Conference #202, Detail 11/A10.81, RFI #0234
Add 12 Lin. Ft. Solid Polymer Tops
2' 0" with Radius Edges
ADD \$2,760.00
4. Reception #210, Detail 11/A10.81, RFI #0234
Add 16 ½ Lin. Ft. Solid Polymer Top
2' 6" Deep with Return
ADD \$3,840.00
5. Lobby #301 North Wall, detail CD-A18.1 to CD-A18.2, Add Pass-Thru
Countertop 6' 0" x 3' 4" Deep with bracket Supports
ADD \$1,025.00

7,650.00

Continued
(Continued)

Change Order No. 02 – Ruben Castro

ATTACHMENT 4

SECOND AMENDMENT TO AGREEMENT 2011-121 FOR BID PACKAGE #8 – FINISH CARPENTRY AND CASEWORK AT THE RUBEN CASTRO HUMAN SERVICES CENTER

THIS SECOND AMENDMENT TO THE AGREEMENT FOR BID PACKAGE #8 – FINISH CARPENTRY AND CASEWORK (“Second Amendment”), is made and entered into this _____ day of _____, 2012, (“the Effective Date”) between the City of Moorpark, a municipal corporation, hereinafter referred to as “CITY”, and K & Z Cabinet Company, Inc., a California corporation, hereinafter referred to as “CONTRACTOR”.

WITNESSETH:

WHEREAS, on May 2, 2011, the CITY and the CONTRACTOR entered into an Agreement for finish carpentry and casework for the Ruben Castro Human Services Center; and

WHEREAS, on May 22, 2012, the CITY and the CONTRACTOR executed a First Amendment in an amount not-to-exceed thirteen thousand three hundred fifty-one dollars (\$13,351.00) for additional finish carpentry and casework for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to one hundred sixty-seven thousand fifty-one dollars (167,051.00); and

WHEREAS, the CITY wishes to further amend the Agreement to include revisions to cabinetry and casework in various locations throughout Building A per the request of the Ventura County Health Care Agency at a cost not-to-exceed twenty-eight thousand two hundred ninety-five dollars (\$28,295.00) as described in CONTRACTOR’S Change Order Request 01-R1 dated March 15, 2012 and incorporated herein as Exhibit H to the Agreement by this Second Amendment; and

WHEREAS, the CITY wishes to amend the Agreement to include additional cabinetry and casework in Rooms 201, 202 and 210 in Building B at a cost not-to-exceed seven thousand six hundred fifty dollars (\$7,650.00) as described in CONTRACTOR’S Change Order Request 02-revised dated February 3, 2012 and incorporated herein as Exhibit I to the Agreement by this Second Amendment; and

WHEREAS, the CITY wishes to amend the Agreement to include the addition of lockers in the breakroom Building A at a cost not-to-exceed eight thousand six hundred forty dollars (\$8,640.00) as described in CONTRACTOR’S Change Order Request 03 dated January 25, 2012 and incorporated herein as Exhibit J to the Agreement by this Second Amendment; and

WHEREAS, this total dollar amount of \$44,585.00 exceeds the ten percent (10%) contingency amount approved with the original Agreement; and

WHEREAS, on June 6, 2012 the City Council of the City of Moorpark approved additional funding for these cabinetry and casework additions, revisions and changes.

NOW, THEREFORE, in consideration of the mutual covenants, benefits, and premises herein stated, the parties hereto AMEND the aforesaid Agreement follows:

I. Section 2 of the Agreement is amended to include:

Contractor's Scope of Services is amended to include the materials and labor required to:

- provide and install base cabinets in Office 512; base and upper cabinets in Office 525; delete upper and lower cabinets and countertop in Laboratory 529; add upper cabinets in Procedure Room 546; add changing stations in Restrooms 502 and 503; add eight (8) drawer units in Reception Area 505; sink detail revised in twenty-four (24) locations per sheet A10.8.1 detail 19; and add total of eleven (11) cabinet locks to drawers according to Instruction Bulletin #5BR, and per Change Order Request 01-R1 (8.05); and
- provide and install countertops in Rooms 201, 202 and 210 in Building B per sheet A10.8.1 detail 11 according to the response of the architect of record to RFI #234 and per Change Order Request 02-revised (8.06); and
- provide and install lockers in breakroom 544 of Building A as which were shown on architectural floorplan but not detailed on plan elevations according to the response of the architect of record to RFI #270, and Change Order Request 03 (8.07).

The Scope of Services for the additional cabinetry and casework services is described in the Change Order Requests dated March 15, February 3, January 25, 2012 respectively, attached hereto and incorporated herein as Exhibits H, I, and J to the Agreement by this Second Amendment.

II. Section 7 of the Agreement is amended to include:

CITY hereby increases the not-to-exceed amount of \$167,051.00 under this Agreement by \$44,585.00 to \$211,636.00.

[CONTINUED ON NEXT PAGE]

III. Remaining Provisions

All other terms and conditions of the original Agreement shall remain in full force and effect.

CITY OF MOORPARK

K & Z CABINET COMPANY, INC.

By: _____
Steven Kueny
City Manager

By: _____
Dennis Chan
President

ATTEST:

Maureen Benson, City Clerk

Exhibit H – Change Order Request 01-R1 dated March 15, 2012 (8.05)
Exhibit I – Change Order Request 02-revised dated February 3, 2012 (8.06)
Exhibit J – Change Order Request 03 dated January 25, 2012 (8.07)