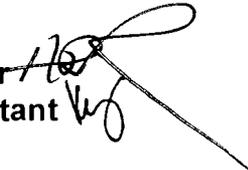


**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Hugh R. Riley, Assistant City Manager 

**BY:** Ky Spangler, Special Projects Consultant 

**DATE:** June 26, 2012 (CC Meeting of 7/18/12)

**SUBJECT:** Consider Additional Funding for Building Specialties Additions and Revisions and Amendment No. 2 to the Agreement with John Pence Building Specialties, Inc., 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. John Pence Building Specialties, Inc. (John Pence) was selected as the lowest responsive and responsible bidder for the Building Specialties bid package and a construction agreement was executed on April 12, 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.

In Building A, the County of Ventura Health Care Agency has requested the addition of roller shades for the exterior windows in the building lobby and for the addition of various bathroom accessories including at a total cost of \$12,261.46. 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.

In Building B, the City requested the addition of interior directional and tenant name signage to ensure consistency with other signage throughout the building. Additionally, the City has elected to supply window blinds for exterior building windows to ensure consistency throughout the building. The total cost for the additional signage and blinds is \$12,193.40. A recap of the contract changes to date is shown below:

<u>Original Contract</u>	\$ 60,304.00
Amendment No. 1	<u>\$ 2,831.68</u>
Current Agreement Amount	\$ 63,135.68
<u>Amendment No. 2</u>	
Roller shades for exterior windows and lobby, Building A	\$ 7,794.28
Bathroom accessory changes, Building A	\$ 4,467.18
Interior direction signage additions/changes, Building B	\$ 611.54
Window blinds, exterior windows and lobby, Building B	<u>\$ 12,193.40</u>
Total Amendment No. 2 Amount	\$ 25,066.40
<b>Revised Agreement Amount</b>	<b>\$ 88,202.08</b>

Currently there is \$3,198.72 in contingency available under John Pence's contract. The cost for the additions and revisions to building specialty items is \$25,066.40 which exceeds the available contingency by \$21,867.68. Therefore staff is seeking the approval of this additional amount.

**FISCAL IMPACT**

The Fiscal Year 2012/2013 Capital Improvement budget for the Ruben Castro Human Services Center (Fund 5020) is \$11,038,064. To date \$7,934,754 has been expended with \$2,568,203 left in encumbrances and \$535,107 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 \$21,867.68 for building specialties changes and additions for the Ventura County Health Care Agency medical clinic and per City of Moorpark direction for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 2 in the amount of \$25,066.40 to John Pence Building Specialties, Inc., subject to final language approval of the City Manager and City Attorney.

- Attachment 1: Amendment No. 2 to John Pence Building Specialties, Inc.  
Exhibit E: John Pence Building Specialties Request for Change Order  
dated March 20, 2012  
Exhibit F: John Pence Building Specialties Request for Change Order  
dated June 19, 2012

ATTACHMENT 1

SECOND AMENDMENT TO AGREEMENT 2011-096  
FOR BID PACKAGE #14 – SPECIALTIES  
AT THE RUBEN CASTRO HUMAN SERVICES CENTER

THIS SECOND AMENDMENT TO THE AGREEMENT FOR BID PACKAGE #14 – SPECIALTIES (“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 John Pence Building Specialties, Inc., a California corporation, hereinafter referred to as “CONTRACTOR”.

WITNESSETH:

**WHEREAS**, on April 12, 2011, the CITY and the CONTRACTOR entered into an Agreement for building specialties work for the Ruben Castro Human Services Center; and

**WHEREAS**, on July 10, 2012, the CITY and the CONTRACTOR executed a First Amendment for specialties work for the Ruben Castro Human Services Center; and

**WHEREAS**, the CITY wishes to further amend the Agreement to include the installation of additional bathroom accessories per the request of the County of Ventura Health Care Agency at a cost not-to-exceed four thousand four hundred sixty-seven dollars and eighteen cents (\$4,467.18) as described in the Request for Change Order (14.03) dated March 20, 2012, and incorporated herein as Exhibit E to the Agreement by this Second Amendment; and

**WHEREAS**, the CITY wishes to further amend the Agreement to include installation of window roller shades for exterior and lobby windows throughout Building A per the request of the County of Ventura Health Care Agency at a cost not-to-exceed seven thousand seven hundred ninety-four dollars and twenty-eight cents (\$7,794.28) as described in the Request for Change Order (14.03) dated March 20, 2012, and incorporated herein as Exhibit E to the Agreement by this Second Amendment; and

**WHEREAS**, the CITY wishes to further amend the Agreement to include installation of window roller shades for exterior and lobby windows throughout Building B per the request of the City of Moorpark at a cost not-to-exceed twelve thousand one hundred ninety-three dollars and forty cents (\$12,193.40) as described in the Request for Change Order (14.03) dated March 20, 2012, and incorporated herein as Exhibit E to the Agreement by this Second Amendment; and

**WHEREAS**, the CITY wishes to further amend the Agreement to include installation of directional lobby signage and tenant door signs in Building B per the request of the City of Moorpark at a cost not-to-exceed six hundred eleven dollars and fifty-four cents (\$611.54) as described in the Request for Change Order (14.04) dated June 19, 2012, and incorporated herein as Exhibit F to the Agreement by this Second Amendment; and

**WHEREAS**, this total dollar amount of \$25,066.40 exceeds the ten percent (10%) contingency amount approved with the original Agreement; and

**WHEREAS**, on July 18, 2012, the City Council of the City of Moorpark approved additional funding for this additional building specialties work.

**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 labor and materials required to:

- furnish and install bathroom accessories including paper towel dispensers in Room 524, 539, 542 and 543; paper towel dispensers and soap dispensers in seventeen (17) exam rooms; and specimen pass-through cabinets rooms 524 and 539 in Building A per the request of the Ventura County Health Care Agency, per the architect of record's Instruction Bulletin #5B and #5BR, and per CONTRACTOR'S Request for Change Order (14.03); and
- furnish and install roller window shades on all exterior windows and lobby windows excluding transom windows above doors in Building A per the request of the Ventura County Health Care Agency, per the architect of record's Instruction Bulletin #5B, and per CONTRACTOR'S Request for Change Order (14.03); and
- furnish and install horizontal window blinds for exterior windows and lobby windows excluding transom windows above doors in Building B per the request of the City, per the architect of record's Instructional Bulletin #5B, and per CONTRACTOR'S Request for Change Order (14.03); and
- furnish and install two (2) directional signs and four (4) tenant identification signs with glass backers in Building B per the request of the City, and per CONTRACTOR'S Request for Change Order (14.04); and

The Scope of Services for the building specialties additions and deletions are described in the Request for Change Orders dated March 20 and June 19, 2012, respectively, attached hereto and incorporated herein as Exhibits E and F 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 \$63,135.68 under this Agreement by \$25,066.40 to \$88,202.08.

**III. Remaining Provisions**

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

CITY OF MOORPARK

JOHN PENCE BUILDING  
SPECIALTIES, INC.

By: \_\_\_\_\_  
Steven Kueny  
City Manager

By: \_\_\_\_\_  
Matt Whitecomb  
President

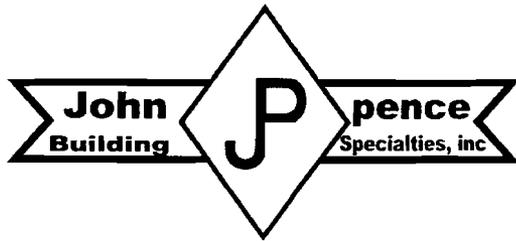
ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Exhibit E – Contractor’s Request for Change Order dated March 20, 2012 (14.03)

Exhibit F – Contractor’s Request for Change Order dated June 19, 2012 (14.04)

# Request For Change Order (Revised)



JOHN PENCE BUILDING SPECIALTIES, INC.  
 535 SOUTH C ST. OXNARD, CA 93030  
 MAILING: PO BOX 7159, OXNARD, CA 93036  
 PHONE: 805.642.8139  
 FAX: 805.642.3712  
 E-MAIL: INFO@JPBSI.COM  
 LICENSE # 403822 B, C-61, D-34

**To:** BALFOUR BEATTY CONSTRUCTION      **From:** MATT WHITECOMB

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**Fax:** 866-523-5686      **Pages:** (INCLUDING COVER) 3

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**Phone:**      **Date:** 3-20-2012

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**Req. #** 1      **Job #:** 10-099

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**Ref:** IB 5B – BID PACKAGE 14 CHANGES

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**Urgent**       **For Review**       **Please Comment**       **Please Reply**       **Please Recycle**

## ATTN: John Squillance Jr.

PLEASE FIND BELOW, AN ITEMIZED COST PROPOSAL TO MAKE THE CHANGES AS NOTED IN BULLETIN 5B AND 5B REVISED PLAN SHEETS AND SUBSEQUENT RFI'S REGARDING THE SPECIALTY PACKAGE. PLEASE REVIEW AND NOTIFY ME OF ANY DISCREPANCIES OR REVISIONS THAT YOU MIGHT SEE.

### ITEM A – FURNISH & INSTALL REVISED TOILET ACCESSORIES.

#### MATERIAL COSTS

- ADD PAPER TOWEL / WASTE, BOBRICK B3942 AT ROOMS 524, 539, 542, & 543 AS NOTED IN RFI# 198R	UNIT COST PER BOBRICK QUOTE ATTACHED \$ 248.67	NET COST	\$ 994.68
- ADD PAPER TOWEL DISPENSERS AT TYPICAL EXAM ROOMS, BOBRICK B262	UNIT COST PER BOBRICK QUOTE ATTACHED, 17EA X \$ 27.41	NET COST	\$ 465.97
- ADD SPECIMEN PASS THROUGH CABINETS AT ROOMS 524 & 539, CARR # SPT-12	UNIT COST PER AB SUPPLY QUOTE ATTACHED, 2EA X 402.89	NET COST	\$ 805.78
- ADD SOAP DISPENSER AT TYPICAL EXAM ROOMS, BOBRICK B2111	UNIT COST PER BOBRICK QUOTE ATTACHED, 17EA X \$ 23.76	NET COST	\$ 403.62
- FASTENERS / ANCHORS (ALLOWANCE)		LUMP SUM	\$ 30.00
		SUB-TOTAL	\$ 2,670.05
		TAX @ 7.25%	\$ 193.57
		SHIPPING	\$ 165.00
		MATERIAL TOTAL	\$ 3,028.62

#### LABOR COSTS

- SUPERVISION / FIELD MEASUREMENT / SUBMITTALS	LUMP SUM	\$ 150.00
- LABOR TO INSTALL 14 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)		\$ 667.52
	TOTAL LABOR	\$ 817.52
	SUB- TOTAL LABOR & MATERIAL	\$ 3,846.04
	15% MU / OH	\$ 576.91
	1% BOND	\$ 44.23
	<b>TOTAL LINE ITEM A</b>	<b>\$ 4,467.18</b>

**ITEM B – FURNISH & INSTALL NEW ROLLER SHADES AT BUILDING A EXTERIOR WINDOWS ONLY. (EXCLUDES TRANSOM WINDOWS ABOVE DOORS)**

**MATERIAL COSTS**

- SHADES (PER PROPOSAL FROM DRAPER ATTACHED)	NET COSTS	\$ 4,132.00
- FASTENERS / ANCHORS (ALLOWANCE)	LUMP SUM	\$ 100.00
	TAX @ 7.25%	\$ 299.57
	SHIPPING	\$ 480.00
	<b>MATERIAL TOTAL</b>	<b>\$ 5,011.57</b>

**LABOR COSTS**

- SUPERVISION / FIELD MEASUREMENT / SUBMITTALS	LUMP SUM	\$ 650.00
- LABOR TO INSTALL 22 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)		\$ 1,048.96
	<b>TOTAL LABOR</b>	<b>\$ 1,698.96</b>
	<b>SUB- TOTAL LABOR &amp; MATERIAL</b>	<b>\$ 6,710.53</b>
	15% MU / OH	\$ 1,006.58
	1% BOND	\$ 77.17
	<b>TOTAL ITEM B</b>	<b>\$ 7,794.28</b>

**ITEM C – FURNISH & INSTALL NEW CUBICLE TRACKS AT BUILDING A ONLY. (EXCLUDES CUBICLE CURTAINS)**

**MATERIAL COSTS**

- TRACK & HARDWARE (PER PROPOSAL FROM C/S ATTACHED)	NET COST	\$ 1,599.00
- FASTENERS / ANCHORS (ALLOWANCE)	LUMP SUM	\$ 100.00
	TAX @ 7.25%	\$ 116.00
	SHIPPING	\$ 360.00
	<b>MATERIAL TOTAL</b>	<b>\$ 2,175.00</b>

**LABOR COSTS**

- SUPERVISION / FIELD MEASUREMENT / SUBMITTALS	LUMP SUM	\$ 450.00
- LABOR TO INSTALL 24 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)		\$ 1,144.32
	<b>TOTAL LABOR</b>	<b>\$ 1,594.32</b>
	<b>SUB- TOTAL LABOR &amp; MATERIAL</b>	<b>\$ 3,769.32</b>
	15% MU / OH	\$ 565.40
	1% BOND	\$ 43.35
	<b>TOTAL ITEM C</b>	<b>\$ 4,378.07</b>

NOT A PART

**ITEM D – FURNISH & INSTALL NEW HORIZONTAL BLINDS BUILDING B EXTERIOR WINDOWS ONLY. (EXCLUDES TRANSOM WINDOWS ABOVE DOORS)**

**MATERIAL COSTS**

- HORIZONTAL BLINDS (PER WORKUP FROM LEVOLOR ATTACHED)	NET COST	\$ 7,672.40
- FASTENERS / ANCHORS (ALLOWANCE)	LUMP SUM	\$ 100.00
	TAX @ 7.25%	\$ 556.25
	SHIPPING	\$ 425.00
	<b>MATERIAL TOTAL</b>	<b>\$ 8,753.65</b>

**LABOR COSTS**

- SUPERVISION / FIELD MEASUREMENT / SUBMITTALS	LUMP SUM	\$ 600.00
- LABOR TO INSTALL 24 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)		\$ 1,144.32
	<b>TOTAL LABOR</b>	<b>\$ 1,744.32</b>
	<b>SUB- TOTAL LABOR &amp; MATERIAL</b>	<b>\$ 10,497.97</b>
	15% MU / OH	\$ 1,574.70
	1% BOND	\$ 120.73
	<b>TOTAL ITEM D</b>	<b>\$ 12,193.40</b>

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**DEDUCT WALL MOUNT DIAPER CHANGING STATIONS**

OMIT FROM SCOPE 5EA- KOALA # KB200-00 @ RMS 542, 539, 524, 502 & 503

**MATERIAL COSTS**

UNIT COST PER BOBRICK QUOTE ATTACHED, 17EA X \$ 181.44

NET COST \$ 907.20  
TAX @ 7.25% \$ 65.77  
SHIPPING \$ 120.00  
MATERIAL TOTAL \$ 1,092.97

**LABOR COSTS**

- LABOR TO INSTALL 5 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)

TOTAL LABOR \$ 238.40  
SUB- TOTAL LABOR & MATERIAL \$ 1,331.37  
15% MU / OH \$ 199.71  
1% BOND \$ 15.31

~~TOTAL ITEM D (- \$ 1,546.39)~~ NOT A PART

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TOTAL COSTS

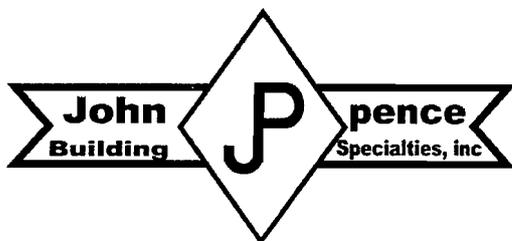
- LINE ITEM 1 \$ 4,467.18  
- LINE ITEM 2 \$ 7,794.28  
- ~~LINE ITEM 3 \$ 4,378.07~~  
- LINE ITEM 4 \$ 12,293.43  
- ~~DIAPER CHANGERS (- \$ 1,546.39)~~  
GRAND TOTAL \$ 27,386.57

TOTAL CHANGE, THIS REQUEST      ~~\$ 27,386.57~~      \$24,554.89

- SUBJECT TO TERMS OF ORIGINAL QUOTE
- PLEASE NOTE, NO MATERIAL WILL BE ORDERED OR FABRICATED WITHOUT EXPRESS WRITTEN CONSENT AND APPROVAL.

THANK YOU,

# Request For Change Order



JOHN PENCE BUILDING SPECIALTIES, INC.  
 535 SOUTH C ST. OXNARD, CA 93030  
 MAILING: PO BOX 7159, OXNARD, CA 93036  
 PHONE: 805.642.8139  
 FAX: 805.642.3712  
 E-MAIL: INFO@JPBSI.COM  
 LICENSE # 403822 B, C-61, D-34

**To:** BALFOUR BEATTY CONSTRUCTION      **From:** MATT WHITECOMB

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**Fax:** 866-523-5686      **Pages:** (INCLUDING COVER)

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**Phone:**      **Date:** 6-19-2012

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**Req. #** 2      **Job #:** 10-099

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**Ref:** CITY OF MOORPARK, SIGNAGE CHANGES

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**Urgent**       **For Review**       **Please Comment**       **Please Reply**       **Please Recycle**

## ATTN: John Squillance Jr.

PLEASE FIND BELOW, AN ITEMIZED COST PROPOSAL TO ADD THE DIRECTIONAL SIGNS (2) AND THE TENANT ID SIGNS (4) W/ GLASS BACKERS AS NECESSARY AS OULINED IN YOUR EMAIL DATED FEB 24<sup>TH</sup>, 2012. PLEASE REVIEW AND NOTIFY ME OF ANY DISCREPANCIES OR REVISIONS THAT YOU MIGHT SEE.

### MATERIAL COSTS (PER ATTACHED QUOTE FROM MOHAWK SIGNS)

LUMP SUM	\$ 370.00
TAX @ 7.25%	\$ 26.83
SHIPPING	\$ 35.00
<b>MATERIAL TOTAL</b>	<b>\$ 431.83</b>

### LABOR COSTS

- LABOR TO INSTALL 2 MAN HOURS X \$ 47.68/ HR (GROUP 1 LABORER)	\$ 95.36
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SUB- TOTAL LABOR & MATERIAL	\$ 527.19
15% MU / OH	\$ 79.08
1% BOND	\$ 5.27
<b>TOTAL</b>	<b>\$ 611.54</b>

**TOTAL CHANGE, THIS REQUEST      \$ 611.54**

- SUBJECT TO TERMS OF ORIGINAL QUOTE
- PLEASE NOTE, NO MATERIAL WILL BE ORDERED OR FABRICATED WITHOUT EXPRESS WRITTEN CONSENT AND APPROVAL.

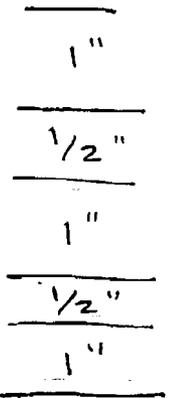
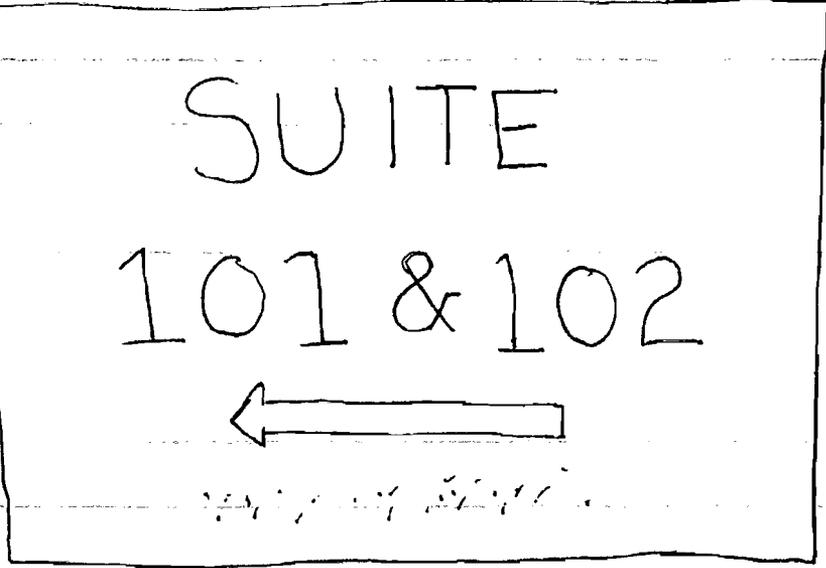
THANK YOU,

IEA

\* NO GLASS BACKER REQ.

9"

6"



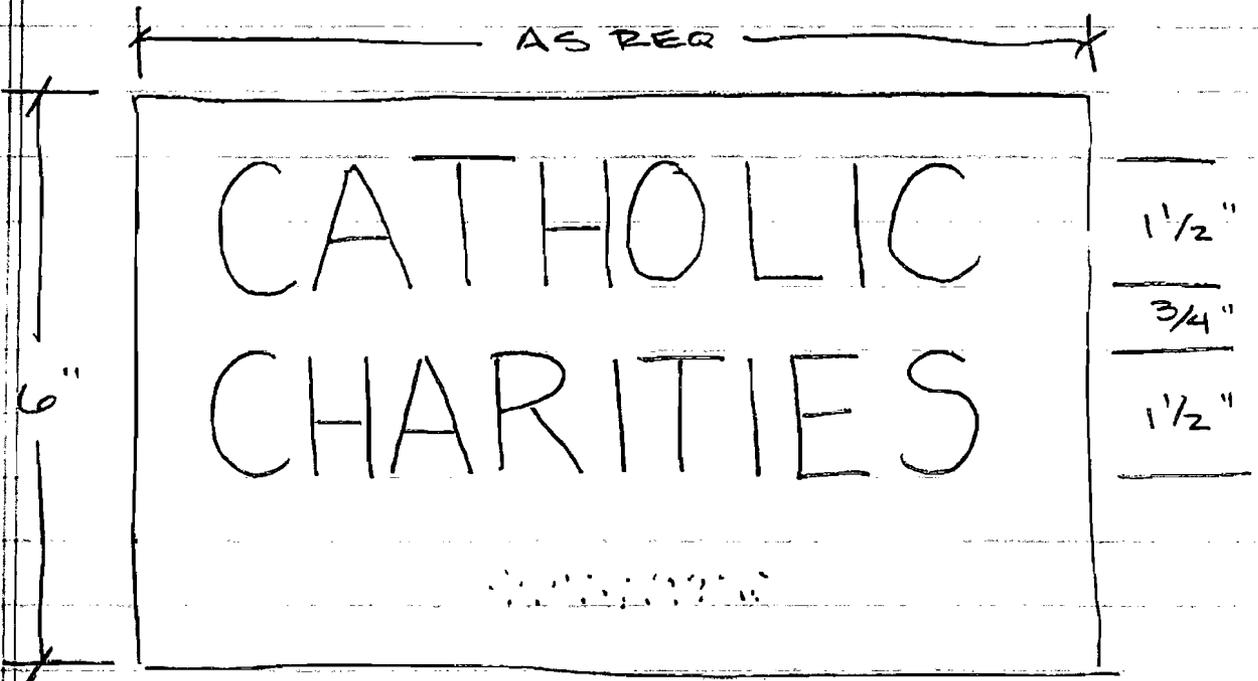
IEA

\* NO GLASS BACKER REQ.

9"

6"





IEA - CATHOLIC CHARITIES

\* PROVIDE GLASS BACKER

IEA - INTERFACE CHILDREN  
& FAMILY SERVICES

\* PROVIDE GLASS BACKER

IEA - VENTURA COUNTY

HUMAN SERVICES AGENCY

\* PROVIDE GLASS BACKER

AS REQUIRED

FIRST 5

MOORPARK/SIMI VALLEY  
NEIGHBORHOOD FOR LEARNING

IEA

\* NO CLASS BACKER REQUIRED

1 1/2  
3/4  
1  
1/2  
1