



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: JUNE 13, 2023

DEPARTMENT: PUBLIC WORKS DEPARTMENT

FROM: DAVID JACOBS, P.E., L.S., PUBLIC WORKS DIRECTOR

BY: ADRIANA ROBLES, PE, CFM, CITY ENGINEER
JONATHAN ESTEBAN, ASSISTANT ENGINEER

TITLE: CITY HALL EMERGENCY ROOF REPAIR, PROJECT NO. 8170

RECOMMENDED MOTION:

A motion to approve a Resolution to:

- 1) Approve Contract Change Order No. 1 to F C & Sons Roofing, Inc. for the City Hall Emergency Roof Repair, Project No. 8170 In the amount of \$412,031.00 and authorize the City Manager to execute all necessary documents related to Contract Change Order No. 1; and
- 2) Authorize 20% of the new contract amount for construction contingencies (\$211,660.40) for the City Hall Emergency Roof Repair, Project No. 8170; and
- 3) Authorize expenditure cost for all professional emergency moving, Information Technology changes and unforeseen moving/transition expenses relating to the Emergency Roof Project in an amount not to exceed \$100,000.

EXECUTIVE SUMMARY:

On April 4, 2023, City Council approved Resolution No. 22627 awarding an emergency construction contract to F C & Sons Roofing, Inc. for the City Hall Emergency Roof Repair, Project No. 8170 in the amount of \$646,271.00. Following the execution of the agreement and during the pre-construction phase, the Contractor discovered that the existing asbestos-containing fireproofing spray below the roof deck was friable and would be disturbed during emergency roof repair activities, creating a potential hazard to staff below the first-floor roof. The Contractor recommended for the asbestos fireproofing located above the first floor of City Hall be abated prior to construction activities. Contract Change Order No. 1 for the abatement of asbestos within City Hall in the amount of \$412,031.00 is above the authorized 15% construction contingency of \$96,941.00 and requires Council approval, per Policy 75-1.

BACKGROUND:

On April 4, 2023, City Council approved Resolution No. 22627 awarding an emergency construction contract to F C & Sons Roofing, Inc. for the City Hall Emergency Roof Repair, Project No. 8170 in the amount of \$646,271.00.

The contract was awarded to resolve the immediate need for repair of roof leaks causing damage to staff and equipment within City Hall. It was intended to move forward prior to abatement and other building improvements. However, following contract execution and during pre-construction project discussions, the Contractor discovered that the existing asbestos-containing fireproofing material below the roof deck was friable and would be disturbed during emergency roof repair activities, creating a potential hazard to staff below the first-floor roof. The Contractor recommended for the asbestos fireproofing material within the first floor of City Hall be abated prior to emergency roof repair work.

Contract Change Order No. 1 (CCO1) directs the Contractor to perform asbestos abatement necessary within the first floor of City Hall to safely perform roof repairs thereafter in the amount of \$412,031.00. The scope of work for Change Order No. 1 includes removal and disposal of approximately 9,890 SF of asbestos fireproofing material, 13,400 SF of carpet, floor tiles, and asbestos containing mastic under full containment and negative pressure. Removal and disposal of all materials shall comply with all applicable codes, ordinances, rules, regulations, orders, and other legal requirements of local, state, and federal agencies such as Federal Occupational Safety and Health Administration (OSHA), California OSHA (Cal/OSHA), the United States Environmental Protection Agency (EPA), and the Monterey Bay Air Resources District (MBARD).

Department Policy 75-1, Item 3, requires City Council approval for issuance of contract change orders of more than \$100,000.00, or when the cumulative total of Contract Change Orders exceeds 10% of the original contract amount. At contract award, 15% of the contract amount was authorized for construction contingencies per Resolution No. 22627 for an amount of \$96,941.00. However, this amount of authorized contingency is insufficient to cover CCO 1 of \$412,031.00.

Staff is seeking Council approval of Contract Change Order No. 1 to address potential hazard from disturbance of existing asbestos materials by the emergency roof repair activities in the amount of \$412,031.00 and approval of an additional 20% construction contingencies of the new contract amount, \$211,660.40 for construction contingencies. If approved, the new contract amount will be \$1,058,302.00 with CCO1 and the new total not to exceed amount for construction will be \$1,269,962.40. The net change in overall authorized amount is \$526,750.75. See Table 1 below for a breakdown.

Table 1 – Construction Cost Request Breakdown

Original Contract Amount:	\$ 646,271.00
Original 15% Contingency Amount:	\$ 96,940.65
Council Resolution 22627 Authorized Amount	\$ 743,211.65
Contract Change Order No. 1	\$ 412,031.00
New Contract Amount With CCO1	\$ 1,058,302.00
New 20% Construction Contingency Request	\$ 211,660.40
Additional Not to Exceed (CCO1 and 20% Contingencies)	\$ 526,750.75
New Total Contract Not to Exceed Amount	\$ 1,269,962.40

Construction of the project has yet to commence, and the additional asbestos abatement scope is the basis for the additional 20% contingency request.

CEQA CONSIDERATION:

The City of Salinas has determined that the proposed action is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15301).

STRATEGIC PLAN INITIATIVE:

This project addresses the current City Council's Goals of Operational Efficiency and Public Safety.

DEPARTMENTAL COORDINATION:

The Public Works Department is collaborating with Legal, Administration and Finance Departments. Abatement of asbestos materials will require relocation of City Hall staff and this effort is requiring coordination with Human Resources, Administration and Library and Community Services.

FISCAL AND SUSTAINABILITY IMPACT:

There are sufficient funds within the project CIP 8170 to approve Contract Change Order No. 1, \$412,031.00, authorize an additional 20% of the new contract amount, \$211,660.40 for construction contingencies, and authorize expenditure cost for all professional emergency moving, Information Technology changes and unforeseen moving/transition expenses relating to the Emergency Roofing Project in an amount not to exceed \$100,000.

ATTACHMENTS:

Resolution