

**BOARD REPORT NO. 10-5-103B**

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: José D. Nuñez, Vice-Chancellor Facilities Planning,  
Maintenance and Operations, 358-6836

**AUGMENTATION TO DESIGN-BUILD CONTRACT FOR THE SKYLINE COLLEGE  
FACILITIES MAINTENANCE CENTER SLOPE STABILIZATION  
AND EROSION MITIGATION PROJECT**

On May 14, 2008 the Board authorized the Executive Vice Chancellor to execute a design-build contract with Robert A. Bothman, Inc. for the construction of the Cañada College Gateways, Circulation and Parking Project (Board Report No. 08-5-103B) in the amount of \$7,639,735. On March 25, 2009 the Board authorized the augmentation of the design-build contract with Robert A. Bothman in the amount of \$594,000 (Board Report No. 09-3-105B) and authorized the augmentation of the design-build contract on April 22, 2009 in the amount of \$356,800 (Board Report No. 09-4-105B).

The District has a pressing need to mitigate soil and water erosion caused by severe storms along all slopes at the Skyline College Facilities Maintenance Center. Mitigation measures will include an improved storm drainage system that will manage excessive water runoff and flooding around the facility and waste management yard. Measures were considered with sensitivity to the ecosystem.

One of the distinct advantages of a design-build delivery method is the ability to add scope to an existing contract with a vendor that has already been approved by the District. As such, the District solicited proposals from four active design-build contractors working on projects in the District. The District has received a design-build proposal from Robert A. Bothman in the total amount of \$469,449 to provide sub-grade improvements, manage hillside water, construct retaining walls, divert roof run-off, remedy soil disturbance and provide new ground cover. Countermeasures were requested to avert rain water from collecting in the Facilities Maintenance Center's vehicle bays and workshops. To seek due diligence, the District also received proposals from Hensel Phelps Construction and Pankow Builders. McCarthy Building Co did not submit a proposal. The two accompanying proposals submitted offered unique design approaches. Unfortunately, they offered a lower core competence when considering crucial task, goals, and value. Robert A. Bothman is the preferred contractor for this work as they offer true value-based, one-stop solutions with a high degree of site work expertise and extensive knowledge, as well as proven engineering capabilities.

Following is a list of the proposals received:

<b>Contractor</b>	<b>Bids</b>
Hensel Phelps Construction:	\$802,400
Robert A. Bothman:	\$469,449
Pankow Builders:	\$465,201
McCarthy Building Co.:	no bid

The contract award was based on the following criteria:

- 40% Price points can be achieved from the value associated with the cumulative price of all items. “Value” is determined by low price, adherence to SMCCCD Facilities Design and Construction Standards, and conformance with Title 24, A.D.A. and Field Act.
- 30% Price Certainty points can be achieved from the price certainty offered in the design-builder’s proposal, specific to confidence in the proposed price and the anticipation of cost changes as design and construction progresses.
- 30% Project Management Plan points can be earned with a superior construction logistics plan, quality assurance/quality control plan, construction administration, safety plan, project schedule, and other aspects of project management and administration

The proposals were analyzed by the District’s internal staff and its resources of architects, engineers and contractors who work in the Facilities Planning, Maintenance & Operations and Construction Planning Departments. Staff is requesting this authorization to augment the Robert A. Bothman contract to accommodate Skyline College Facilities Maintenance Center Erosion Control and Slope Stabilization.

In any construction contract, the District bears the burden of unforeseen conditions. In light of the nature of the scope, meetings with our design-build partners and developing a design which restores serious civil issues, and the high probability of encountering extreme soils conditions, staff recommends the Board authorize an additional 15% (\$70,500) for owner-approved additional work related to unforeseen conditions. The funding source for this contract scope change is Measure A general obligation bond funds.

#### **RECOMMENDATION**

It is recommended that the Board authorize augmentation of the existing design-build contract with Robert A. Bothman, Inc. in an amount not to exceed \$539,949.