



Agenda Date: 7/10/2007  
Agenda Placement: 6D  
Continued From: June 5, 2007

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Martha Burdick for Robert Peterson - Director  
Public Works  
**REPORT BY:** Martha Burdick, Public Works Admin Manager, 259-8188  
**SUBJECT:** Hall of Justice Booster Pumps Replacement

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### **RECOMMENDATION**

Director of Public Works requests the following actions regarding the Hall of Justice Booster Replacement Project, PW 07-30:

1. Accept the emergency work as complete and authorize the Chair to sign and Clerk of the Board to record a Notice of Completion with the Clerk/Recorder; and
2. Declare that in light of the completion of the project, the emergency as defined by Section 1102 of the Public Contract Code, no longer exists.

### **EXECUTIVE SUMMARY**

On May 1, 2007, the Board made emergency findings and authorized the award of an emergency contract to Bell Products of Napa, California, pursuant to Public Contract Code Sections 20134(a) and 22050, for the replacement of the booster pump assembly for the Hall of Justice in an amount not to exceed \$40,000. Section 22050(c)(2) required that the Board review the emergency findings at its next regularly scheduled meeting, to determine whether there was a need to continue the emergency findings in effect, with further review at regular Board meetings at no less than 14 day intervals thereafter until the action is terminated. On May 8, May 22, June 5, June 19, and June 26, the Board conducted such review and continued the emergency findings in effect.

With the Project now complete, the emergency no longer exists. Staff is requesting the Board authorize recordation of the Notice of Completion for this Project and allow the emergency findings to terminate.

### **FISCAL IMPACT**

Is there a Fiscal Impact?            Yes  
Is it currently budgeted?            Yes

|                                   |   |
|-----------------------------------|---|
| Where is it budgeted?             | Capital Improvement Program   |
| Is it Mandatory or Discretionary? | Mandatory   |
| Is the general fund affected?     | Yes   |
| Future fiscal impact:             | None  |
| Consequences if not approved:     | Notice of Completion recordation is necessary to begin running of labor and materials claim period. With completion of the Project resolving the threat to Jail operations, allowing the emergency findings to terminate is required by Public Contract Code section 22050. |
| Additional Information:           | The final construction cost was \$30,931 with no change orders. The estimated final project cost is \$37,000 including construction, engineering, inspection and public works administration.   |

### **ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

On May 1, 2007, the Board made emergency findings and based on such finding authorized award of a time and materials contract to Bell Products of Napa California, without advertising for competitive bids, as authorized by Public Contract Code Sections 20134(a) and 22050, for the replacement of the booster pump assembly for the County Jail/Hall of Justice, in an amount not to exceed \$40,000. Public Contract Code section 22050(c)(2) required that the Board review this emergency action at its next regularly scheduled meeting to determine if there was a need to continue the emergency findings in effect, with further review at regular Board meetings at no less than 14 day intervals thereafter, until the circumstances creating the need for emergency action end.

Staff returned to the Board on May 8, May 22, June 5, June 19, and June 26 to report on the progress of the work and, based on such reports, the Board continued the emergency findings in effect on each date. Public Works staff is now reporting to the Board that the Project is complete and that completion of the work has now eliminated the impending threat to the continuity of County operation of the Hall of Justice/County Jail complex.

The final construction cost of the Project under the time and materials contract with Bell Products was \$30,931, with no change orders. The estimated overall Project cost is \$37,000, which includes engineering, inspection and administration, as well as the construction component. With completion of the Project, staff believes, and requests the Board to find, that the previously identified emergency no longer exists. Staff is also requesting the Board to authorize recordation of a Notice of Completion for the Project.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi