



Agenda Date: 8/1/2006
Agenda Placement: 6D

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Juan Arias, PRINCIPAL PUB WORKS ENGINEER , 259-8374
SUBJECT: City/County of Napa Fifth Street Parking Garage - Various Authorizations and Approvals

RECOMMENDATION

Director of Public Works requests the following actions relating to the "City/County of Napa Fifth Street Parking Garage Project," PW 07-01:

1. Authorization for the Director of Public Works to utilize the design-build project delivery method as allowed by Public Contract Code Section 20133 for the delivery of the subject project; and
2. Approval of and authorization for the Chair to sign an agreement with Watry Design, Inc., of Redwood City, California, for a maximum of \$310,500 for the term August 1, 2006 through June 30, 2007 for the preparation of a design-build bidding package in accordance with Sections 20133(a)-(d) of the Public Contract Code and for construction administration assistance services.

EXECUTIVE SUMMARY

On July 25, at a Joint Napa City Council/County Board of Supervisors meeting, staff was given direction to proceed with project delivery of a parking garage structure on the County Superblock. Authorization is requested for the Director of Public Works to utilize the design-build project delivery method, as allowed by Public Contract Code Section 20133, for the delivery of the subject project, and approval and authorization for the Chair to sign an agreement with Watry Design, Inc. for the preparation of a design build bidding package and construction administration assistance services, in order that staff may proceed with the direction given on July 25.

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:	Construction will go into the 2007/2008 Fiscal Year. Unexpended Projects funds will be rebudgeted.
Consequences if not approved:	Staff will not be able to proceed with delivering the Fifth Street Parking Garage Project.
Additional Information:	None

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

Public Contract Code Section 20133 provides for an alternative bidding procedure for construction projects in excess of \$2.5 million. This code was added based upon the finding of the State Legislature that cost-effective benefits are achieved by shifting the liability and risk for cost containment and project completion from local jurisdictions to the design-build entity. The project may be awarded using either the lowest responsible bidder or by best value. This alternative method can be applied with approval from the Board of Supervisors. Staff is recommending that the City/County of Napa Fifth Street Parking Garage Project be delivered through the design-build project method.

According to Public Contract Code Section 20133 design-build projects shall progress in the four-step process described in subsections 20133 (a)-(d). The four-step process is generally as follows:

1. The County shall prepare a set of documents setting forth the scope of the project. The documents may include, but are not limited to the size, type and desired design character of the buildings and site, performance specifications covering the quality of materials, equipment, and workmanship, preliminary plans or building layouts, or any other information deemed necessary to describe adequately the County's needs.
2. Based on the documents prepared in paragraph (1), the County shall prepare a request for proposals that invites interested parties to submit competitive sealed proposals in the manner prescribed by the County and shall include elements such as the methodology that will be used by the County to evaluate proposals, if the contract will be awarded to the lowest responsible bidder and if the County will be holding discussions or negotiations with the responsible bidder.
3. The County shall establish a procedure to qualify design-build entities using a standard questionnaire developed by the County which will at minimum require information regarding company legal status, experience, competency, capability and capacity to complete projects of similar size, scope, or complexity. The questionnaire will also require the licenses, registration and credentials required to design and construct the project as well as evidence that establishes that the design-build entity has the capacity to obtain required bonding and insurance. Also required will be information regarding financial solvency as well as prior safety and contractor's state license law violations.
4. The County shall establish a procedure for final selection of the design-build entity such as a design-build competition that would include elements such as evaluation of the competitive proposals using only the criteria and selection procedures specifically identified in the request for proposal, raking of the top three

responsible bidders, award of the contract to the responsible bidder who submits the most advantageous proposal, announcement of the award and basis for the award.

Staff is also requesting approval and authorization for the Chair to sign an agreement with Watry Design, Inc., of Redwood City, California, for a maximum of \$310,500 for the term August 1, 2006 through June 30, 2007 for the preparation of a design-build bidding package in accordance with sections 20133d (1)-(4) of the Public Contract Code and for construction administration assistance services. Public Works selected Watry Design, Inc. for the following reasons:

- | familiarity of County/City requirements for a parking garage as a result of having prepared plans, specifications and estimates for the previously proposed Coombs Street parking garage to be built on the Sullivan Block through the traditional design-bid-build project delivery method;
- | need to expedite parking garage project;
- | experience in previously preparing design-build bid packages for parking garages for other municipalities.

It should also be noted that Public Contract Code Section 20133(d)(1)(B) specifies that any architect or engineer retained by the County to assist in the development of the project specific documents, in this case Watry Design, Inc., shall not be eligible to participate in the preparation of a bid with any design-build entity for this project.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey