

CUMBERLAND COUNTY FACILITIES COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
DECEMBER 5, 2013 - 9:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Billy King, Chair
 Commissioner Ed Melvin
 Commissioner Charles Evans

OTHER COMMISSIONERS
PRESENT: Commissioner Kenneth Edge
 Commissioner Jimmy Keefe

OTHERS PRESENT: James Martin, County Manager
 Amy Cannon, Deputy County Manager
 James Lawson, Assistant County Manager
 Sally Shutt, Chief Public Information Officer
 Rick Moorefield, County Attorney
 Melissa Cardinali, Finance Director
 Howard Abner, Assistant Finance Director
 Jeffery Brown, Engineering and Infrastructure Director
 Jim Murphy, Metcon-Balfour Beatty
 Russell Giles, Moseley Architects
 Kellie Beam, Deputy Clerk to the Board
 Press

Commissioner Billy King called the meeting to order.

1. APPROVAL OF MINUTES – SEPTEMBER 5, 2013 MEETING

MOTION: Commissioner Melvin moved to approve the minutes.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (3-0)

2. UPDATE ON DETENTION CENTER EXPANSION PROJECT

James Martin, County Manager, stated he recently learned there was a failure on his part to make sure the final amount of money was budgeted for the capital construction of the Detention Center Expansion Project. Mr. Martin stated \$423,433 was necessary to be put into the budget in June to cover the contractual cost that was already obligated for the project and it failed to be done. Mr. Martin further stated a budget revision for \$423, 433 less sales tax would need to come back to the full board. Questions followed.

BACKGROUND:

In August 2012, Cumberland County executed a construction contract with Metcon-Balfour Beatty in the amount of \$12,994,214 for the Detention Center Expansion Project. A Notice to Proceed was issued on September 5, 2012 with a substantial completion date of October 27, 2013 and a final completion date of November 27, 2013. While the contractor believed that the project would be completed by the end date specified in the contract and continuously relayed that message to the owner, in reality that significant amount of rainfall throughout the contract was simply too much to overcome to meet the established completion date. There are provisions within the contract that allow consideration of additional time due to excessive rainfall. It is currently projected that the expansion will be ready to turn over to the county on January 2, 2014.

Included within this contract amount was a contractor contingency amount of \$235,376 and an owner contingency amount of \$325,000. The contractor contingency was to be used to cover any issues that arose during construction that the contractor had failed to include in scoping the project. The owner contingency amount was to be used for owner initiated changes or design changes initiated by the Architect. Currently there is a balance of \$23,016.43 remaining within owner contingency and a balance of \$62,836 remaining in contractor contingency. The owner contingency was substantially impacted by a \$123,781 cost of enclosing the west stairwell; a request originated by detention center staff. However, there are outstanding request for change orders that have been submitted against both the owner and contractor contingencies that have yet to be approved by the Architect and Owner at this time. Based on a meeting on December 3rd with Balfour Beatty and Moseley Architects, it is believed that a consensus will be reached that would allow the project to be completed within budget.

Russell Giles with Moseley Architects along with Jim Murphy with Balfour Beatty will be present to provide an overview which will include significant challenges faced during construction, a summary of the project budget, and a schedule for completion. They will also be available to answer any questions that the Committee may have concerning the project.

RECOMMENDATION/PROPOSED ACTION:

This item is for informational purposes only and therefore no action is required by the Committee at this time.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above. Mr. Brown stated due to additional requests and unexpected rain delays, the project would not be completed on time and may have the potential to exceed the original price. Russell Giles, Mosley Architects, stated the contractors were held up due to fifty-six (56) rain days that negatively impacted the project.

Mr. Brown stated at the time the Detention Center Expansion Project was bid by the contractor, the design that was prepared by Moseley Architects did not include an enclosed stairwell. Mr. Brown further stated the Detention Center staff requested an enclosed stairwell that was not part of the original price. Commissioner Edge stated he feels the Detention Center staff should have made the request for the enclosed stairwell during the initial planning meetings. Commissioner Melvin stated he feels when you give someone a set price you stick with it and the directive was for nothing over \$15 million dollars. Commissioner King stated he feels getting this close to the final completion date and being within \$100,000 of a \$15 million dollar project is good. Questions followed.

Commissioner Evans asked how long it would be before the project is completed. Jim Murphy, Metcon-Balfour Beatty, stated furniture could be brought in around the end of December and he feels full occupancy could begin around the beginning of January. Commissioner Evans stated his only concern is that the committee is just now finding out about the project not being on time and possibly being over budget. Commissioner King stated he should not hear about a potentially delayed county project in the local newspaper. Commissioner Keefe stated he did not receive notice that the project was not on time and potentially over budget until two weeks ago.

Commissioner Keefe asked if the Detention Center staff would be ready to move into the building when the project is completed. Mr. Brown stated the Detention Center staff is ready and has a plan in place to move furniture and fixtures into the building. Mr. Brown stated once the facility is turned over to the Detention Center staff, the relocation of existing inmates should begin within thirty (30) days.

3. OTHER MATTERS OF BUSINESS

Mr. Brown stated in December of 2009 the full board approved the demolition of the Legal Aid building which is on the corner of Gillespie Street and Russell Street. Mr. Brown stated a budget revision would be submitted on the December 16, 2013 Board of Commissioners agenda for \$66,975 to move forward with the demolition of the building. Mr. Brown stated asbestos abatement would be included in the demolition contract. Mr. Brown stated the current plan is for the demolished area to be utilized for additional parking.

MEETING ADJOURNED AT 10:29 AM.