

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING: A) AN INCREASE IN THE FINAL ANIMAL SHELTER PROJECT BUDGET BY \$900,000 TO \$28,300,000; AND B) RATIFICATION OF AMENDMENT 1 TO THE AGREEMENT WITH F&H CONSTRUCTION AND ALL CHANGE ORDERS CONSOLIDATED THEREIN**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, all municipalities are mandated by the State of California to provide animal sheltering and welfare services and since 1951 the County of San Mateo has managed these services for all cities and unincorporated areas within the County; and

**WHEREAS**, the prior facility, located at 12 Airport Boulevard in San Mateo, was outdated, with a level of deterioration that restricts necessary repairs and upgrades and falls short of current animal care best practices and standards; and

**WHEREAS**, on or about September 9, 2014, the cities and towns within the County of San Mateo entered into an agreement to share the construction costs of a new Animal Care Shelter Facility which provided that the County would advance the funds for construction which would, in turn, be repaid by the municipalities according to their share, through a 30-year, interest-free lease agreement; and

**WHEREAS**, the new facility replaces the existing building at the current parcel of land and will offer services like those currently provided there, including state-mandated animal control functions of licensing, public animal receiving, domestic animal holding, and euthanasia of severely injured animals; and

**WHEREAS**, on February 28, 2017 this Board approved a design-build agreement with F&H Construction for construction of the Animal Shelter in an amount not to exceed \$19,694,993 with change order authority not to exceed \$1,969,499, for a total authorization of \$21,664,492; and

**WHEREAS**, on December 4, 2018, due to design improvements, added square footage, mechanical enhancements necessary to ensure proper and humane animal care, and cost escalation in the construction market, this Board approved Resolution No. 076292 which increased the change order/Amendment authority for the F&H Construction contract by an additional \$2,835,508 for a total agreement amount with F&H Construction of \$24,500,000, and increased the total project budget to \$26,600,000; and

**WHEREAS**, on July 10, 2018 a “Notice of Revised Estimated Construction Costs for the Animal Care Shelter Facility” was sent to the cities advising them of the new estimate construction budget of \$26,600,000, with \$1,800,000 to be absorbed by the County and the municipalities shared responsibility increased to \$24,800,000; and

**WHEREAS**, on February 25, 2020, this Board approved Resolution No. 077238 which increased the change order/Amendment authority for the F&H agreement by an additional \$1,000,000 for a total agreement amount of \$25,500,000 and a total project budget of \$27,400,000, and the increase covered a portion of the anticipated change orders to address necessary scope modifications and unanticipated conditions and recognized fund transfers from the City of Burlingame and County of San Mateo Health to cover a portion of those increases; and

**WHEREAS**, pursuant to the authority provided by the above referenced resolutions of this Board, reasonable and appropriate change orders to the agreement with F&H Construction have been authorized by the Director of the Project Development Unit, the County Manager, and/or designee, an amendment consolidating such change orders has been executed and approved by the same, and the Board has reviewed, considered, and approved such change orders and the consolidating amendment, finding all to be reasonable and appropriate; and

**WHEREAS**, to address total hard and soft costs required to complete the project at its currently defined scope, including testing and inspections, abatement monitoring, geotechnical observation, and project management costs outside of the F&H agreement, an increase in \$900,000 is needed for the project budget; and

**WHEREAS**, this increase will be added to the total cost to be reimbursed by the cities and towns within the County, increasing that amount from \$24,800,000 to \$25,700,000, with the total County funded amount of \$2,600,000; and

**WHEREAS**, this resolution requests approval from the Board for an additional \$900,000 in funding, and an accompanying resolution seeks authorization for an associated Appropriations Transfer Request to make the funds available to the Project Development Unit; and

**WHEREAS**, pursuant to the authority set forth in Resolution 077238, Amendment 1 to the Agreement with F&H Construction was executed on April 22, 2020 and change orders within the amounts authorized have been executed and work performed by F&H Construction and their subcontractors according to such approved

change orders and F&H Construction has thereafter submitted invoices for payment;  
and

**WHEREAS**, this Board has reviewed Amendment 1 and the change orders referenced above and desires to ratify and approve the same.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the total budget for the Animal Shelter Project is hereby increased by \$900,000 to \$28,300,000; and

**BE IT FURTHER RESOLVED** that Amendment 1 to the Agreement with F&H Construction is hereby ratified and approved, and all changes orders attached hereto are hereby ratified and approved.

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