

SECOND AMENDMENT

TO THE AGREEMENT BETWEEN THE COUNTY OF TEHAMA AND LIONAKIS

This Amendment to Agreement Number 2015-294, dated September 15, 2015, as amended by Agreement 2017-124 by and between the County of Tehama (County) and Lionakis (Consultant) (the "Original Agreement") shall be amended as set forth herein.

I. Section 1 of the Original Agreement is amended to read as follows:

1. RESPONSIBILITIES OF CONTRACTOR

- A. During the term of this agreement, Consultant shall provide architectural/engineering services for the new Tehama County Corrections Reentry Center Project as set forth in County's SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program Proposal Identification No. A19-13, on the site of the current Tehama County Library, as set forth in Exhibit "B" attached hereto.
- B. Consultant shall further provide architectural/engineering services related to the rerouting of Madison Street; additional structural design to accommodate the existing conditions based on results of the geotechnical investigation; additional architectural/engineering to accommodate a larger building resulting from the increased SB1022 project award; and assist the County in developing a staffing and operational analysis, as set forth in Scope Changes to the Project, attached to this First Amendment as Exhibit "C".
- C. Consultant shall provide additional architectural/engineering services that have been imposed due to State and other delays, as set forth in Proposed Tehama County Jail Addition – SB 1022: Additional Services State Delays, attached to this Second Amendment as Exhibit "D".
- C. In the event of a conflict between the provisions of the main body of this Agreement and any attached Exhibit(s), the main body of the Agreement shall take precedence, followed by the Exhibits, in descending order, as indicated below:

Exhibit D, Exhibit C, Exhibit B

- II. Section 3 of the Original Agreement is amended to read as follows:

3. **COMPENSATION**

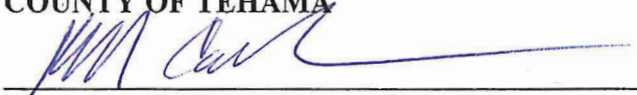
- A. County shall pay Consultant a flat fee of \$1,886,306 for all services provided hereunder. Except as expressly provided in Subsection (B), this flat fee is inclusive of all compensation, reimbursement, travel and mileage costs, or charges due to Consultant for services provided under this agreement.
- B. County shall additionally reimburse Consultant for actual and reasonable reproduction costs for bidding purposes; provided that said reproduction costs are requested and pre-approved by County and supported by an invoice or receipt from the third-party vendor. Reimbursement for reproduction costs for bidding purposes under this Subsection shall not exceed \$3,000.
- C. The Maximum Compensation payable under this agreement, including any bidding reproduction expense for reimbursement, shall not exceed \$1,889,306. Consultant shall not be entitled to payment or reimbursement for any tasks or services performed except as specified herein. Consultant shall have no claim against County for payment of any compensation or reimbursement, of any kind whatsoever, for any service provided by Consultant after the expiration or termination of this Agreement. Consultant shall not be paid any amount in excess of the Maximum Compensation amount set forth above, and Contractor agrees that County has no obligation, whatsoever, to compensate or reimburse Consultant for any expenses, direct or indirect costs, expenditures, or charges of any nature by Consultant that exceed the Maximum Compensation amount set forth above. Should Consultant receive any such payment, it shall immediately notify County and shall immediately repay all such funds to the County. This provision shall survive the expiration or other termination of this Agreement.

It is mutually agreed that all other terms and conditions of Agreement Number 2015-294 shall remain in full force and effect.

IN WITNESS WHEREOF, County and Consultant have executed this agreement on the day and year set forth below.

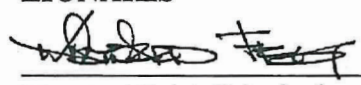
Date: 8/23/22

COUNTY OF TEHAMA


Chairman

Date: 7/13/2022

LIONAKIS


Maynard Feist, Principal

115402
Vendor Number

Exhibit "D"



1919 Nineteenth Street
Sacramento CA 95811
P: 916.558.1900
F: 916.558.1919
www.lionakis.com

June 28, 2022

Tom Provine
County Administrators Office
County of Tehama
727 Oak Street
Red Bluff, CA 96080

Re: Proposed Tehama County Jail Addition – SB 1022: Additional Services State Delays- R1

Dear Tom:

Per our previous conversation, we are requesting additional services fees to complete Construction Documents Phase work to accommodate the various delays and added scope that we've experienced. To date Lionakis and our consultants are substantially over in our fees and as you are aware, the project team has experienced substantial delays to the project and rework to accommodate the Lease Revenue Bond process.

This request is based on the substantial delays and the following:

- Inability to receive approval to Preliminary Plans (PP's) due to Department of Finance
- Rework and multiple document submissions to DGS and DOF to accommodate relocation of Madison Street.
- Potential incorporation of added Radio to our scope.
- Fees based on 2015 fee rate schedule and our increases
- New State Fire Marshal process and delays
- Board of State and Community Corrections (BSCC) numerous documentation
- Scope changes required by PG & E
- Delays causing documents to be umpted/changing to new code cycles
- Additional geotechnical services to review poor soil recommendations and updates to accommodate new code cycle.
- Department of General Services (DGS) delays relating to the ground lease
- Department of Finance (DOF) review and approval delays
- Rework of County Division 0 and 1 specification sections
- Multiple BOS presentations

We are also requesting a fee augmentation for additional services required to complete Construction Administration Phase work related to the reasons listed above.

In addition to the scope changes, AHJ demands, and delays listed above, we are currently working on 2015 billing rates. We have substantial increases to our billing rates since this project started. Moving forward we are requesting to utilize our 2022 billing rates for additional project work.

With the above in mind, we propose a continued scope of services for Architectural, Civil Engineering, Landscape Architecture, Structural Engineering, Geotechnical Engineering, Mechanical and Plumbing Engineering, Electrical Engineering, Interior Design, Security Electronics, and Door Hardware. We have also been requested to provide additional professional services for Radio (incorporated as part bidding documents).

Services and deliverables shall coincide with the current contract.

ADDITIONAL SERVICES COMPENSATION

1. We request the following additional fees for work provided to-date and to complete the Construction Documents phase. Based on the review process and changes to-date, for increases during Construction Administration we request the additional fees for anticipated services as presented below:

Construction Documents:	\$99,400
Radio:	\$39,950
Bidding:	\$5,150
Construction Administration:	<u>\$159,740</u>
Total:	\$304,240

We recommend that the County also include a contingency of \$65,500 for potential additional A/E scope changes.

2. Reimbursables and Direct Expenses are not included within the above amounts. There is a separate budget for Direct Expenses.

We genuinely appreciate your attention to our request for this very important project and are looking forward to continuing our work with you. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,



Maynard Feist, AIA
Principal

<u>CLASSIFICATION</u>	<u>HOURLY RATES</u>
Principal.....	\$255.00
Associate Principal.....	\$240.00
Senior Associate.....	\$230.00
Director of Healthcare Planning.....	\$230.00
Director of Accessibility.....	\$230.00
Director of Sustainability.....	\$220.00
Director of Planning.....	\$220.00
Associate.....	\$220.00
Project Director.....	\$210.00
Senior Project Manager.....	\$200.00
Specifications Writer.....	\$200.00
Project Manager.....	\$190.00

ARCHITECTURAL SERVICES

Senior Architect.....	\$190.00
Architect II.....	\$175.00
Senior Job Captain.....	\$175.00
Job Captain.....	\$165.00
Architect I.....	\$165.00
Designer III.....	\$150.00
Designer II.....	\$140.00
Designer I.....	\$130.00
Specification Technician.....	\$130.00

INTERIOR DESIGN SERVICES

Interiors Project Director.....	\$195.00
Senior Interior Designer.....	\$175.00
Project Interior Designer.....	\$155.00
Interior Designer III.....	\$140.00
Interior Designer II.....	\$125.00
Interior Designer I.....	\$115.00

STRUCTURAL ENGINEERING SERVICES

Senior Engineer.....	\$190.00
Engineer II.....	\$180.00
BIM Manager.....	\$175.00
Engineer I.....	\$170.00
Senior BIM Technician.....	\$165.00
Structural Designer III.....	\$160.00
BIM Technician II.....	\$150.00
Structural Designer II.....	\$150.00
Structural Designer I.....	\$140.00
BIM Technician I.....	\$140.00

PROJECT SUPPORT SERVICES

Graphics Creative Director.....	\$190.00
Senior Graphic Designer.....	\$160.00
Graphic Designer.....	\$130.00
Senior Project Coordinator.....	\$115.00
Project Coordinator.....	\$105.00
Staff Technician.....	\$95.00

Consultant.....	Direct Cost + 10%
Reimbursables.....	Direct Cost + 10%
<i>Blueprints, Photocopies, Shipping, Photography, Plotting, Renderings, Travel Expenses, Agency Fees, etc.</i>	
Mileage.....	per IRS standard rate

E-Contract Review
Approval as to Form

Department Name: ADMINISTRATION

Vendor Name: Lionakis.

Contract Description: Second Amendment to the agreement with Lionakis
for the purpose of providing additional
architectural/engineering services for the new
Tehama County Corrections Re-entry Project

APPROVED AS TO FORM:

Margaret Long
Office of the Tehama County Counsel
Margaret E. Long, County Counsel

Date: 8/5/22

MINUTE ORDER
BOARD OF SUPERVISORS
COUNTY OF TEHAMA, STATE OF CALIFORNIA

R E G U L A R A G E N D A

20. ADMINISTRATION / JAIL RE-ENTRY FACILITY

- a) **AGREEMENT** - Approval and authorization for the Chair to sign Amendment #2 to the agreement with Lionakis (Misc. Agree. #241-2013 as amended by #2015-294) for the purpose of providing additional architectural/engineering services for the new Tehama County Corrections Re-entry Project, thereby adding an additional \$304,240, for a total maximum amount not to exceed \$1,889,306.
(Miscellaneous Agreement #2022-265)

Administrative Services Director Dava Kohlman reviewed the request to amend the agreement and explained delays that have affected the project.

Louise Wilkinson spoke of the delays regarding this project and the need for accurate record keeping.

Michael Kain spoke regarding the delays with this project and withholding information from the public.

In response to Supervisor Leach, Mrs. Kohlman explained many delays in the last two years have been due to COVID related staffing issues as State employees were given other assignments with the pandemic.

Kathy Nelson cited comments made in previous years by the prior Chief Administrator Williams Goodwin. Mrs. Nelson asked how long the state will hold the funds available for the project.

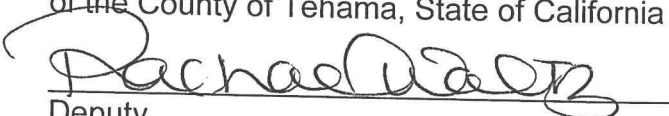
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Moule, Supervisor - District 1
SECONDER:	Bob Williams, Supervisor - District 4
AYES:	Moule, Leach, Garton, Williams, Carlson

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, JENNIFER VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an order adopted by said Board of Supervisors on the 23rd day of August 2022.

DATED: August 29, 2022

JENNIFER A. VISE, County Clerk and
Ex-officio Clerk of the Board of Supervisors
of the County of Tehama, State of California


Deputy