

**ANIMAL CARE JPA MINUTES
THURSDAY, OCTOBER 25, 2012**

Alan Rasmussen called the meeting to order at 12:05 p.m. with Directors Cronin, Huntington, Lombardo, and Alan Rasmussen sitting in for Chair Derry.

PLEDGE OF ALLEGIANCE

Led by Director Lombardo

APPROVAL OF MINUTES

Approve the minutes of August 2, 2012 as presented.

Upon motion by Director Huntington and second by Director Lombardo, the minutes stand approved

DIRECTORS REPORTS/UPDATES

None

DISCUSSION ITEMS

1. Replacement Animal Shelter, ACJPA Project No. 1, Recommendation to the Board of Supervisors and Town Council, Town Construction Management/Specialized Inspections

Town Manager Nuaimi gave a PowerPoint update advising the proposed actions are that the JPA recommends to the Town Council/County Board of Supervisors: A) approve the bid process, withdrawal of bid from R.C. Construction; B) Award to Facility Builders and Erectors, Inc. – Base Bid and Bid Alternate “B”; C) establishment of construction contingency; D) Accept the Town’s proposal for Construction Management and Special Services; and E) expenditure of unused construction contingency to fund one time start-up costs.

Director Huntington questioned if Alternate A for artificial turf systems in the “get acquainted” area is in lieu of the footage in the base bid. Town Manager Nuaimi advised that is additional in the play area. Director Huntington questioned if Alternate B includes the boiler and controls or is it just the in-slab piping system. Town Manager Nuaimi advised it is just the piping in the slab so that we can put in the boiler in the future if needed.

Town Manager Nuaimi explained the budget and Town repayment plan. The next steps for the Town Council and County Board of Supervisors are to: A) review and approve the JPA’s competitive bid process for the construction of the Animal Shelter pursuant to the JPA agreement and award of bid; B) approve the second amendment to the ACJPA

Agreement that increased the Total Project Cost called out in the agreement from \$3.5 to \$3.75 million; and C) approve the second amendment to the ACJPA Agreement that defines the proposed work plan which will include the current construction schedule, the joint funding agreement, the operational agreement and the joint ownership agreement.

Director Lombardo questioned if start-up costs are expected to exceed the contingency and if they include the boiler to heat the slabs. Town Manager Nuaimi advised they are not.

Director Huntington questioned if the bid process documents allowed for the withdrawal of the bids within a specific time frame. Staff advised that they do as prescribed by state law. Director Huntington asked if references were checked. Project Engineer Qishta advised that staff did check the references. Director Huntington expressed concern about the size of the contingency fund. Town Manager Nuaimi advised that none of the contingency will be spent without approval from the Board.

Director Lombardo moved to recommend that the Town Council and County Board of Supervisors review and approve the JPA's competitive bid process for the construction of the Animal Shelter, including, but not limited to the proposed consent to withdrawal of bid by R.C. Construction Services, Inc., based upon the findings further described as follows; A) R.C. Construction Services, Inc., made a clerical mistake establishing an incorrect bid amount for Metal Buildings; B) R.C. Construction Services, Inc. gave the ACJPA written notice within five working days, excluding Saturdays, Sundays, and state holidays, after the opening of the bids of the mistake, and specified in the letter in detail how the clerical mistake occurred by failure to include an additional \$400,000 in metal building costs; C) The clerical mistake made by R.C. Construction Services, Inc. is materially different than R.C. Construction Services, Inc. intended by the failure to include \$400,000 in Metal Buildings costs that were not included in the bid item due to the clerical mistake; and D) The clerical mistake was made in filling out the bid and not due to error in judgment or to carelessness in inspecting the site of the work, or in reading the plans of specifications. Director Huntington seconded. Motion carried unanimously.

Director Cronin moved to recommend that: 1) Town Council and the County Board of Supervisors approve the JPA's proposed award of the "Base Bid" construction contract to Facility Builders and Erectors, Inc., in the amount of \$2,849,400.00, and the "Bid Alternate B" construction contract in the amount of \$31,800.00; 2) recommend that the Town Council and the County Board of Supervisors approve the JPA's proposed authorization of a Construction Contingency in the amount of \$391,294 (14% of construction costs); 3) recommend that the Town Council and the County Board of Supervisors accept the Town proposal for Construction Management and Specialized Inspection Services; and 4) recommend that the Town Council and the County Board of Supervisors approve the JPA's proposal that unused Construction Contingency be budgeted against one time start-up costs for the replacement animal shelter. Such expenditure will be brought to the JPA Board for prior approval. Director Lombardo

seconded. Motion carried unanimously.

2. Project Update.

Town Manager Nuaimi advised the item will be going to the Town Council at their first meeting in November, to the County Board of Supervisors the end of November. The 90 day bid period ends December 7th, and once we have bid award they will mobilize within 2 weeks. He noted there are some minor invoices that will be coming from Williams Architects to close out their scope of work.

Director Cronin recommended the next JPA Board Meeting be confirmed for Thursday, November 29th. If the board needs to take any actions they can meet on that day and finalize any things that are needed.

FUTURE AGENDA ITEMS

- A. Adopt Reimbursement Strategies
- B. Annual Audit

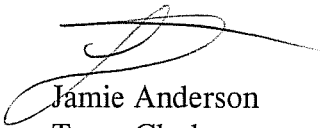
PUBLIC COMMENTS

Margo Sturges, Yucca Valley, questioned the action on items A-D on the power point. Director Cronin advised that those are amendments to the JPA Agreement to be brought back.

ADJOURNMENT

There being no further business the meeting was adjourned at 12:25 p.m.

Respectfully submitted


Jamie Anderson
Town Clerk