



# BOARD OF SUPERVISORS AGENDA ITEM REPORT CONTRACTS / AWARDS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: 02/07/23

or Procurement Director Award

\* = Mandatory, information must be provided

**\*Contractor/Vendor Name/Grantor (DBA):**

Lloyd Construction Company, Inc.

**\*Project Title/Description:**

Construction Manager at Risk Services: Northwest County Service Center (XNWHLC)

**\*Purpose:**

Amendment: Contract No. CT-FM-20-205, Amendment Five (5). This amendment extends the contract to 12/31/24 and incorporates the Forced Labor of Ethnic Uyghurs clause. Administering Department: Facilities Management.

Board of Supervisors to authorize the Procurement Director to execute all modifications, including one or more Guaranteed Maximum Price (GMP) packages, provided that the cumulative total of all future GMPs and preconstruction services does not exceed \$31,000,000.00 and the contract expiration date does not exceed December 31, 2024, which allows for final design and construction completion.

**\*Procurement Method:**

Pursuant to Solicitation for Qualifications No. SFQ-PO-2000003, on 02/04/20, the Board of Supervisors awarded a contract for this project in the amount of \$34,178.38 for a contract term of 02/04/20 to 02/03/21 for preconstruction services.

Amendment No. One (1) was approved by the Procurement Director on 01/08/21, to extend the contract to 02/03/23.

Amendment No. Two (2) was approved by the Board of Supervisors on 05/18/21, to incorporate Phase 2 preconstruction services and increase the contract by \$333,740.30 for a cumulative not-to-exceed amount of \$367,918.68.

Amendment No. Three (3) was approved by the Board of Supervisors on 12/07/21, to modify the scope of work and increase the contract amount by \$1,278,204.17 through the incorporation of Guaranteed Maximum Price One (1) (GMP-1) for a cumulative not-to-exceed amount of \$1,646,122.85.

On 12/07/21 the Board of Supervisors authorized the Procurement Director to execute all modifications, including one or more Guaranteed Maximum Price (GMP) packages, provided that the cumulative total of all future GMPs and preconstruction services does not exceed \$13,000,000.00 and the contract expiration date does not exceed February 3, 2023, which allows for all contract close-out activities and final submittals.

Amendment No. Four (4) was approved by the Procurement Director on 07/01/22, to increase the County Contingency by \$250,000.00, incorporate a correction to GMP-1 saving the County \$13,845.17, increase the contract amount by \$236,154.83 and incorporate Supplemental Provisions for Federal Contracts for a cumulative not-to-exceed amount of \$1,882,277.68.

Attachment: Amendment No. Five (5).

**\*Program Goals/Predicted Outcomes:**

To complete project within the stated Scope of Work, within budget and on schedule.

**\*Public Benefit:**

Services for the community consisting of health, workforce development, probation, etc.

**\*Metrics Available to Measure Performance:**

The performance will be measured using the contractor evaluation process as outlined in BOS Policy D29.1(E).

**\*Retroactive:**

Yes. This amendment commences on 02/04/23 due to the change in departments and services that will utilize the building to support the community.



**PIMA COUNTY FACILITIES MANAGEMENT DEPARTMENT**

**PROJECT:** CONSTRUCTION MANAGER AT RISK SERVICES:  
NORTHWEST COUNTY SERVICE CENTER (XNWHLC)

**CONSULTANT:** Lloyd Construction Company, Inc.  
2180 N. Wilmot Road  
Tucson, Arizona 85712

**CONTRACT NO.:** CT-FM-20-205

**AMENDMENT NO.:** Five (5)

**FUNDING:** FM-Capital Non-Bond Projects

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<b>CONTRACT TERM:</b> 02/04/20 - 02/03/21	<b>ORIGINAL CONTRACT AMOUNT:</b>	\$	34,178.38
<b>TERMINATION PRIOR AMENDMENT:</b> 02/03/23	<b>PRIOR AMENDMENT(S):</b>	\$	1,848,099.30
<b>TERMINATION THIS AMENDMENT:</b> 12/31/24	<b>AMOUNT THIS AMENDMENT:</b>	\$	-
	<b>REVISED CONTRACT AMOUNT:</b>	\$	1,882,277.68

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**CONSTRUCTION CONTRACT AMENDMENT**

**WHEREAS**, on February 4, 2020, the Board of Supervisors approved the award of a Construction Manager at Risk Contract by COUNTY to CONTRACTOR for the above-named Project; and

**WHEREAS**, County intends to extend the term of the contract to complete remaining construction services, final submittals and close-out activities and adds the Forced Labor of Ethnic Uyghurs clause; and

**WHEREAS**, this amendment commences on 02/04/23 due to the amendment inadvertently not being processed by that date; however, the Parties continued to perform work as if it was in full force and effect.

**NOW, THEREFORE**, it is agreed as follows:

**CHANGE:** **ARTICLE 1 – TERM**

FROM: “This Contract... terminates on February 3, 2023...”

TO: “This Contract... terminates on December 31, 2024...”

**ADD:** **ARTICLE 29 - FORCED LABOR OF ETHNIC UYGHURS**, subsequent articles are renumbered respectively.

“Pursuant to A.R.S. § 35-394, if Contractor engages in for-profit activity and has 10 or more employees, Contractor certifies it is not currently using, and agrees for the duration of this Contract to not use (1) the forced labor of ethnic Uyghurs in the People’s Republic of China; (2) any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China; and (3) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China. If Contractor becomes aware during the term of the Contract that the Company is not in compliance with A.R.S. § 35-394, Contractor must notify the County within five business days and provide a written certification to County regarding compliance within one hundred eighty days.”

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

CONTRACTOR:

  
\_\_\_\_\_  
Signature

**PAUL PENIA, GENERAL MANAGER**  
\_\_\_\_\_  
Name and Title (Please Print)

**1/23/23**  
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.