

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## SPECIAL COMMISSION MEETING MINUTES

February 19, 2021

The Board of Davis County Commissioners met for a special meeting at 4:00 p.m. on February 19, 2021, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Bob J Stevenson, Chair; Commissioner Randy B. Elliott, Vice-Chair; Commissioner Lorene Miner Kamalu. Also present were: Curtis Koch, Davis County Clerk/Auditor; and Mike Kendall, Civil Deputy County Attorney.

All documents from this meeting are on file in the Davis County Clerk/Auditor's Office. The agenda for this meeting is incorporated into the minutes as item headers.

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### OPENING

#### **Due to the coronavirus pandemic, special meeting circumstances apply.**

In consideration of the COVID-19 pandemic, attendance will be limited to no more than 10 individuals, including Commission and staff. Masks are recommended and all those in attendance will be required to participate in a socially distant manner. Because of the room occupancy limitation, those wishing to watch the meeting are encouraged to do so by viewing the meeting online. Meeting proceedings may be viewed remotely through YouTube live streaming at <https://www.daviscountyutah.gov/commission/meetings>. Those wishing to direct comments to the Commission regarding a public hearing or to make public comment can do so in-person or by emailing comments to [commissioners@daviscountyutah.gov](mailto:commissioners@daviscountyutah.gov) by 3 p.m. the day of the meeting.

Meeting started at 4 p.m. with welcoming remarks from Commissioner Stevenson.

Lane Rose, Davis County Facilities Director, led the Pledge of Allegiance.

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### PUBLIC COMMENTS

[Public Comments were invited at the end of the meeting.]

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### BUSINESS/ACTION

Amendment #2020-361-B with HOgan & Associates Construction, Inc. for Guaranteed Maximum Price for the final bid package for the Memorial Courthouse renovation project

#### ***Amendment #2020-361-B with Hogan & Associates Construction, Inc. - Guaranteed Maximum Price (GMP) for the final bid package for the Memorial Courthouse renovation project (payable) – Presented by Davis County Facilities Director Lane Rose***

Commissioners were asked to consider an agreement for the final Guaranteed Maximum Price, Bid Package 1 and Bid Package 2, on the Memorial Courthouse Renovation. The agreement is with Hogan Construction. The construction cost is \$9,072,302.

With help from the County Attorney's Office, all of the different conditions have been line-itemed, and an amendment has been made to the original contract with Hogan. The Facilities Director has worked closely with Mike Kendall in the Attorney's office to create this agreement, as well as with Hogan and the architect, CRSA. Commissioner Elliott has also been heavily involved during this process.

The reason for the Special Session was to allow Hogan, once they have the signed contract, to get their subs [subcontractors] under contract and lock down dates. It is critical that the agreement be signed so they can plan their year's workflow and stick to the schedule.

Commissioner Elliott referred to the Jan. 26, 2021, Work Session discussion of the Memorial Courthouse Renovation and asked how the asbestos removal is going. The Facilities Director explained that a slab of concrete was poured in the basement of the building in the 1930s, then covered with a layer of glue or mastic filled with asbestos and topped with tile. The purpose and timing is unknown but, possibly in the 1950s, another layer of concrete was added on top of the asbestos and tile. Removing the sandwiched asbestos/tile created a big enough change to the scope of work that it was determined best to rebid that part of the project. The bid to remove the sandwiched tile was about \$20,000 to \$30,000 cheaper than the contractor on site and a new contract was approved. About one-third of the way into the removal, it was discovered that at some point somebody had scraped half of the tile off. Where there's no tile sandwiched in between, the mastic is on the concrete making that concrete hazardous waste. The result is a significant cost increase, with a change order estimated at \$26,000 for 800 man hours. The contractor said it is

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probably an overestimate to err on the side of caution and has agreed to only charge for time as tracked. It was explained that much of the concrete needs to come out anyway to do shotcrete and rebar from the first floor up for seismic stabilization work.

The preliminary estimated completion of the Memorial Courthouse Renovation is next February.

Davis County Civil Attorney Mike Kendall said he and Lane Rose went over the agreement carefully and did have to make a first amendment due to the contract itself. One item of importance is that there was a first supplement to the contract because of Bid Package 1, but the first supplement to the contractor's agreement has been superseded because this amendment includes Bid Package 1 and Bid Package 2 within it. Other things of note include:

- Subsections 4 and 5 of Amendment 1, in the contract, had referenced an amount of \$198,665; the amount has been reduced significantly down to \$121,900.
- General conditions that were significantly reduced have been broken out in the details of the line items.
- The amount for project supervision is \$15,900 per month. Hogan is staying with \$190,800, which is for 12 months of service, even though by the projected completion in February they'll probably be into the project for 15 months.
- The contingency in Bid Package 1 was reduced by about \$7,000, from \$252,000 down to \$245,000.
- The Construction Management fee, which is supposed to be 3 percent of the overall cost, was slightly higher so it was reduced down by about \$2,000.
- There was a slight discrepancy, which is likely in the County's favor, with respect to Bid Package 1 on a few items such as the payment, performance bond, and general insurance. The Bid Package 2 numbers are accurate.

Everything was carefully reviewed to be accurate and make sure the County was being protected with respect to the cost of this project.

Clerk/Auditor Curtis Koch said he appreciated Lane and Mike's work to get this going so the project can be completed.

Commissioner Stevenson added that he appreciated Lane and Mike having the concern to make sure this is all being taken care of right and not just pushing it through.

Commissioner Kamalu asked whether cost-cutting decisions, mentioned in the Work Session, had been made. She was informed that a lot of the Value Engineering options had been vetted, which can be seen in the reduced cost of the project. One decision was to go with a planter in front of the Memorial Courthouse, rather than a water feature. It will keep the overall aesthetic but with a significantly reduced price. Lane said his experience with Hogan, so far, is that they've been really professional up front with all the costs. They've offered to show the County all the sub competitive bids, and have had three or more bids on almost every profession.

Commissioner Stevenson said he thinks if costs come in lower Hogan will be showing that to the County.

A motion was made to approve the amendment with Hogan Construction for the Guaranteed Maximum Price (GMP) for the final bid package for the Memorial Courthouse Renovation project.

Motion to Approve: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

## PUBLIC COMMENTS

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Comments were invited from those attending in person or online; there were no comments made.

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MEETING  
ADJOURNED

Commission meeting was adjourned at 4:16 p.m.

Minutes prepared by:  
Becky R. Wright  
Deputy Clerk/Auditor

Minutes approved on: 3/16/2021

/s/ Curtis Koch  
Curtis Koch  
Clerk/Auditor

/s/ Bob J Stevenson  
Bob J Stevenson  
Commission Chair