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Quality, Excellence, Innovation

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APPROVED
FEB 28 2023
MARIN COUNTY
BOARD OF SUPERVISORS

February 28, 2023

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant and Related Budget Adjustments
Project No. 41C2103

Dear Board Members:

RECOMMENDATION: 1) Accept FEMA Hazard Mitigation Grant Program (HMGP) funds in the amount $1,132,500 for the Veterans' Memorial Auditorium Seismic Retrofit; and 2) Authorize the Director of Finance to increase Capital Improvement Fund appropriations for the Veterans' Memorial Auditorium Seismic Retrofit Project by $1,510,000.

SUMMARY: On September 15, 2020, your Board accepted the First installment of a FEMA Hazard Mitigation Grant (HMGP) in the amount $248,250 for Phase 1, recommended costs incurred to complete the design, for the Veterans' Memorial Auditorium Voluntary Seismic Retrofit Project. On November 10, 2021, staff completed and submitted final design documents for the project, satisfying the requirements for Phase 1.

On May 17, 2022, your Board accepted the Second installment of FEMA HMGP funds in the amount $2,301,750 for Phase 2, recommended costs incurred to complete construction, bringing the total accepted grant funds for the project to $2,550,000, or a 75% share of the of approved $3,400,000 total project cost.

On July 19, 2022, the Department of Public Works opened construction bids for the project. After a detailed review of all four (4) bids received, it was apparent that there had been a substantial increase in labor and materials costs that was not anticipated in the original estimate and that the funding available was insufficient to deliver the project. On July 22, 2022, staff rejected all bids and decided to pursue additional funding for the project. On September 8, 2022, staff submitted a request to FEMA to increase the approved HMGP grant funding to cover a revised total estimated project cost of $4.91M.

On February 3, 2023, the County was awarded a Supplemental installment of the FEMA Grant (FEMA-4353-8-78R, CalOES-PJ0008) funding to provide additional financial support for Phase 2 of the Veterans' Memorial Auditorium Voluntary Seismic Retrofit Project. Specifically, the supplemental grant provides an additional $1,132,500 in grant funding to cover construction costs. This will bring the total FEMA contribution toward the project to $3,682,500, or a 75% cost share, of the total project budget of $4,910,000.

CB-6

The following activities have been approved by FEMA for grant funding:

Phase 1

- Project Management related costs
- Project Design and Engineering related costs
- Hazardous Material Testing

Phase 2

- Permit costs
- Project Management costs
- Bid related costs
- Construction Contract costs
- Construction Management, Inspection and Abatement Monitoring costs
- Closeout related costs

All tasks, as outlined above, shall be completed before April 1, 2024, during which time FEMA will review the project's progress to confirm that it complies with the HMGP Grant Program Guidelines.

FISCAL/STAFFING IMPACT: There will be no net impact to the General Fund net County costs as a result of your Board's actions. Approval will increase Department of Public Works Capital Fund (1420) expenditure appropriations by $1,510,000 in the Veterans' Memorial Auditorium Seismic Retrofit project (41C2103) for construction and related work on the project, partially offset through increased grant revenue of $1,132,500, or 75% of those costs. The remaining 25% of the costs, or $377,500, will be covered through a corresponding decrease in Department of Public Works Capital Fund Project Contingency (41CAP96991, 900010).

REVIEWED BY:	[X] County Administrator	[ ]	N/A
	[ ] Department of Finance	[ ]	N/A
	[ ] County Counsel	[X]	N/A
	[ ] Human Resources	[X]	N/A

Senior Project Manager Mary Hobson is the principal author of this letter.

Respectfully submitted,

Dorren P. Hill

Dorren P. Hill
Facilities Planning and Development Manager
Capital Projects Division Manager

Attachment: FEMA Approval letter, Marin Veterans' Memorial Auditorium Seismic Retrofit
Project No. 41C2103
BA No. 2023/08 850

cc: Gabriella Calicchio, Cultural Services
Mary Hobson, DPW, Capital Projects Division
Qiana Davis, DPW Finance

U.S. Department of Homeland Security
Region 9
1111 Broadway, Suite 1200
Oakland, California 94607

FEMA

February 3, 2023

Ryan Buras, Deputy Director
Governor's Authorized Representative
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, California 95655

Reference: Amendment Approval, HMGP DR-4353-8-8R
Marin County
Marin Veterans' Memorial Auditorium Seismic Retrofit Mitigation Project
FIPS Code: 041-99041, Supplement 107

Dear Ryan Buras:

This is in response to your letter on November 22, 2022, requesting additional Hazard Mitigation Grant Program (HMGP) funds for the Marin County, HMGP DR-4353-8-8R, Marin Veterans' Memorial Auditorium Seismic Retrofit Mitigation Project. You indicate that the Subrecipient received four bids for seismic retrofit construction and all bids were $1,500,000 higher than originally estimated.

We have reviewed the request, determined the project remains cost effective and consistent with the original approval, and approve the amendment. The total Federal share increased from $2,550,000 to $3,682,500, and the total project cost is now $4,910,000. As shown in the enclosed Obligation Report - Supplement 107, we are obligating $1,132,500 for the 75 percent Federal share; the 25 percent non-Federal share is $377,500. These funds are available in SmartLink for immediate and eligible disbursements.

The following is a summary of the approved funding and award conditions:

Approvals:	**Federal Share:**	**Non-Federal Share:**	**Total Project Cost:**
Supplement 91	$ 2,550,000	$ 850,000	$ 3,400,000
Additional Funding, Supplement 107	$ 1,132,500	$ 377,500	$ 1,510,000
TOTALS	**$ 3,682,500**	**$ 1,227,500**	**$ 4,910,000**

1. **Scope of Work (SOW)** – The grant will fund the seismic retrofit of the Marin Veterans' Memorial Auditorium located within the Marin Center Campus in Marin County, California. The grant will correct seismic deficiencies and improve the seismic performance to meet the performance objectives for State-owned buildings of the California Building Code. Seismic

deficiencies will be corrected by strengthening of the roof diaphragm, adding supplemental supports, isolating concrete masonry unit (CMU) walls from the roof and improvements in connections of CMU walls to the supporting floor, and additional seismic bracing of the suspended plaster ceiling and projection booth.

2. **Project Completion Date** – The work schedule in the original award states the project completion time frame is April 1, 2024. Please inform the subrecipient that work completed after this date is not eligible for federal funding, and federal funds may be de-obligated for work not completed within schedule for which there is no approved time extension.

3. **Record of Environmental Consideration (REC)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusion N7 (Federal Assistance for Structure and Facility Upgrades) has been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. Please reference the enclosed REC for further information.

4. **Standard Conditions** – This project approval is subject to the enclosed *Standard Mitigation Grant Program (HMGP) Conditions,* amended August 2018. Please note that federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions, please contact Aaron Lim, Hazard Mitigation Assistance Specialist, by email at aaron.lim@fema.dhs.gov or phone at (510) 627-7036.

Sincerely,

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Enclosures (4):
Obligation Report – Supplement 107
Project Management Report
Record of Environmental Consideration (REC)
Standard Mitigation Grant (HMGP) Conditions

cc: Jacy Hyde, Ph.D., Acting State Hazard Mitigation Officer, California Governor's Office of Emergency Services
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9