



DATE: May 21, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreements with (1) Kitchell CEM for Extended Construction Support Services by \$90,000 for a Not-to-Exceed Amount of \$3,028,000, and (2) with ABC Inspections, Inc., by \$50,000 for a Not-to Exceed Amount of \$1,080,000 for the Fire Station 6 and Fire Training Center Project (FS6/FTC), Project Nos. 07481 and 07482

RECOMMENDATION

That Council adopts the attached resolutions (Attachments II, III) authorizing the City Manager to:

1. Amend the Professional Services Agreement (PSA) with Kitchell CEM (Kitchell) for extended construction management services for the FS6/FTC project by \$90,000 for a not-to-exceed (NTE) amount of \$3,028,000;
2. Amend the PSA with ABC Inspections, Inc. (ABC) for extended construction support services for the FS6/FTC project by \$50,000 for a NTE amount of \$1,080,000.

SUMMARY

The Fire Station 6 and Fire Training Center (FS6/FTC) project commenced construction on August 17, 2020, and was anticipated to be completed in the Fall of 2022. While fire department personnel have moved into the new fire station and Las Positas Chabot College District students are using the facility, there are remaining outstanding construction items that need to be completed in order to close out the project. It is anticipated that these items will be completed by the end of July 2024.

Throughout the course of construction, construction management services provided by Kitchell and inspector of record services provided by ABC have been necessary to ensure that construction complies with project plans, specifications, and codes and regulations. Council adopted resolutions authorizing the City Manager to execute agreements with Kitchell for construction management and with ABC for inspector of record services prior to the commencement of construction. Due to the extended construction duration, the current budget allocated for services by these firms will not be sufficient to close out the project. Staff is requesting amendments in the amounts of \$90,000 with Kitchell and \$50,000 with ABC which are necessary to complete the project.

BACKGROUND

In 2014, voters in the City approved Measure C which authorized the City to increase the sales tax rate by one-half cent for, among other things, the restoration and maintenance of City services and facilities, including firefighting/emergency medical services. This project includes partnership with the Chabot-Las Positas Community College District (District) in the shared use of the FTC.

On November 19, 2019, Council adopted a resolution approving the plans and specifications for the construction of FS6 and the FTC and call for bids. On July 7, 2020, Council awarded the construction contract to S. J. Amoroso Construction (SJA).

Construction of FS6/FTC started on August 17, 2020, and was anticipated to be completed in Fall of 2022. In August of 2023, when the main building, which is the fire station and classrooms, was ready for occupancy, Chabot College faculty and students started classes. Fire Station 6 personnel moved into the new fire station in October 2023. While there has been occupancy, there are remaining outstanding construction items that need to be completed in order to close out the project. Some of these items include a fully functional HVAC system, solar photovoltaic system and battery backup system, completion of punch list and providing closeout documentation. It is anticipated that these items will be completed by the end of July 2024.

Throughout the course of construction, construction management services provided by Kitchell and inspector of record services provided by ABC were utilized to ensure that construction complies with project plans, specifications, and codes and regulations. On January 21, 2020, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA with Kitchell for construction support services in the amount of \$1,800,000. In June 2022, the construction completion date was extended to January 2023 which required extension of services by Kitchell. On June 28, 2022, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for Kitchell for extended construction support services by \$400,000 for a NTE amount of \$2,200,000. On January 17, 2023, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for Kitchell for extended construction support services by \$333,000 for a NTE amount of \$2,533,000. On June 20, 2023, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for Kitchell for extended construction support services by \$307,000 for a NTE amount of \$2,840,000. On November 14, 2023, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for Kitchell for extended construction support services by \$98,000 for a NTE amount of \$2,938,000.

On January 21, 2020, Council adopted a resolution authorizing the City Manager to execute amendments to the PSA with ABC for inspector of record services in the amount of \$750,000. On June 28, 2022, Council adopted resolutions authorizing the City Manager to execute amendment to the PSA for ABC for extended inspector of record services with ABC by \$115,000 for a NTE amount of \$865,000. On January 17, 2023, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for ABC by \$80,000 for a NTE amount of \$945,000. On June 20, 2023, Council adopted a resolution authorizing the City Manager to execute an amendment to the PSA for ABC for extended inspector of record services by \$85,000 for a NTE amount of \$1,030,000.

DISCUSSION

Due to the extended duration for completion of the remaining items and after the remaining construction items are completed, there continues to be construction management and inspector of record services needed as well as services to close out the project. Amendments in the amounts of \$90,000 with Kitchell and \$50,000 with ABC are necessary to complete the project.

Staff will return to Council for a request for additional funds once final construction costs are realized. Among these costs is the potential cost to compensate the contractor for extended general conditions due to the added duration caused by design changes. Additionally, there are delay claim requests from subcontractors which staff are evaluating.

ECONOMIC IMPACT

This project added classrooms and spaces for training and use by others which may result in positive economic benefits for businesses around the area. Additionally, the local economy and local workforce has been positively impacted during construction of the facilities.

FISCAL IMPACT

The estimated project cost at the time of award of the construction contract are as follows:

Construction Contract	\$52,397,000
Construction Contingency (ACO)	\$5,239,700
Consultant Design	\$5,000,000
Construction Management Administration	\$4,000,000
Inspector of Record Service & Special Testing	\$1,500,000
Demolition of old Fire Station and FTC	\$425,000
Temporary Housing	\$500,000
Permit & Utility Fees	\$940,000
Fixture, Furniture & Equipment	\$600,000
<u>Staff Construction Administration</u>	<u>\$300,000</u>
Total	\$70,901,700

The following details the current project estimates and Council approved budget appropriations to support the project:

Construction Contract	\$52,397,000
Construction Contingency (ACO)	\$6,400,000
Consultant Design	\$4,692,270
Construction Management Administration	\$6,082,000
Inspector of Record Service & Special Testing	\$2,120,000
Demolition of old Fire Station and FTC	\$378,494
Temporary Housing	\$720,117
Permit & Utility Fees	\$400,000
Fixture, Furniture & Equipment	\$4,655,364
<u>Staff Construction Administration</u>	<u>\$683,219</u>
Total	\$78,528,464

Staff recommends funding the increase costs for the amendment amounts with Kitchell and ABC Inspection through the existing staff construction administration budget within the FS6/FTC project. This item does not request an increase in budget appropriation to support the requested increase in contract amounts with Kitchell and ABC Inspections.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project:

Invest in City Facilities and Property

N10 Construct the Fire Station 6 and Fire Training Center

SUSTAINABILITY FEATURES

There are no sustainability features associated with this action.

PUBLIC CONTACT

There is no public contact needed for this item.

NEXT STEPS

If Council approves the resolutions to amend the agreements with Kitchell and ABC, staff will route the amendments to be executed by the City Manager, allowing the firms to continue to provide construction support until the completion of the project.

Prepared by: Dave Hung, Senior Civil Engineer
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Recommended by: Alex Ameri, Director of Public Works
Garrett Contreras, Fire Chief

Approved by:



Dustin Claussen, Interim City Manager