



# CITY COUNCIL STAFF REPORT



August 23, 2022

## ITEM TITLE

Agreements: Approve Agreements with Kitchell CEM, Inc., OCMI, Inc., Project Professionals Corporation, and Schneider CM Inc. to Provide On-Call Building Construction Management Consulting Services

**Report Number:** 22-0221

**Location:** No specific geographic location

**Department:** Engineering and Capital Projects

**Environmental Notice:** The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities), Section 15309 Class 9 (Inspections), and Section 15061(b)(3).

## Recommended Action

Adopt a resolution approving agreements with Kitchell CEM, Inc., OCMI, Inc., Project Professionals Corporation, and Schneider CM Inc. to provide construction management consultant services for various building-related Capital Improvement Program (CIP) Projects and other City projects.

## SUMMARY

The Engineering and Capital Projects and Public Works Departments have identified the need to enlist qualified consultants to provide on-call construction management consulting services on new building facility and building renovation projects. These on-call consultant services would augment City staff to provide timely, as-needed, construction management services for building Projects.

## ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15309 Class 9 (Inspections), and Section 15061(b)(3); because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Thus, no further environmental review is required.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not Applicable.

## **DISCUSSION**

### Background

The Engineering and Capital Projects and Public Works Departments manage the construction and renovation of City building facilities for the City of Chula Vista (City). On November 21, 2017, City Council approved construction management on-call consultant agreements that will expire on November 21, 2022. City staff has found that the services provided by these on-call consultants has proved beneficial in delivering various projects and is recommending entering into similar agreements by this action..

It is critical that the construction management of these types of projects be performed in a timely manner so that project delivery is not delayed. City staff anticipates the need to secure the assistance of experienced construction management consultant teams on an as-needed basis for the following reasons:

1. Staff anticipates that the increased pace of CIP projects will continue for the next few years. Some of the building CIP projects include fire station construction, facility renovations, and parks & recreation facility renovations and construction.
2. Consultants will be able to assist with construction management when workload exceeds existing staffing levels.

The use of outside consultants to provide technical assistance for the short-term needs is a more efficient way to handle the additional workload that staff anticipates.

### Scope of Work

Typical services that the City may require during the construction phase of building facilities projects will involve construction management tasks such as:

- Design-build project team selection and procurement support
- Proposal review
- Design-build project team coordination
- Project scheduling, budgeting, and cost estimating
- Review of submittals and response to requests for information
- Inspection, monitoring and documentation of project teamwork plans
- Create and maintain the document-control filing system for the project
- Construction activities oversight and plan compliance
- Verify compliance with labor laws

Key elements of the proposed on-call contracts include/require the following:

- A. Project management and oversight of the design phase of design-build projects.
- B. General construction management services for projects before, during, and after construction operations.
- C. The number, if any, and scope of such projects will vary from year to year.
- D. Consultants must provide personnel that are experienced in all areas of project management, construction management, inspection, and engineering, and possess knowledge of City codes, procedures, and regulations.

- E. Consultants must use of software and methodology that are approved by the City.
- F. Consultants must provide the City all original field notes, data, reports, records, photos etc. of field and office tasks upon request.
- G. Consultants must use billing forms and procedures acceptable to the City.
- H. Consultants must maintain insurance and agree to defend, indemnify, and hold City harmless.

### Consultant Selection Process

On March 4, 2022, the City issued a Request for Proposals/Qualifications (RFP/Q) for Professional Services for Construction Management of New Facilities, Facility Renovations, Fire Stations and Parks.

In accordance with City ordinances and policies, the Director of Engineering and Capital Projects assigned staff to act as a Selection Committee, comprised of four City staff members, to evaluate the proposals and prepare a list ranking the responding firms. Seven (7) proposals were received on April 13, 2022, and reviewed by the City's Selection Committee.

The Selection Committee evaluated and ranked the proposals. The ranking was based on evaluation criteria contained in the RFP/Q that included the following: experience, capacity to perform the work, quality of the management team, and design-build construction management experience and approach. Five (5) teams were selected to move on to the interview phase of selection.

Upon the conclusion of the consultant interviews and deliberations by the Selection Committee, the committee selected Kitchell CEM, Inc., OCMI, Inc., Project Professionals Corporation, and Schneider CM Inc. as the four highest ranking firms. Fee schedules and contract details have been successfully negotiated with the teams (prime and the sub-consultants). Agreements with the selected firms are attached (Attachments 1-4).

The proposed initial term for each agreement is through June 30, 2024, with up to three one-year options to extend. If the extensions are exercised, the total term of each agreement would be approximately five years. All fees for services will be paid on a time and materials basis for the productive hours actually spent and at the rates/amounts indicated in each agreement. The not-to-exceed amount for each agreement is \$2 million for the initial term and up to \$5,000,000 if all options to extend are exercised. All fees for the consultant services will be paid from funds already allocated for CIP projects.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **CURRENT-YEAR FISCAL IMPACT**

All fees for Consultant's services will be paid from funds already allocated for CIP projects. Each Consultant team may work on several CIP projects of varying size and complexity. The approximately two-year contracts will be eligible for up to three (3) one-year extensions. Should the need arise to contract for

consultant services, the costs associated with delivering a project could increase as staff's oversight would be required in addition to the consultant fees.

#### **ONGOING FISCAL IMPACT**

None

#### **ATTACHMENTS**

1. Consultant Services Agreement with Kitchell CEM, Inc.
2. Consultant Services Agreement with OCMI Inc.
3. Consultant Services Agreement with Project Professionals Corporation
4. Consultant Services Agreement with Schneider CM Inc.

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