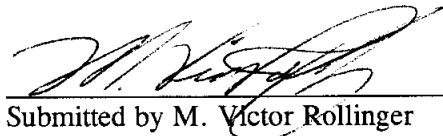




# City of Carson Report to Redevelopment Agency

December 21, 2010  
New Business Consent

**SUBJECT: CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH ANDERSON PENNA PARTNERS, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR PROJECT NO. 1317: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER ROOF AND HEATING, VENTILATING AND AIR CONDITIONING REPLACEMENT PHASES II AND III, AND INSTALLATION OF SOLAR PANELS, AND A PORTION OF PROJECT NO. 1318: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER REFURBISHMENT AND UPGRADE**



Submitted by M. Victor Rollinger  
Development Services General Manager



Approved by Jerome G. Groomes  
Executive Director

## **THIS IS A JOINT AGENDA ITEM**

### **I. SUMMARY**

On September 7, 2010, the Redevelopment Agency / City Council approved the plans, specifications and estimates; order the work; authorized staff to advertise a Request for Proposal for Performance Contract work and call for bids for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade (Exhibit No. 1).

Engineering staff submitted a Request for Proposal (RFP) on October 28, 2010 to seven consulting firms familiar with construction management for building architectural projects and with performance contracting, on the city's consultant list to engage a construction management firm for this project. Proposals from five firms were received and reviewed and the firms were placed on a ranking list. The top ranked and most qualified firm was determined to be Anderson Penna Partners, Inc.

It is requested that the Redevelopment Agency / City Council approve a Professional Services Agreement with Anderson Penna Partners, Inc. to provide Construction Management Services for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Congresswoman Juanita Millender-

5

McDonald Community Center Refurbishment and Upgrade for the fee not-to-exceed \$223,798.00.

**II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE a Professional Services Agreement with Anderson Penna Partners, Inc. to provide Construction Management Services for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade; for a negotiated fee not-to-exceed \$223,798.00
2. AUTHORIZE the Agency Chairman to execute the Professional Services Agreement following approval as to form by the Agency Counsel.

**III. ALTERNATIVES**

1. DO NOT APPROVE the Professional Services Agreement.
2. TAKE another action the Agency Board deems appropriate.

**IV. BACKGROUND**

The city's Capital Improvement Program (CIP) calls for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade (Exhibit No. 2). The project includes the installation of solar panels and the replacement of four existing air handling units and roofing in the Phases II and III areas of the community center roof. The refurbishment and upgrade in the community center includes:

1. Replacement of chandelier in Hall ABC
2. Replacement of existing marquee
3. Upgrading meeting room audio/visual equipment
4. Replacement of cooling tower
5. Installation of an energy management system for the community center
6. Replacement of expansion tank / water meter
7. Retrofitting parking lot lighting
8. Removal and replacement of various plumbing fixtures

9. Upgrade of lighting occupancy sensor
10. Replacement of existing water heaters with tankless water heaters
11. Replacement of tile, correction of drainage
12. Installation of security cameras
13. Replacement of intercom system

On May 4, 2010, the Redevelopment Agency / City Council approved a Professional Services Agreement with Henrikson Owen Engineers to provide architectural/engineering design services for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade (Exhibit No. 3).

On September 7, 2010, the Redevelopment Agency / City Council approved the plans, specifications and estimates; order the work; authorized staff to advertise a Request for Proposal for Performance Contract work and call for bids for this project. Unlike the traditional improvement projects that the city has completed in the past, this project is unique in terms of selecting the contractor and awarding the construction contract. It is a modified Performance Contract project in which the selection of the contractor and award of Construction Contract is made on the basis of the qualifications and experience of the contractor, the type of technology employed by the contractor, the cost to the local agency, and any other relevant considerations. It includes certain aspects of the project that are considered design-build elements in which the contractor shall conduct the evaluation, develop the calculations, complete the design, and construct those components.

In light of the need to retain the services of a consulting firm who has a full knowledge of Performance Contract work, and to provide Construction Management Services to complete this project, the engineering staff sent a RFP to seven consulting firms on the city's consultant list on October 28, 2010.

On November 22, 2010, five proposals were received and evaluated by the Consultant Selection Committee consisting of representatives from the City of Carson's Engineering Services Division, and the Landscape and Building Maintenance Division. The (alphabetical) listing of the firms is as follows:

<u>Firm</u>	<u>Place of Business</u>
1. Anderson Penna Partners, Inc.	Torrance, CA
2. Bureau Veritas	Costa Mesa, CA
3. Dudek	Irvine, CA
4. Griffin Structures, Inc.	Laguna Beach, CA
5. Vanir	Los Angeles, CA

The evaluations and rankings for the selection of construction management firm were performed without regard to the consultant fee in accordance with Section 4526 of the Government Code. Section 4526 states, in part, "... selection by a state or local agency head for professional services or private architectural, engineering, land surveying, or construction project management firms shall be on the basis of demonstrated competence and on the professional qualifications for the satisfactory performance of the services required." This section was written into the Government Code to prevent selection of consultants based solely on fees.

The selection committee ranked Anderson Penna Partners, Inc. as the most qualified firm for this project. Anderson Penna Partners, Inc. is a highly experienced company providing building construction management. Their team is ready to provide the Redevelopment Agency / City Council with the expertise required to successfully complete the project; they have specific experience in the design and performance contract development phase of the project, as well as substantial similar experience on other building improvement and energy efficiency projects. Their team includes construction managers, inspectors, resident engineers, administrative personnel, and staff who have extensive experience in overall construction management services beneficial to all aspects of Public Works construction.

Staff, therefore, recommends the approval of a Professional Services Agreement with Anderson Penna Partners, Inc. to provide construction management services for this project.

The accomplished and anticipated timeline for this project is as follows:

Contractor's Notice Inviting Proposal/Bid	September 11, 2010
Bid opening	October 28, 2010
Agency/Council award of Construction Contract	December 21, 2010
Performance Contract full execution	January 15, 2011
Procurement of long lead items	January 16 - April 15, 2011
Start of construction	April 16, 2011
Complete construction	October 2011

**V. FISCAL IMPACT**

The total construction bid amount for this improvement project is \$4,329,060.00. The total estimated cost of the architect's professional services is \$185,855.00, the staff augmentation cost is \$100,000.00 and the construction management cost is estimated to be \$223,798.00. The total estimated cost for this improvement is \$4,838,713.00 and is within budget. The previously approved budgeted funds for this project are shown below:

Project Components	Project Funding Source				
	CRA	EECBG	CARF	GF	Total
	30-70-710-971 8004/0131701	5990501004 8001/0131701			
<b>Project 1317 (1316) Phases II and III Community Center Roof Replacement Including Solar Panel Installation</b>					
Included in FY 2009/10 Budget	2,734,000	899,900			3,633,900
Reallocated from Proj. 998	66,100				66,100
Supplemental appropriation FY 2009/10	370,000				370,000
<b>Total Project 1317 (1316)</b>	<b>\$ 3,170,100</b>	<b>\$ 899,900</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$4,070,000</b>
Project Components	Project Funding Source				
	CRA	EECBG	CARF	GF	Total
	30-70-710-971 8004/0131801		38-50-999-003 8004/0131801	01-99-999-004 8004/0131801	
<b>Project 1318 Community Center Refurbishment and Upgrade</b>					
Included in FY 2009/10 Budget	705,000				705,000
Included in FY 2010/11 Budget			45,500	49,500	95,000
<b>Total Project 1318</b>	<b>\$ 705,000</b>	<b>\$ -</b>	<b>\$ 45,500</b>	<b>\$ 49,500</b>	<b>\$800,000</b>
<b>Grand Total</b>	<b>\$ 3,875,100</b>	<b>\$ 899,900</b>	<b>\$ 45,500</b>	<b>\$ 49,500</b>	<b>\$4,870,000</b>

**ACRONYMS:** ARRA – American Recovery and Reinvestment Act; EECBG – Energy Efficiency Conservation Block Grant; DOE – Department of Energy; CARF – Capital Asset Replacement Fund

**VI. EXHIBITS**

1. Minutes, September 7, 2010, Item No. 5. (pg. 7)
2. Location Map. (pg. 8)
3. Minutes, May 4, 2010, Item No. 4. (pgs. 9-10)

Prepared by: Gilbert M. Marquez, P.E. Senior Civil Engineer  
sf:Rev061902

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u> <i>Jacquelyn Costa</i>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

**Action taken by Redevelopment Agency**

Date \_\_\_\_\_ Action \_\_\_\_\_

**ITEM NO. (5)      CONSIDER AUTHORIZING STAFF TO ADVERTISE A REQUEST FOR PROPOSAL FOR A PERFORMANCE CONTRACT FOR PROJECT NO. 1317: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER ROOF AND HEATING, VENTILATING AND AIR CONDITIONING REPLACEMENT PHASES II AND III (INCLUDING SOLAR PANELS INSTALLATION) AND A PORTION OF PROJECT NO. 1318: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER REFURBISHMENT AND UPGRADE (DEVELOPMENT SERVICES)**

**THIS IS A JOINT AGENDA ITEM WITH COUNCIL ITEM NO. 5**

RECOMMENDATION for the Redevelopment Agency:

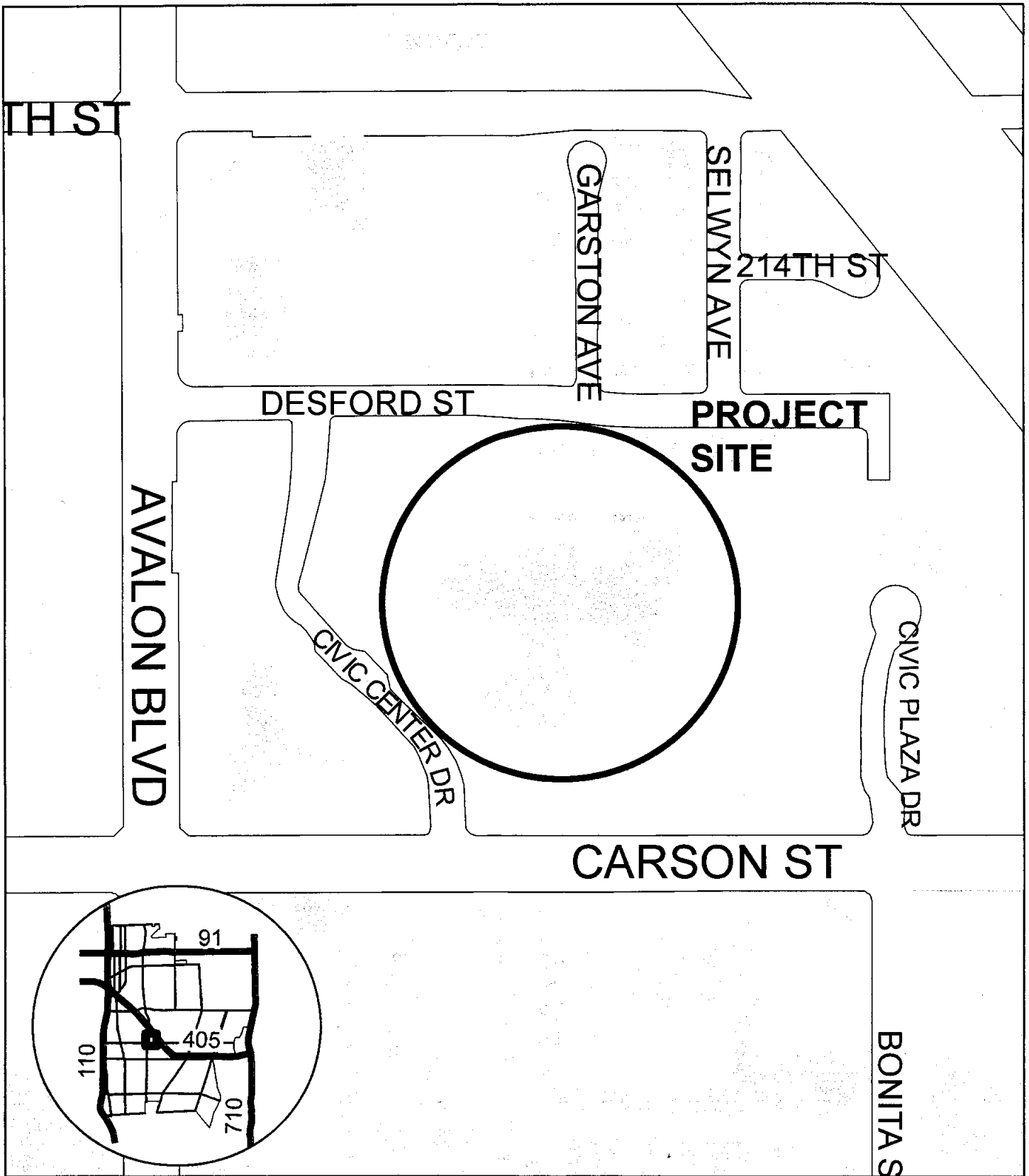
1. AUTHORIZE staff to advertise a Request for Proposal for a Performance Contract for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof and Heating, Ventilating and Air Conditioning Replacement Phases II and III (Including Solar Panels Installation) and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade.

**ACTION:** Item No. 5 was approved on the New Business Consent Calendar on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

**Ayes:** Chairman Dear, Vice Chairman Santarina, Agency Member Gipson, Agency Member Davis-Holmes, and Agency Member Ruiz-Raber  
**Noes:** None  
**Abstain:** None  
**Absent:** None

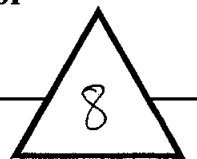
**EXHIBIT NO. 01**





**Location Map**

**Project No. 1317 Congresswoman Juanita Millender-McDonald Community Center Roof and HVAC Replacement Phases II and III, and Installation of Solar Panels, and a portion of Project No. 1318: Community Center Refurbishment and Upgrade**



**EXHIBIT NO. 2**

**ITEM NO. (4) CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH HENRIKSON OWEN TO PREPARE A BRIDGING DOCUMENT AND REQUEST FOR PROPOSALS FOR A PERFORMANCE CONTRACT FOR PROJECT NO. 1317: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER ROOF REPLACEMENT PHASES II AND III (INCLUDING SOLAR PANELS INSTALLATION) AND A PORTION OF PROJECT NO. 1318: CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER REFURBISHMENT AND UPGRADE (DEVELOPMENT SERVICES)**

**THIS IS A JOINT AGENDA ITEM WITH COUNCIL ITEM NO. 5**

Council Item No. 5 / Agency Item No. 4 were heard in joint session after Council Item No. 14 / Agency Item No. 9 at 9:27 P.M.

City Manager/Executive Director Groomes summarized the staff report and recommendation. He amended the staff recommendation to read as follows:

- *New Recommendation No. 6:*

*Approve incorporation of the IBEW Enhanced Electrical Safety Policy into the RFP and Performance Contract Terms and Conditions, and approve incorporation of local preference hiring program into the contract documents to achieve the goal that 30% of all the labor and crafts positions shall be from workers residing within the project area and an additional 5% shall be from the citywide labor pool classified as "at risk."*

- *New Recommendation No. 7:*

*Authorize the Mayor to execute the Professional Services Agreement following approval as to form by the City Attorney.*

RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE the utilization of the Project Labor Agreement between the Carson Redevelopment Agency and the Los Angeles / Orange County Building and Construction Trades Council for the construction of the approved portions of the above-listed projects.
2. APPROVE the project budget of \$4,070,000.00 for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof Replacement Phases II and III (Including Solar Panels Installation).

3. APPROVE the reallocation of \$66,100.00 from Project No. 998: Congresswoman Juanita Millender-McDonald Community Center Improvements, Phase II to Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof Replacement Phases II and III (Including Solar Panels Installation).
4. APPROPRIATE \$370,000.00 from the unreserved, undesignated Project Area No. 1 fund balance to cover the contingency fund for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof Replacement Phases II and III (Including Solar Panels Installation).
5. APPROVE a Professional Services Agreement with Henrikson Owen to prepare a bridging document and Request for Proposals for a Performance Contract for Project No. 1317: Congresswoman Juanita Millender-McDonald Community Center Roof Replacement Phases II and III (Including Solar Panels Installation) and a portion of Project No. 1318: Congresswoman Juanita Millender-McDonald Community Center Refurbishment and Upgrade, in an amount not-to-exceed \$185,855.00.
6. AUTHORIZE the Agency Chairman to execute the Professional Services Agreement following approval as to form by the Agency Counsel.

**ACTION:** It was moved to approve all staff recommendations, as amended, on motion of Dear and seconded by Ruiz-Raber.

**Public Comments**

Tommy Favavae, 605 E. 221<sup>st</sup> Street, Carson, California 90745, concurred with staff's recommendations.

A discussion ensued regarding AB 1290 and the use of redevelopment funds. Whereupon, City/Agency Attorney Wynder stated that he would include an opinion letter opining that the agreement can be entered into in compliance with redevelopment law.

The motion was unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Chairman Pro Tem Santarina, Council/Agency Member Gipson, Council/Agency Member Davis Holmes, and Council/Agency Member Ruiz-Raber  
Noes: None  
Abstain: None  
Absent: None

**RECESS:** After Council Item No. 4 / Agency Item No. 5, the Redevelopment Agency was Recessed at 9:36 P.M. by Mayor/Chairman Dear to the City Council for Item No. 16.