



CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 6, 2006

ITEM NUMBER: Item Number

SUBJECT: POLICE FACILITY EXPANSION/RENOVATION PROJECT AND FACILITY SITE FENCING PROJECT

DATE: NOVEMBER 17, 2005

FROM: POLICE DEPARTMENT / SUPPORT SERVICES DIVISION

PRESENTATION BY: TOM WARNACK, CAPTAIN

FOR FURTHER INFORMATION CONTACT: TOM WARNACK (714) 754-5663

RECOMMENDATION:

The City Council is requested to:

1. Approve the amended Agreement with Meyer and Allen Associates, Inc., pending final review and approval by the City Attorney, and authorize the Mayor and Deputy City Clerk to execute the Second Amended Professional Services Agreement for Architectural Services for the Police Facility Expansion and Renovation Project and for the Facility Site Fencing Project.
2. Accept the Urban Area Security Initiative (“UASI”) Reimbursement Grant in an amount not to exceed \$150,000 and appropriate the funding for the construction of the Facility Site Fencing Project.
3. Adopt Budget Adjustment #06-029 in the amount of \$337,215 (Police Facility Expansion and Renovation Project) and \$36,525 transferred from Undesignated Fund plus \$150,000 from the UASI Reimbursement Grant (totaling 186,525) to provide funding for the Facility Site Fencing Project to provide funding for the Facility Site Fencing Project contract award to the Consultant; Meyer and Allen Associates, Inc.

BACKGROUND:

Police Facility Expansion and Renovation Project:

On February 19, 2002, the City Council approved an appropriation of \$883,100 to fund Meyer and Allen Associates, Inc. (“Consultant”) fees for five architectural phases of the Costa Mesa Police Facility Expansion and Renovation Project (“Project”). These phases consisted of:

- Schematic Design Phase
- Design Development Phase
- Construction Documents Phase
- Bidding/Negotiations Phase

- Construction Administration Phase

On April 15, 2002 the City Council approved a Professional Services Agreement (“PSA”) with the Consultant for the Schematic Design, Design Development and Construction Document Phases of the Project in the amount of \$656,915. The City retained the right to amend the PSA for the remaining Bidding/Negotiation and Construction Administration Phases.

In 2003, the Project was put on hold due to fiscal concerns. There remained, however, a critical need for a larger women’s locker room and additional evidence/property storage space. On June 16, 2003 the City Council approved the First Amendment to the PSA to address additional work required of the Consultant. This included the documents to construct a new permanent Women’s Locker Room and temporary evidence/property storage space. Construction of the Basement Remodel Project is nearing completion.

At the June 21, 2005, City Council meeting, the Council approved the FY 2005-06 Operating and Capital Improvement Budget, which included the Police Facility Expansion and Renovation Project.

Police Facility Site Fencing Project:

With the heightened awareness for security associated with the Nation’s homeland security directives, staff began monitoring security breaches of the rear police parking area by unauthorized personnel during 2004 and into 2005. Numerous incidents occurred in which unauthorized persons ignored the prohibited access signs at the parking entrances and made entry in search of the Jail, Animal Control, Front Desk, or to observe the police helicopter. The lack of security gates and fencing also allowed unauthorized personnel unlimited access to the rear of the Fire Station and Communication buildings as well.

While the Project design incorporated vehicle and pedestrian gates for the Police Department rear parking lot security, it was unknown at the end of 2004 if the Project would receive funding approval during the FY 2005-06 Budget process. The repeated incidents of unauthorized access prompted staff to seek alternative funding sources for security gates and fencing in case the Project did not receive funding approval.

Staff was able to secure a reimbursement grant through the Urban Area Security Initiative (“UASI”) in the amount of \$150,000 on February 18, 2005. The UASI Grant is limited to security gate and fencing improvements and initially required that construction be completed by November 1, 2005.

After it was determined that the Project would be included in the FY 2005-06 Budget, direction was given by the City Manager to move forward with the construction of the Site Fencing Project so as to take advantage of the UASI Grant opportunity by the initial November 1, 2005 deadline. The scope of work included a separate set of construction documents by the Consultant for bidding and construction of the security gates and fencing.

On July 7, 2005 a single construction bid was received for the fencing project, however, the contractor subsequently requested to withdraw this bid, which was approved by City Council on July 18, 2005. The minimal bid response may have been a result of the limited construction window initially required to meet the grant deadline. The UASI Grant deadline has since been extended until September of 2006. The Public Services

Department is currently re-advertising the Facility Site Fencing Project with an expanded construction schedule.

ANALYSIS:

Police Facility Expansion and Renovation Project:

The Project consists of an approximate 11,000 square foot expansion to the existing building, a renovation of approximately 75% of the existing building, a seismic retrofit of the existing building, and the construction of additional parking areas. Total project costs were estimated at \$22,500,000 during the FY 2005-06 Budget process. This estimate was based upon a construction cost estimate completed in 2004. The Second Amended PSA includes a revised construction cost estimate, at a cost of \$3000, and is reflected in the costs for additional services in Exhibit "C" 1.0.5 of the Second Amended PSA. Actual construction costs will be determined after receipt of construction bids.

Construction of the Project has been divided into two phases: "Pre-construction" and "construction." The construction phase is anticipated to last approximately 24 months and has a tentative start date of August 2006. The pre-construction phase will require approximately eight (8) months to complete. The funding mechanism for the Project is addressed in Fiscal Review.

The pre-construction phase is currently underway and includes finalizing the construction documents, submittal to Building Safety for permit, selection of a Construction Manager, advertising the Project for bid and the subsequent award of a construction contract. It will require approximately eight (8) months to complete the pre-construction phase of the Project.

Finalizing the construction documents requires revisions to the original plans to address operational changes in the Police Department over the last two years, and changes that have occurred to the existing building and site conditions since the construction documents were originally completed. As provided in Exhibit "B-1" of the Second Amended PSA, these revisions are not part of the Consultant's existing services and will require additional compensation. The costs for the additional services as described in Exhibits "C" and "K" of the Second Amended PSA are \$45,615.

The original PSA allowed the City the right to amend the PSA for the Bidding/Negotiation and Construction Administration Phases if the Project was eventually constructed. During the pre-construction phase, the Consultant will provide assistance in obtaining bids or negotiated proposals for construction. Upon award of a construction contract, the Consultant will provide administrative oversight throughout the construction phase to ensure the contractor's compliance with the construction documents and respond to requests for information. These services are more fully described in Exhibit "B" of the Second Amended PSA. The costs for these services, identified in Exhibit "C" of the Second Amended PSA, are as follows:

(Basic Services)	
Bidding and Negotiation:	\$35,000
Construction Administration:	<u>\$232,000</u>
Subtotal:	\$267,000

(Specialty Basic Services)

	<u>Acoustic/ Audio/Visual</u>	<u>Security Systems</u>	<u>Furniture Selection</u>
Construction Administration Phase :	\$3,500	\$2,000	\$3,400

The original PSA allocated \$17,500 for reimbursable expenditures during the first three phases of the Project. Additional reimbursable expenditures will result during the Bidding/Negotiation and the Construction Administration phases. Paragraph 4.0 of Exhibit "C" of the Second Amended PSA reflects an additional \$15,700 that has been allocated for reimbursable expenditures during these two phases.

Police Facility Site Fencing Project:

The Police Facility Expansion and Renovation Project provided access control only to the parking lot to the south (rear) of the Police Department. The revised Site Fencing Project will provide controlled access not only to the Police Department parking lot, but also to the rear of both the Fire Department and Communications buildings. The Site Fencing Project requires a separate set of construction documents for bidding and construction purposes. The Consultant's experience with the larger Project made him the logical choice to develop the construction documents for the Site Fencing Project.

The Site Fencing Project was identified as a separate construction project due to the separate nature of construction and the time constraints imposed by the UASI Grant. The services provided by the Consultant for this separate project are detailed in "Exhibit I" of the Second Amended PSA and include:

- Construction Documents
- Plan Check Revisions
- Cost Estimation
- Bidding/Negotiation
- Construction Administration

The cost for Consultant's services for the Site Fencing Project is \$36, 525.

Under the UASI Grant requirements, any portion of the project funded by the grant requires a competitive bid process. The November 1, 2005 deadline originally imposed by the grant prohibited a competitive bid process for the Consultant's services. Therefore, the Consultant's costs are ineligible for reimbursement by the grant.

ALTERNATIVES CONSIDERED:

The City Council could decline to accept the UASI Grant funds and incorporate the construction costs for the Site Fencing Project into the Police Facility Expansion and Renovation Project. This alternative, however, would prevent the recovery of construction costs directly associated with the security gates and fencing for the larger Project. The Consultant's fee for work already completed on the Security Fencing Project, (\$25,455), would also remain due, with no advantage realized for the work completed.

FISCAL REVIEW:

At the June 21, 2005 City Council meeting, the Council approved the FY 2005-06 Operating and Capital Improvement Budget, which included the Police Facility Expansion and Renovation Project. This project, expected to total approximately \$22,500,000, cannot be paid from current resources within the operating budget and must be financed through issuance of debt over several years. Staff will bring forward the debt financing actions during the first quarter of 2006. A companion reimbursement resolution has been submitted for Council approval to allow the City to incur expenditures related to the capital project prior to issuance of the debt and be reimbursed from the debt proceeds.

Approval of the contract award and budget adjustment will obligate the City to pay for architectural services related to the Police Facility Expansion and Renovation Project and the Site Fencing Project up to \$373,740. Should the City determine not to proceed with the project or the debt financing in the future, the funds expended for architectural services would be funded from the General Fund undesignated fund balance instead of from the proceeds of the debt issuance.

LEGAL REVIEW:

Legal is currently reviewing the documents.

CONCLUSION:

The services of the Consultant as identified in the Second Amended PSA will be necessary to facilitate the bidding and negotiation of a construction contract during the pre-construction phase. During the construction phase of the Project, the Consultant's services for Construction Administration will be rendered on a weekly basis for the duration of construction. The Consultant's services will be essential to achieve a well-managed construction project.

With respect to the Site Fencing Project, much of the Consultant's services identified in the Second Amended Agreement have already been fulfilled. These include completion of the construction documents; plan check revisions, cost estimation and bidding and negotiation services. If the Council chooses to accept the UASI Grant award and proceed with the Site Fencing Project, the construction administration services of the Consultant will be similarly essential to achieve a well-managed project.

TOM WARNACK
Captain

JOHN D. HENSLEY
Chief of Police

MARC R. PUCKETT
Director of Finance

DISTRIBUTION: City Manager
Chief of Police
Director of Finance
Director of Public Services

ATTACHMENTS: 1 [Second Amended and Restated Professional Services Agreement for Architectural Services for the Police Facility Renovation and Expansion](#)

PD Expansion Renovation Site Fencing

11/23/05

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