

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
FACILITIES COMMITTEE MEETING
Minutes – July 13, 2015**

MISSION STATEMENT

In the spirit of our tradition, we strive for excellence, respectfully serving all with pride, honor and compassion.

Location: 1500 Bollinger Canyon Road
Administrative Building-Large Conference Room
San Ramon, CA 94583

Board Members Present: Chair Director Stamey and Director Campbell

Staff Present: Chief Meyer, Fire Marshal Kiefer, Deputy Chief Krause, Financial Consultant Campo, District Counsel Ross and District Clerk Maxwell. (Carl E. Campos, CEO of Loving & Campos Architects, Inc., was present to answer any questions from the subcommittee).

1. Call to Order

Director Stamey called the meeting to order at 10:05 hours.

2. Public Comment

Any person may address the Committee on any subject pertaining to District business, which is not listed on the agenda. This comment is provided by the Ralph M. Brown Open Meeting Act, (Government Code §54950 et. seq.) and may be limited to three minutes for any person addressing the Committee.

Director Jay Kerr was present, as a member of the public, but did not make any public comments.

3. Old Business

3.1 Discussion of project delivery method for construction of new Fire Station No. 32.

District Counsel Ross made two adjustments to his staff report: There was a correction to the square footage of the new Station 32, from 9,400 to 8,152; from page 1, paragraph one. Additionally, with regard to the statement, “We would conclude, however, that the case authority is not sufficient to authorize the use of a CMAR outright,” found on page 3, paragraph 3 of his staff report, he relayed that the law has changed between 2007 and now and that the District would need to repeal Purchase Ordinance #20, now contained in Purchase Ordinance #31, which “allows for this type of situation.” With regard to the statement made in his staff report, however; he was taking a more “conservative” approach.

District Counsel Ross told the subcommittee members that when it comes to RFP’s, it is prudent to always ask three questions. Is it the lowest bid? Is the bid responsive? In that

it would address all of the District's issues when constructing the new fire station. And finally, is the firm that submitted the bid responsible? What is their track record with other projects?

Chief Meyer stated that staff would like to move forward, with direction from the subcommittee, utilizing the Construction Management At Risk (CMAR) as the method of construction. If staff deems that the CMAR approach is not efficient and/or effective this matter will be brought back to the subcommittee's attention.

Director Stamey asked for clarification on the term "at risk," with regard to construction management. District Counsel Ross and Chief Meyer relayed that CMAR contracts are delivered within a Guaranteed Maximum Price (GMP). Anything that goes over the bid would fall on the contracted firm and not the District. District Counsel Ross suggested that a modification committee be set-up within the District to allot for any change orders, while keeping the project within the price constraints of the GMP.

Director Campbell asked about a provision that would offer a bonus to the contracting firm, should the project be delivered under bid and/or on time. District Counsel Ross stated that the District could provide a monetary incentive for on time completion and/or satisfactory completion. Financial Consultant Campo asked if penalties could be applied if the project extends beyond the agreed upon completion date and Director Campbell advised that he would be in favor of those penalties. Concern about whether the District or the CMAR would be responsible, years from now, should something within the new station "break," was brought up by the Directors and staff in unison. District Counsel Ross stated that construction warranties would be in place, based on milestones within the actual contract. With regard to workmanship, for example, staff would go back to the CMAR, if it was a failure in the equipment, then the District could follow-up with the manufacturer and the CMAR.

Financial Consultant Campo asked if the District should hire "someone to manage" the CMAR process and subsequent construction project. Carl Campos (CEO of LCA Inc.) relayed that it was his firm's job to be "the eyes and ears" as the "architect of record," and that this would include the RFQ in the bid packet.

Director Stamey asked about the applicability of the prevailing wage and District Counsel Ross responded that the prevailing wage will be built into the project, as per the law.

Chief Meyer asked the subcommittee if they had anything they would like to include within the RFQ, suggesting that the bidder share information about the projects they have completed within the last five years and/or if the firm had constructed a fire station, also within the last five years, as it would be helpful to see if the contracting fire agency was satisfied with the bidder's work.

Director Stamey stated he would like a completion date; to know about the bidder's expertise in building a fire station; whether the bid would read at a "fixed cost" or "cost

not to exceed”; that there would be a management program in place to monitor materials and any potential conflicts of interest with subcontractors; that codes and ADA requirements are in compliance; that new industry legislation be followed; and that the District remain aware of the surrounding neighborhood’s environment. “Time is of the essence,” he said, adding that he would like the issue of the CMAR resolved by the August Board meeting. LCA CEO Campos and Fire Marshal Kiefer both relayed that more time may be needed, in an effort to avoid multiple change orders down the road. LCA CEO Campos told the subcommittee that they could still receive the RFQ’s, sans the drawings, within the 30 day time frame. Is the “overall target by August reasonable?” asked Director Stamey. “Yes,” said LCA CEO Campos.

Chief Meyer said staff’s goal is to be good neighbors and/or in compliance with the local county ordinances, with regard to construction noise, etc... Fire Marshal Kiefer said that the RFQ needs to be submitted to the County Planning Department 30 days before the permit can be issued and that the design of the fire station has already been approved. LCA CEO Campos gave a time frame for the consultants to complete their review process adding that “we’re far along,” and that it’s “60 days outside.” Director Stamey concluded, “just be thorough, that’s all we ask.”

4. Adjournment

Meeting adjourned at 10:38 hours.

Prepared by: _____
Donna Maxwell
District Clerk