



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Katy Allen  
Jeffrey L. Clet

**SUBJECT: AGREEMENT FOR DESIGN  
CONSULTANT SERVICES FOR  
FIRE STATION NO. 12**

**DATE:** 01-31-06

Approved

Date 1/31/06

Council District: 10

## RECOMMENDATION

- a. Approval of an agreement with Don Dommer Associates, Architects, for consultant services including design services for the new Fire Station No. 12 Project, from the date of execution to January 31, 2008, in a total amount not to exceed \$296,259
- b. Adoption of a resolution approving the Fire Station No. 12 Project and incorporating environmental mitigation measures set forth in the Mitigation Monitoring and Reporting Program for the project.  
CEQA: Mitigated Negative Declaration, PP#05-071.

## BACKGROUND

In March 2002, voters in San José passed the Neighborhood Security Bond Act that approved the issuance of \$159 million in General Obligation Bonds to fund the construction of various public safety facilities. In May 2005, Council approved the purchase and sale agreement of a new parcel for the new Fire Station No. 12, for which escrow closed on July 11, 2005. The Fire Station No.12 Project will replace the existing fire station with a new station on the recently purchased site, located at the corner of Calero and Cahalan Avenues. The new site is approximately ½ mile from the existing facility (map attached). The City will build a new fire station of approximately 6,300 square feet in size, which will meet the standards of an Essential Services Building.

Design services will be required to develop the design and construction documents for the Fire Station No. 12 Project. Staff proposes that a consultant be engaged to provide the services. The consultant selection process was conducted in accordance with the City's Qualifications Based Consultant Selection (QBCS) Policy as well as the Local Business and Small Business Preference Ordinance.

## **ANALYSIS**

A Request for Qualifications for design services for the Fire Station No.12 Project was advertised on September 30, 2005 and the City received Statements of Qualifications (SOQ's) from ten firms. After evaluation of the SOQ's submitted, four firms were invited to interview. Interviews were conducted in November by a panel including the Departments of Fire and Public Works staff along with an outside panelist. The interviewed firms were evaluated and ranked based on their demonstration of relevant design experience for public safety facilities, for designs with appropriate technical quality as well as a civic presence, for their ability to work with public and regulatory agencies and for overall project management. They were also considered for their ability to integrate their services with a City staff design team. The interviewed firms were ranked as follows:

### **Ranked List determined by the Interview Panel:**

1	Don Dommer Associates, Architects
2	W.L.C. Architects Inc.
3	Eric Glass, Architects
4	B.F.G.C. Architects

The panel rated Don Dommer Associates, Architects of Oakland, California as the top-ranked firm. This consultant team has extensive experience in the design of public safety facilities, in particular, numerous fire stations throughout California. Staff inquiries of past municipal clientele of Don Dommer Associates, Architects resulted in very favorable recommendations.

To date, City staff has developed the schematic design of the new station, which will be provided to the consultant and will serve as the foundation for the final design. In a hybrid team approach, the final design and construction documents will be developed utilizing both consultant services and City staff design skills. Under the recommended agreement, Don Dommer Associates will provide the architectural and engineering services for design development through construction phase. City staff will contribute select aspects of the project design and documentation, including civil engineering and landscape architecture for the site improvements, as well as mechanical and electrical engineering, as staff resources are available.

Staff and the consultant agree that a fee of \$296,259, which includes an additional service reserve amount and an allowance for reimbursable expenses is appropriate for the services to be provided under the agreement. The consultant will begin work on the project upon Council approval of the agreement.

An alternative to hiring a consultant is for the work to be performed entirely by existing City staff. Staff considered this alternative and recommends using a consultant in combination with City staff. Due to the concurrent delivery schedule of multiple capital projects, the required staffing levels of multiple professional disciplines and support personnel are not uniformly available in-house. Specifically, the staff expertise and technical resources in the areas of structural engineering and architectural drafting are insufficient to successfully implement this

project entirely in house within the approved schedule. This agreement includes provisions that will allow work to be done by City staff when the resources and expertise are available at the appropriate time.

Construction for Fire Station No. 12 is estimated to begin in October 2006 with completion in November 2007.

### **OUTCOME**

The approval of this agreement with Don Dommer Associates, Architects will allow the City to proceed with the design for the replacement of Fire Station No. 12 in conformance with the approved schedule in MBA No.10, Revisions to the Public Safety Capital Program, adopted as part of the 2005-2006 Adopted Capital Budget.

### **PUBLIC OUTREACH**

The Request for Qualifications was published in the *San Jose Post Record* and on the City's Web site.

### **COORDINATION**

This agreement and memorandum have been coordinated with the Departments of Planning, Building and Code Enforcement, the City Attorney's Office, the City Manager's Budget Office and the Office of Employee Relations.

### **COST IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION: \$296,259
2. COST OF AGREEMENT: \$296,259
3. SOURCE OF FUNDING: 475- Neighborhood Security Act Bond
4. FISCAL IMPACT: The amount of recommendation for the contract represents design costs only. Approximately \$2.2 million of the remaining appropriation is currently available for the award of the construction phase of this project. With rising construction costs, additional funding, a reduction in scope, or the appropriation of funds from contingency reserves or Fire Construction and Conveyance may be required to complete the construction of this project. After bid results have been received, appropriation actions, if additional funding is necessary, will be brought forward for Council consideration at that time.

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. The impact to the operating budget from the opening of Fire Station No. 12 in 2007 is further detailed as part of the proposed changes to bond projects and is included in MBA No. 10.

### **BUDGET REFERENCE**

Fund #	Appn #	Appn Name	RC #	Total Appn.	Amt. For Contract	2005-06 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
475	4545	Fire Station No. 12	122861	\$2,830,000	\$296,259	V-349	

### **CEQA**

All projects approved under the Per Capita Grant Program must have California Environmental Quality Act (CEQA) clearance. Projects funded under the Per Capita Grant Program are required to submit a written request to change the scope of any project already approved by the Resources Agency. The Resources Agency must approve the changes.

Planning has issued a mitigated negative declaration for the Fire Station No. 12 Project. The mitigated negative declaration identifies a number of mitigations that need to be implemented in order to address environmental impacts. These mitigation measures and their manner of implementation are identified in the Mitigation Monitoring and Reporting Program (MMRP). The mitigations that are required for this project have been incorporated into the project design and the construction documents. As part of today's action, staff is requesting Council to approve these mitigations and their manner of implementation, as set forth in the Mitigation Monitoring and Reporting Program, and direct the implementation of these mitigations as part of the project.

Mitigation measures that are required as part of this project include the following:

- Mitigation for construction noise and dust
- Tree mitigation
- Possible wildlife mitigation
- A geotechnical report
- Erosion protection during construction

HONORABLE MAYOR AND CITY COUNCIL

01-31-06

**Subject: Agreement for design consultant services for the construction of New Fire Station No. 12**

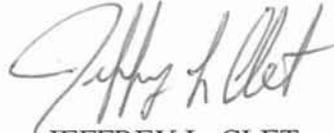
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Mitigated Negative Declaration, PP#05-071.



KATY ALLEN

Director, Public Works Department



JEFFREY L. CLET

Fire Chief

KJ:dp:lw  
Attachment

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JOSE APPROVING THE Fire Station #12 PROJECT, FOR WHICH AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION WAS PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, prior to the adoption of this Resolution, the Planning Director of the City of San Jose prepared an Initial Study and adopted a Mitigated Negative Declaration for the Fire Station #12 Project (Planning File No. PP05-0071) in accordance with the requirements of the California Environmental Quality Act of 1970, as amended ("CEQA"), and state and local guidelines implementing CEQA; and

**WHEREAS**, the Fire Station #12 Project ("Project") analyzed under the Initial Study/Mitigated Negative Declaration consisted of the development of a 6,600 sf fire station, on a 0.6-acre site located at the corner of Cahalan and Calero Drives, San José, California 95124; and

**WHEREAS**, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and

**WHEREAS**, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

**WHEREAS**, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and

**WHEREAS**, the City of San Jose is the lead agency on the Project, and the City Council is the decision-making body for the proposed Project; and

**WHEREAS**, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

**WHEREAS**, the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

**WHEREAS**, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:**

**THAT THE CITY COUNCIL** does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project. The City Council designates the Director of Public Works at the Director's Office at 801 North First Street, Room 320, San Jose, California 95110, as the custodian of documents and records of proceedings on which this decision is based.

**THAT THE CITY COUNCIL** does hereby approve construction of the Project (Planning File No. 05-071) and adopt the Mitigation Monitoring and Reporting Program prepared for the Project. The Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the Office of the Director of Planning, located at 801 North First Street, Room 400, San Jose, California 95110 and (2) available for inspection by any interested person.

ADOPTED this            day of            , 2005, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

VACANT:

\_\_\_\_\_  
RON GONZALES  
Mayor

ATTEST:

\_\_\_\_\_  
LEE PRICE, CMC  
City Clerk

