



COUNCIL REPORT

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| DATE: | January 27, 2026 |
| CATEGORY: | Consent |
| DEPT.: | Public Works Department |
| TITLE: | Public Safety Building, Project 20-49—Appropriation and Professional Services Agreement |

RECOMMENDATION

1. Transfer and appropriate \$7,500,000 from the Public Safety Building Reserve to Public Safety Building, Project 20-49, increasing total project funding from \$8.8 million to \$16.3 million. (Five Votes Required)
2. Authorize the City Manager or designee to execute a professional services agreement with Kitchell/CEM, Inc. a California Corporation (Entity No. C0973818), to provide pre-construction services, construction management, Leadership in Energy and Environmental Design (LEED) commissioning, and special inspection services for the Public Safety Building, Project 20-49, in a not-to-exceed amount of \$6,886,000.

BACKGROUND

The existing Police and Fire Administration facility opened in 1980, and houses fixed Police Department operations, Emergency Dispatch, the Fire Chief and Deputy Fire Chief, support staff, and the Emergency Operations Center. The building was designed prior to the Essential Service Seismic Safety Act of 1986 and does not meet current seismic standards for such structures.

The project would replace the existing facility with a completely new one on the same site. The new facility would be located at 1000 Villa Street at the corner of Villa and Franklin Streets in the Public Facility zoning district (*see Figure 1*). The 4.3-acre site is occupied by the City's current

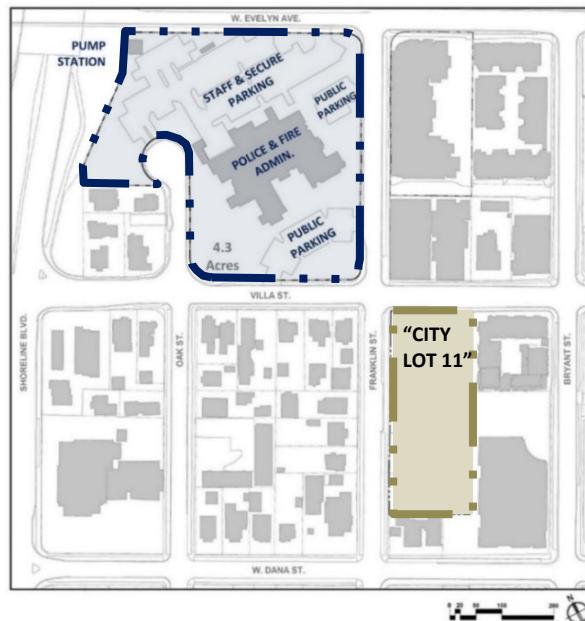


Figure 1 – Location Map

approximately 44,000-square-foot Police/Fire Administration Building and associated site improvements.

There have been several Council actions and other milestones related to the project, as shown in Table 1.

Table 1: Council Actions and Other Milestone

| Date | Action/Milestone |
|--|---|
| <u>December 5, 2023</u> | <p>Council took the following actions:</p> <ol style="list-style-type: none">1. Approved the revised project scope and site plan (see Figure 2).2. Selected “Civic Americana” as the architectural conceptual design for the building.3. Approved a Public Art budget increase from \$400,000 to \$1 million. |
| <u>May 14, 2024</u> | <p>Council authorized the City Manager or designee to execute the Community Workforce Agreement with the Santa Clara and San Benito Counties Building and Construction Trades Council. On July 5, 2024, the City executed the <u>Community Workforce Agreement</u>. Public Safety Building, Project 20-49, is listed as one of the five projects subject to this agreement.</p> |
| <u>June 25, 2024</u> | <p>Council voted to place a revenue measure (<u>Measure G</u>) on the November 2024 ballot to secure additional funding for the Public Safety Building project as well as other capital projects to meet priority community needs.</p> |
| November 5, 2024 | <p>The voters passed revenue Measure G with over <u>72% voting in favor of the measure</u>.</p> |
| <u>December 17, 2024</u> | <p>Council took the following actions.</p> <ol style="list-style-type: none">1. Approved the revised project scope, which reduces the size of the parking garage and shooting range and incorporates a phased approach for the shooting range. |

| Date | Action/Milestone |
|---|---|
| | <ol style="list-style-type: none">2. Approved a Public Art Budget decrease from \$1 million to \$400,000.3. Directed staff to return to the Council with a funding plan for the project.4. Directed staff to conduct value engineering for staging and/or construction logistics for potential additional project cost savings. |
| <u>November 4, 2025</u> | Council adopted a resolution that certified the Environmental Impact Report for the Public Safety Building and adopted findings related to Environmental Impacts, Mitigation Measures, and Alternatives, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. |

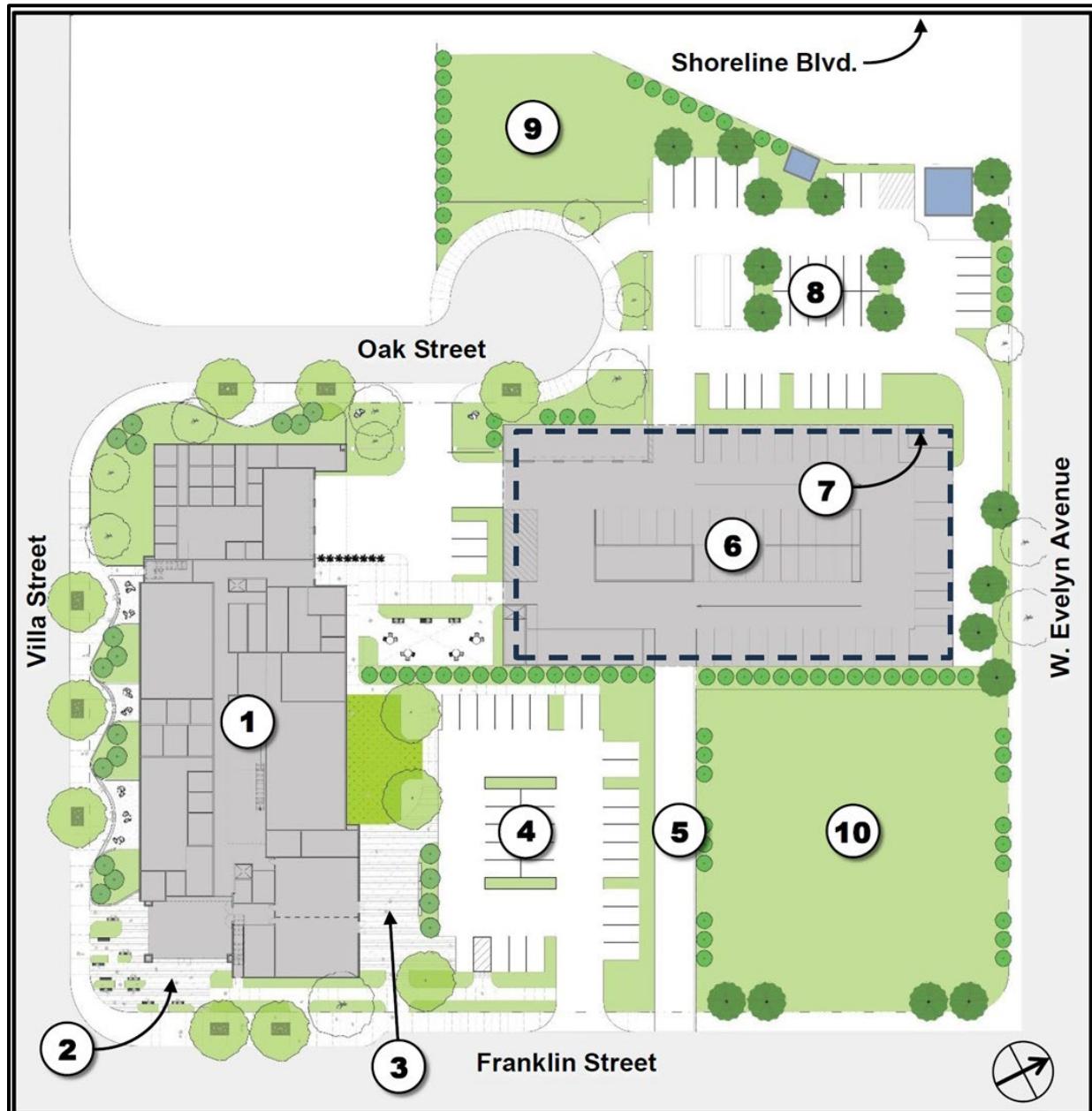


Figure 2: Concept Site Plan

- 1. 75,000 square foot building
- 2. Corner public entry plaza
- 3. Public event plaza
- 4. Public parking
- 5. Second public safety vehicle access
- 6. Secure staff parking structure
- 7. 15-lane shooting range (top level)
- 8. Secure staff surface parking
- 9. K9 training area
- 10. Future City use (0.6 acre)

ANALYSIS

On major building projects, due to the significant complexity and distinct needs related to this category of projects, the City typically hires a construction management firm to provide constructability review and third-party estimating during design, construction management and inspection during construction, and assistance with Leadership in Energy and Environmental Design (LEED) commissioning. The City does not maintain regular, full-time staffing for these activities because the work is specialized, and the City only periodically performs large building construction projects. This project is further unique in that it is a multi-phased project involving multiple general contractors while maintaining 24-hour public safety operational services on the same site.

As a result, the project will be conducted in three phases:

Phase 1 - Selective demolition, site preparation, and utility coordination:

The new building will be constructed along the site's Villa Avenue frontage. This requires the selective demolition of a portion of the front of the existing facility. The remainder of the existing facility will maintain full operations during construction. This phase is expected to begin in fall 2026 and be completed in spring 2027.

Phase 2 - Public Safety Building and Site Work:

The main building that will house police and administrative fire personnel will be constructed. The existing facility will maintain full operations during construction, and once the new building is completed, operations will move to the new building. This phase is expected to begin in summer 2027 and be completed in summer 2029.

With the existing building fully vacated, the existing building and secure parking areas will be demolished, and construction of the new public parking area, and site improvements within the existing secured parking area will be implemented. This phase is expected to begin in summer 2029 and be completed in fall 2030.

Phase 3 - Parking Garage Construction:

While the new site work is being constructed, a separate contract will be awarded for the new structured parking garage and cold-shell of the future firing range on the upper level. Portions of this work involve off-site pre-cast and structural system fabrication, followed by on-site installation and construction once the site is cleared and ready. This phase is expected to begin in spring 2029 and be completed in summer 2031.

Professional Services Agreement

In August 2025, staff issued a Request for Proposals for specialized construction management services and received five proposals. A selection committee, comprised of Public Works staff, evaluated the proposals and reviewed the consultant's qualifications. The proposals were evaluated based on experience in public-sector building projects, LEED commissioning, construction management, claims review and negotiation, and cost-benefit analysis. Following this evaluation, the selection committee performed in-person interviews of four firms.

Following the interviews, the selection committee selected Kitchell CEM, LLC (Kitchell) as the most qualified firm based on the merits of their written proposal and interview responses, experience in completing similar projects, and understanding of project goals. Kitchell has served as the primary construction management consultant on numerous municipal and public agency facilities, and has experience with community workforce agreements.

The main elements of the scope of services include:

- Conduct reviews of the project's design plans and specifications for code compliance and constructability;
- Provide third-party cost estimates, and assist with construction cost management;
- Advise on contractor prequalification and bidding;
- Provide on-site construction monitoring, management, and inspection;
- Provide and manage one or more special inspection service providers for the project's required special inspections; and
- Perform LEED commissioning services, including verification that mechanical, electrical, plumbing, and other systems are installed and calibrated properly.

Kitchell will be performing these services across all three phases of the project, which is expected to last approximately five and a half years.

The recommended fee of \$6,886,000 for basic services, specialty inspection, and contingency is consistent with such services, and staff considers the fee to be fair and reasonable for the scope of work required. If the recommended action is approved by Council, Kitchell will begin design phase constructability review and third-party estimating in spring 2026. Final construction of all phases is expected to be completed in summer 2031.

Additional Project Management and Administration Funding

City staff members provide project management and administration needs for Capital Improvement Program projects and charge their time spent to the respective projects they

support. The budget for project management and administration for Public Safety Building, Design, Project 20-49 requires additional funding in the amount of \$614,000 for project staff and administration.

A summary of the budget increase requests is as follows:

Table 1: Project 20-49 Budget Increase Amount

| | |
|--|--------------------|
| Professional Services Agreement (Kitchell) | \$6,886,000 |
| Staff and Administration | <u>614,000</u> |
| TOTAL: | \$7,500,000 |

FISCAL IMPACT

Public Safety Building, Project 20-49 is funded with \$6,800,000 from the General Fund Contingency Reserve, and \$2,000,000 from the Construction Tax Fund, for a total project budget of \$8,800,000.

. Staff recommends an increase in appropriations of \$7,500,000 to fund the professional services agreement, as well as additional project management and administrative expenses appropriated from the Public Safety Building Reserve to Public Safety Building, Project 20-49, for a total project funding of \$16,300,000. There is sufficient funding in the Public Safety Building Reserve for the recommended action.

The fee for the recommended agreement is \$5,436,000 for basic services and reimbursable expenses, and \$1,450,000 for specialty inspection allowance and additional services, for a total not-to-exceed amount of \$6,886,000. Given the size of the project and the complex nature of the multi-bid package construction delivery, an allowance of this amount is recommended to provide the necessary capacity to address the specialty inspection services and additional services that may be needed.

Currently, the project is not fully funded for construction; however, with the passage of Measure G and the City's intention to issue debt to fund a majority of the project, a comprehensive funding plan is being developed and will be brought to Council for consideration in spring 2026.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

Contract or franchise agreement

CONCLUSION

The Public Safety Building project is moving forward to provide needed facilities for the Police and Fire Departments, as well as for Emergency Services. The project is very complex with multiple phases, requiring significant construction management services to support the project and help ensure ongoing, uninterrupted public safety services. Staff recommends executing a professional agreement with Kitchell as the project’s construction manager, and an increased appropriation of funding is needed to fund the agreement, as well as City project management staff and administrative expenses. Staff recommends that the City Council approve the appropriation of \$7,500,000 from the Public Safety Building Reserve and award a professional services agreement with Kitchell for a total maximum compensation of \$6,886,000. The first phase of construction will begin in fall 2026, and construction of all phases is expected to be completed by summer 2031.

ALTERNATIVES

1. Do not transfer and appropriate \$7,500,000 from the Public Safety Building Reserve to Public Safety Building, Project 20-49, and direct staff to use a different funding source.
2. Do not authorize the City Manager or designee to execute a professional services agreement with Kitchell and direct staff to select a different firm.
3. Provide other direction.

PUBLIC NOTICING – Agenda posting

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