

## RESOLUTION 2023-024

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) FINDING THAT THE PROPOSAL FOR BUILDING THE NEW SAN PABLO POLICE DEPARTMENT HEADQUARTERS AND REGIONAL TRAINING FACILITY BY C. OVERAA & CO. IS THE BEST VALUE; (2) AWARDED A DESIGN-BUILD CONTRACT TO C. OVERAA & CO. IN THE AMOUNT OF \$38,491,497 FOR DESIGN-BUILD CONSTRUCTION OF THE NEW SAN PABLO POLICE DEPARTMENT HEADQUARTERS AND REGIONAL TRAINING FACILITY AT PLAZA SAN PABLO (GATEWAY AVENUE AND CHATTLETON LANE); AND (3) APPROPRIATING \$43,608,026 IN LEASE REVENUE BONDS PROCEEDS, GENERAL FUND DESIGNATED RESERVES AND GENERAL FUNDS TO FUND THE PROJECT AND OTHER RELATED EXPENSES**

WHEREAS, Improve Public Safety is a Top Council Priority under the FY 2021-23 City Council Priority Workplan, effective March 15, 2021; and

WHEREAS, the City with the assistance of Michael Baker and Associates (MBA) concluded that the proposed Police Department Headquarters and Public Safety Training Project ("Project") would continue to be consistent with the land use and zoning designation for the site and would not result in an increase in the severity of impacts identified in the prior Environmental Impact Reports (EIR's) or Mitigated Negative Declaration (MND) or any new impacts not previously considered in the prior EIRs and MND. In accordance with this analysis, MBA has prepared Addenda to the two EIRs and the MND, which the City Council considered and approved on December 20, 2021; and

WHEREAS, on December 20, 2021, the City of San Pablo approved the issuance of lease revenue bonds ("Lease Revenue Bonds") to fund the construction of a future Police Headquarters and Regional Training Facility (the "New Police Facility") to be located on a vacant City-owned 2.27-acre lot at the northwest corner of Gateway Avenue and Chattleton Lane in the Mixed-Use Center South or Plaza San Pablo area of San Pablo, directly north of the new City Hall; and

WHEREAS, the New Police Facility will consist of a two-story building of approximately 42,000 square feet. It will accommodate approximately 88 full-time Police Department staff and include space for a mental health crisis deployment office, drone technology deployment and a K-9 holding and training area. The New Police Facility will also have a state-of-the-art Regional Training Facility that will have classrooms, a mat room and a 20-lane indoor shooting range; and

WHEREAS, consistent with all state law requirements, including but not limited Public Contract Code section 22164, the City conducted a procurement process to select a Design-Build Entity (DBE) to design and construct the New Police Facility; and

WHEREAS, the City issued a Request for Qualification (RFQ) to potential Design-Build Entities (DBEs). The City received five responses to the RFQ and shortlisted all five DBEs; and

WHEREAS, on November 8, 2022, the City issued a Request for Proposals (RFP) to the shortlisted DBEs and received five proposals. Under the RFP, and pursuant to the Design-Build Statutes, the design-build contract was to be awarded, if at all, on a “best value” basis, as determined by the City; and

WHEREAS, the evaluation factors under the RFP for scoring and ranking the proposals included Proposed Price (30%), Technical design and construction expertise (10%), Proposed Schedule (15%), Proposed design approach (15%), Life-cycle costs over 15 or more years (5%), Proposed construction approach (10%), Presentation (10%) and Overall Quality (5%); and

WHEREAS, an interview panel that included City staff, Mack 5, the City’s Construction Manager, and G2 Solutions, Mack 5’s police and law enforcement facility design expert, interviewed the five DBEs and unanimously agreed that, based on the evaluation factors in the RFP, the interviews and the proposals, that the proposal submitted by C. Overaa & Co. (Overaa) offered the best value to the public as to the design and construction of the New Police Facility; and

WHEREAS, Overaa will design and build a LEED Silver, 42,000 square foot building at a cost of \$38,491,497 with completion of the Project in approximately 25 months; and

WHEREAS, the City Council will appropriate a total of \$28,839,700 in remaining Lease Revenue Bond Proceeds to the PD HQ / RTC Project. A total of \$7,413,467 in American Rescue Plan Act (ARPA) funds, which is now part of the City’s General Fund/Fund 120 (“General Fund”), was previously allocated by the Council on April 4, 2022 via Resolution 2022-056. A total of \$3,200,000 of the ARPA funds was previously allocated to the New Police Facility, and \$1,253,467 for Wireless/Broadband Infrastructure. A portion of these latter funds (\$1,153,467) will be re-allocated to the PD HQ / RTC project for a Total ARPA/General Fund 120 Appropriation of \$4,353,467; and

WHEREAS, on February 8, 2023, the Budget, Fiscal and Legislative Standing Committee was given a presentation on the City’s General Fund Designated Reserves Amendment #2 which allocated a total of \$10,414,859 to FY 2022-23 GFDR Fund Balance under “New PD RTC Project Funding Shortfall” and unanimously recommended formal approval by the City Council and was approved earlier this evening by the City Council; and

WHEREAS, this proposed Resolution appropriates a total of \$43,608,026 to 320-0104-43605-GFD-422 to fund the Overaa contract and other expenses associated with the project. These expenses include contingency, special testing, furniture, fixtures and equipment, IT equipment, utilities, permits, and miscellaneous costs; and

Lease Revenue Bond Proceeds:	\$ 28,839,700
General Fund Designated Reserves:	\$ 10,414,859
<u>ARPA/General Fund 120 – PD Facility:</u>	<u>\$ 4,353,467</u>
Total:	\$43,608,026

WHEREAS, the proposed resolution approves and awards a contract with Overaa in the amount of \$38,491,497 and appropriates \$43,608,026 to fund the contract as well as other expenses associated with the project including contingency, special testing, furniture, fixtures and equipment, IT equipment, utilities, permits, and miscellaneous costs (i.e. moving, equipment etc.).

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings;

BE IT FURTHER RESOLVED that pursuant to Public Contract Code Section 22164(f)(5), the City Council of the City of San Pablo has determined that the proposal submitted by Overaa for the design and construction of the New Police Facility offers the best value to the public following its score as the top-ranked proposal among those received as further detailed in the recitals to this Resolution and in the accompanying staff report;

BE IT FURTHER RESOLVED that the City Council awards the Design-Build Contract to Overaa in the amount of \$38,491,497 for the design and construction of the New Police Facility;

BE IT FURTHER RESOLVED that the City Council finds that the award of the Design-Build Contract to Overaa is included in the Project for which the two Addenda were prepared and approved in December 2021;

BE IT FURTHER RESOLVED the City Manager is hereby authorized and directed to execute the Design-Build Contract on behalf of the City, and to make such changes or additions thereto with the concurrence of the City Attorney as are necessary or appropriate and that do not substantially alter the rights and obligations of the City thereunder. The City Manager is further authorized to execute such other documents and take such other actions as are necessary to carry out and implement the obligations of the City under the Design-Build Contract provided that doing so is within the spending authority granted to the City Manager by the City Council under this Resolution or otherwise;

BE IT FURTHER RESOLVED that the City Council hereby appropriates \$43,608,026 in 2022 Lease Revenue Bonds Proceeds, General Fund Designated Reserves and general funds to fund the project and other related expenses to project budget #320-0104-43605-GFD-422.

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ADOPTED this 21<sup>st</sup> day of February, 2023, by the following votes:

AYES:	COUNCILMEMBERS:	Xavier, Pabon-Alvarado, Cruz, Ponce and Pineda
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Dorothy Gantt  
Dorothy Gantt, City Clerk

/s/ Abel Pineda  
Abel Pineda, Mayor