



CITY OF POMONA COUNCIL REPORT

June 3, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Kirk Pelser, Deputy City Manager

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING AN EXCEPTION TO THE DOLLAR THRESHOLD LIMITS IN SECTION 2-1003(C)(4) OF THE POMONA MUNICIPAL CODE FOR ENGAGEMENT OF CUMMING CONSTRUCTION MANAGEMENT, INC. FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH PROJECT NO. 441-6725-XXXXX-73368

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution (Attachment No. 1):

RESOLUTION NO. 2019-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING AN EXCEPTION TO THE DOLLAR THRESHOLD LIMITS IN SECTION 2-1003(C)(4) OF THE POMONA MUNICIPAL CODE FOR ENGAGEMENT OF CUMMING CONSTRUCTION MANAGEMENT, INC. FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH PROJECT NO. 441-6725-XXXXX-73368

EXECUTIVE SUMMARY

The City Council will consider granting authorization to exceed the dollar threshold limits as set forth in Section 2-1003(C) (4) of the Pomona Municipal Code to enable engagement of Cumming Construction Management, Inc. for professional construction management Services associated with the Design-Build Parking Structure Project No. 441-6725-73368. The applicable code places a \$220,000 fee limit for services from vendors on the pre-qualified list. This limit presents a dilemma as the City needs to expeditiously engage a selected Project Construction Management (PCM) firm in order to keep the overall parking structure project timeline intact. The City needs PCM to provide hourly services during the next 6-8 months of the pre-construction period, and then for the anticipated 12-14 months of actual construction. The total estimated cost for this professional service is expected to be roughly \$311,000.

FISCAL IMPACT:

The requested authorization will allow for the engagement of Cumming Construction Management, Inc. at an estimated cost of \$311,810. There are sufficient funds in CIP Project No. 441-6725-XXXXX-73368 to absorb the cost.

PUBLIC NOTICING REQUIREMENTS: None.

ENVIRONMENTAL IMPACT: None.

BACKGROUND/DISCUSSION

The City has commenced a process to build a public parking structure in the downtown on the current Vehicle Parking District Lot 10 site. A Request for Proposals for comprehensive Design-Build services for the parking structure has been published with the proposals tentatively due on July 10, 2019. City staff does not have the necessary expertise to provide overall PCM oversight services. It is customary for a City to engage a firm to provide PCM services on large capital improvement projects, similar to the City's need for the Hope for Home design-build facility at 1390 E. Mission Blvd.

The City has a multi-step process for procuring a variety of engineering and construction vendor services such as civil engineering design, architecture, environmental consulting and PCM services. On a three-year basis, the City invites any qualified firm to respond to a comprehensive Request for Qualifications (RFQ). This RFQ is published on the City's normal procurement portal, Planet Bids. Qualified firms that respond to the RFQ are then placed on a pre-qualified list of vendors that the City uses to seek informal proposals for specific projects as they come online. For example, the pre-qualified list of eight vendors was used by the City to seek specific proposals for PCM services associated with the Hope for Home project, and the same list was used to seek proposals for PCM on the upcoming parking structure project.

Section 2-1003(C) (4) of the Pomona Municipal Code places a \$220,000 fee limit for services from vendors on the pre-qualified list. The City conducted an informal Request for Proposals (RFP) process and sought proposals from the consultants on its pre-qualified list of consultants; however, the proposals it received in response to the RFP exceeded the \$220,000 fee limit. This limit presents a dilemma as the City needs to expeditiously engage the selected PCM firm in order to keep the overall parking structure project timeline intact. The City needs the PCM firm to provide hourly services during the next 6-8 months of the pre-construction period, and then for the anticipated 12-14 months of actual construction. The total estimated cost for this is expected to be roughly \$311,000. The need for pre-construction services is time sensitive because the City has received many highly detailed requests for information (RFI) from prospective design-build teams who plan to respond to the currently open RFP to build the parking structure. The City needs a PCM firm on-board to help respond to many of these RFI's and to provide ongoing assistance in the design-build team selection process.

Given the openly competitive and comprehensive RFQ/RFP process that the City utilizes to establish the pre-qualified list of vendors and in light of Pomona's Charter City status, Staff, and legal counsel, believe that the City Council may authorize a waiver to the dollar limit in Section 2-1003(C) (4) of the

Pomona Municipal Code, and allow for the City to engage Cumming Construction Management, Inc. for PCM services associated with the Design-Build Parking Structure Project No. 441-6725-XXXX-73368.

CONCLUSION:

Staff is recommending that the Council authorize an exception to Section 2-1003(C) (4) of the Pomona Municipal Code, and allow for the City to engage Cumming Construction Management, Inc. for PCM services associated with the Design-Build Parking Structure Project No. 441-6725-XXXXX-73368

Attachments:

- 1) Resolution No. 2019-67