



**DATE:** November 19, 2019

**TO:** Mayor and City Council

**FROM:** Director of Public Works  
Fire Chief

**SUBJECT:** Adopt a Resolution Approving Plans and Specifications and Call for Bids After Approval from Federal Aviation Administration (FAA) and the Division of State Architect (DSA) for the Fire Station 6 and Fire Training Center Project

### **RECOMMENDATION**

That the Council adopts a Resolution (Attachment II) approving the plans and specifications for the construction of Fire Station 6 and the Fire Training Center and calls for bids after approval from FAA and DSA. Council's approval of the plans and specification is with the assumption that any changes related to FAA and DSA's final approval comments would be minimal; otherwise, staff will bring this project back to Council for further review.

### **SUMMARY**

In 2014, the voters of the City of Hayward approved Measure C, which authorized the City to increase the sales tax rate by one-half cent for, among other things, the restoration and maintenance of City services and facilities, including firefighting/emergency medical services. City staff and the design team have been working on completion of the design and various approvals of this project for a number of years. This project includes a partnership with the Chabot-Las Positas Community College District (District) for the shared use of the Fire Training Center. The construction documents are nearly completed, and staff seeks Council's approval of the plans and specifications. The project is in its final stages of review by FAA and DSA. Once the project receives approval from FAA and DSA, and when the final construction documents are completed, staff will proceed immediately with a call for bids.

### **BACKGROUND**

Below is a list of major milestones for the Fire Station 6 and Fire Training Center project:

- June 3, 2014: Voters approved Measure C, which authorized the City to increase the sales tax rate by one-half cent for twenty years to restore and maintain City services and facilities, including firefighting/emergency medical services.

- October 10, 2014: The City's consultant, RossDrulisCusenbery (RDC), completed a facility needs assessment for Fire Stations 1-6 and the Fire Training Center, which determined that all facilities needed substantial upgrades.
- May 26, 2015: Council authorized the City Manager to negotiate and execute an agreement with RDC for design services for Fire Stations 1-6 and the Fire Training Center Improvement project.
- October 18, 2016: Staff provided Council with an update on the project.
- October 24, 2017: The District's Board of Trustees passed a motion directing the Chancellor to create a Memorandum of Understanding (MOU) with the City of Hayward.
- October 25, 2017: Staff provided a project update to the Council Infrastructure Committee.
- June 28, 2018: Staff submitted a request to the FAA for the release of the land at the Hayward Executive Airport on which Fire Station 6 and the Fire Training Center would be constructed for non-aeronautical purposes.
- July 24, 2018: Council authorized the City Manager to negotiate and execute an MOU with the District to establish the basis for a ground lease and to accept up to \$20 million from the District for the design, construction, and furnishing of the District's Facilities at the Fire Training Center.
- September 24, 2018: The design team submitted the project plans to DSA for their review of District owned buildings.
- October 25, 2018: The Planning Commission adopted the Mitigated Negative Declaration and approved the Site Plan Review.
- March 5, 2019: Council approved the plans for the abatement and deconstruction of the existing Fire Station 6 and Training Center and call for bids.
- March 6, 2019: Staff provided a design update to the Council Infrastructure Committee.
- September 2019: Completed demolition of the old Fire Station 6 and the Fire Training Center.
- October 1, 2019: Council authorized the City Manager to Negotiate and Execute a Ground Lease and Facilities Use Agreement with the Chabot-Las Positas Community College District for the Fire Training Center.

## **DISCUSSION**

The approval processes with the FAA and DSA need to be completed before construction documents can be finalized.

### Federal Aviation Administration (FAA)

Since the Fire Station 6 and Fire Training Center are located on airport property, the project requires FAA approval. Parts of the parcels of land where the Fire Station and Fire Training Center will sit are for aeronautical purposes and require release of the land for non-aeronautical uses. In June 28, 2018, staff submitted the request for the release of two parcels of land for non-aeronautical purposes. Additionally, National Environmental Policy Act (NEPA) requirements apply. Staff has been and continues to work on obtaining a Categorical Exclusion since the action to change the Airport Layout Plan to build or expand airport fire and rescue buildings falls under categorically excluded actions. The Categorical Exclusion, which means that the project neither requires an environmental assessment nor an environmental impact report, needs to receive FAA determination prior to FAA's review for the release of the land. In addition, the FAA required the submittal of FAA's Notice of Proposed Construction or Alteration (Form 7460). Staff completed and submitted the Form to FAA for their determination.

### Division of the State Architect (DSA)

The partnership with the District requires review of the District owned buildings by DSA since DSA has jurisdiction over structural, fire/life safety, and access compliance requirements for school buildings that are publicly funded. Staff submitted the plans to DSA for their initial review on September 25, 2018. Since that time, there have been numerous review comments from DSA, and those comments were addressed by the design team. Once DSA approves the plans, the construction documents will be finalized.

When the approval items from DSA and FAA are received, the final construction documents can be completed. Staff requests that Council allow the project to proceed with call for bids immediately after construction documents are completed.

Due to the complexity of the project and to have the most qualified contractors bid on the construction contract, advertising will be distributed only to pre-qualified general contractors. The pre-qualification process looks at essential requirements like validity of contractor license, insurance limits, bonding capacity, on a qualify/not qualify basis and minimum scoring requirements on history/performance of the contractor, its compliance with safety and health laws, and experience with delivering similar type projects. The request for prequalifications was issued to general contractors on September 23, 2019. Addendum No. 1 extended the submittal deadline for the prequalification to October 31, 2019. Staff received submittal packages from four (4) general contractors. Notification to contractors of the prequalification results will be sent on November 13, 2019. Contractors who don't qualify are given the opportunity to appeal the determination by November 20, 2019. If an appeal is necessary, the hearing and response will be scheduled for December 12, 2019.

Council Infrastructure Committee Review

Project updates were presented to the Committee on October 25, 2017 and on March 6, 2019. The Committee provided general comments and feedback on the project at those stages.

**ECONOMIC IMPACT**

Completion of this project will add classrooms and spaces for training and use by others, which may result in positive economic benefits for businesses around the area.

**FISCAL IMPACT**

The **estimated** project costs are as follows:

Construction Contract	\$57,000,000
Construction Contingency/Administrative Change Order	\$5,700,000
Consultant Design	\$5,000,000
Construction Management Administration	\$4,000,000
Inspector of Record Service & Special Testing	\$1,500,000
Demolition of old Fire Station and FTC	\$425,000
Temporary Housing	\$500,000
Permit & Utility Fees	\$940,000
Fixture, Furniture & Equipment	\$600,000
Staff Construction Administration	<u>\$300,000</u>
<b>Total</b>	<b>\$75,965,000</b>

The above inspector of record service is the requirement of DSA in which the buildings owned by Chabot-Las Positas Community College District will require inspection by DSA certified inspectors.

The total current budget is \$60.4 million, which includes \$27.0 million outlined in the FY 2019 adopted Capital Improvement Program in Measure C, Fund 406, and \$30.6 million for FY 2020. The prior year's project expenditures total were \$2.8 million. The total current budget includes a contribution of \$20 million by Chabot-Las Positas Community College District as their current share.

Current estimated figures, if realized, could leave a shortfall of up to \$15.6 million. The construction contract amount of \$57,000,000 above is an estimate and the actual amount will be known upon receipt of bids. Staff recommends that funding for the project, including any shortfall, come from the City's district sales tax, Measure C, revenue. Given the anticipated increase in costs and current projected revenue in the Measure C fund, staff is exploring the potential need for bridge funding and will bring Council options after the true costs have been identified and prior to contract award for the construction project.

There are some project features whose costs are not currently included in the estimates above. Items like fire props and BART cars may be contributed by other agencies. Should these contributions not be provided, the costs may need to be otherwise added to the Fixtures, Furniture & Equipment budget.

## **STRATEGIC INITIATIVES**

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work, and play for all. This agenda item supports the following goals and objectives:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion.

Objective 2: Foster a sense of place and support neighborhood pride.

## **SUSTAINABILITY FEATURES**

This project incorporates sustainability features as they relate to water, energy, and the environment.

1. Water: Water efficient plumbing fixtures - This project includes the installation of water efficient plumbing fixtures to reduce water consumption.
2. Environment: Bay-Friendly Landscaping & Storm Water Treatment - This project will implement Bay-Friendly Landscaping techniques to use native plants and climate appropriate plants.

This project will install bio-swales at the Fire Training Center to treat storm water runoff from the pavement and filters pollution from the storm water before entering the San Francisco Bay.

3. Energy: Installation of LED lighting, skylights, and PV panels - This project will install energy efficient windows, LED lighting, skylights, and PV panels providing electricity and maintenance cost savings.

The proposed buildings will be designed to meet Leadership in Energy and Environmental Design (LEED) Silver, or better, and zero net energy.

## **PUBLIC CONTACT**

As part of the CEQA requirements, the Initial Study and Mitigated Negative Declaration were posted for public review and a public hearing was brought before the Planning Commission on October 25, 2018.

## **SCHEDULE**

The following is the tentative schedule:

Complete Design	November 2019
Call for Bids	December 2019 (assumes approval by FAA and DSA)
Open Bids	February 2020
Award Construction Contract	March 2020
Begin Construction	April 2020
Complete Construction	July 2022

## **NEXT STEPS**

After staff evaluates the bid results, staff will return to Council for consideration of award of a construction contract. At the same time, staff will seek Council approval to amend the agreement with RDC for construction phase services, Kitchell for construction management, and new agreements for Inspector of Record services and special testing services.

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Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works  
Garrett Contreras, Fire Chief

Approved by:



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Kelly McAdoo, City Manager