

City of Springfield
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, NOVEMBER 7, 2005

The City of Springfield Council met in a work session in the Jesse Maine Room, 225 Fifth Street, Springfield, Oregon, on Monday, November 7, 2005 at 6:20 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Fitch, Ralston, Lundberg, and Woodrow. Councilor Pishioneri participated via cell phone. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

1. Consideration of Exemption from the City of Springfield Contract Review Board Rules to Allow Use of the Construction Manager/General Contractor (CM/GC) Project Delivery System for Construction of the Springfield Justice Center.

Project Manager Carole Knapel presented the staff report on this item. Oregon Revised Statutes (ORS) allow for alternative methods of contracting when the project presents unique construction requirements and when there are budget limitations, time constraints and a complex project scope. The Justice Center project may benefit from use of the CM/GC strategy because it meets these four characteristics. In order to utilize the CM/GC strategy, council must conduct a public hearing, consider testimony, and adopt a resolution exempting the project from competitive bidding.

Staff initially presented the CM/GC strategy to council at a work session on April 18, and again on October 17, 2005. In order to use the CM/GC strategy, the project must meet certain requirements, including: 1) using the CM/GC method will likely result in substantial cost savings, and that 2) it is unlikely that the exemption will encourage favoritism or substantially diminish competition. The attached findings and conclusions of law detail how the project meets these requirements.

Because of statutory requirements, the timing of council meetings, and in order to give potential proposers an opportunity to understand the project, a Request for Proposals (RFP) for the CM/GC services has been advertised. The RFP was written in conformance with the applicable state statutes which address requirements for CM/GC contracting. Proposals are due on November 14, pending council approval of the CM/GC request. The Selection Committee will include a City Councilor (as a non-voting member), Cynthia Pappas, Len Goodwin, Jerry Smith, Rich Harrison, Dave Puent, Carole Knapel and Susanna Julber. A representative of Robertson Sherwood will also participate in a non-voting role. If the council approves the CM/GC request, the Selection Committee will recommend the top-ranked firm to the council. If the council does not approve the CM/GC request, staff will cancel the solicitation.

Ms. Knapel discussed the benefits of having a CM/GC during the design process. She noted that the CM/GC would help determine which plan for the facility would be best, would look at phasing of the project and would look at the materials to make sure they were most economical.

They would negotiate for the maximum guaranteed cost. Ms. Knapel noted that the CM/GC would be required to bid out all work over \$100,000 and the city would see those bids. If the total cost at the end of the project was less than the guaranteed cost, the cost savings would go to the city. The city could use those cost savings to add other things. She discussed the justice center and that it was a specialized construction due to security measures throughout the building as well as on the outside.

Ms. Knapel said there were some contractors who may speak during tonight's public hearing. One contractor may feel it was not a cost benefit to the city to use the CM/GC process and felt it would eliminate local contractors.

Councilor Ballew asked if the Selection Committee should include a member from the finance department. She asked about a fee.

Ms. Knapel explained.

Mayor Leiken asked if Ms. Knapel would have answers when the contractor spoke during the public hearing.

Ms. Knapel said she would. She referred to another project that had issues the contractor might mention. She discussed the possibility that if negotiations failed with the CM/GC, the council could choose to go to the low bid contract process.

Councilor Ralston asked about the Pre-Proposal Meeting. It had already taken place on November 1.

Councilor Woodrow asked if prior experience could be a criteria if the council chose not to go with the CM/GC process.

Ms. Knapel said if going through the other method, they could not require prior experience in building a justice center.

Mr. Kelly said the other process would be the lowest responsible bid. He explained. They would be looking for someone with experience to work with the architect in the CM/GC process.

Mr. Leahy discussed the project and the funding issues regarding the question of whether or not a jail would be included. The CM/GC may give more flexibility in that issue with cost savings. He said there may not be a decision on the operations of the jail until late in the project and if it were the standard contractor method, any changes related to adding a jail would need to be done with an amendment to the original contract.

Ms. Knapel said if they were to go to the lowest responsible bidder, there would be a need for consulting services regarding phasing the facility. Part of the reason for the CM/GC as part of the team now was that they would be involved in that evaluation.

Mr. Kelly said it was up to council and their comfort level. If they determined to go the traditional way, they could do that, but it may involve more work.

Councilor Fitch said the agency she worked with had a number of dealings with people who had used the CM/GC process. She said it gave more flexibility for future decisions.

Councilor Pishioneri asked if the CM/GC process still gave council the ability to choose the contractor and where applicable to use local people.

Ms. Knapel said the CM/GC would bid all the subcontractor work, but would keep the books open to the city. There would be plenty of opportunity to use local contractors for some of that work. She noted that there was concern among local contractors that if someone came in as the CM/GC from out of town, there would be no opportunity for them.

Ms. Knapel acknowledged architects Jim Robertson and Carl Sherwood from Robertson/Sherwood were in attendance. She also acknowledged Bill Hirsh, Facilities Management Director for the 4J School District in Eugene who was also in attendance.

Councilor Lundberg said the issue wouldn't be around using the CM/GC process, but rather the justice center experience criteria. She asked if the experience could be preferred, but not required. She said it was conceivable that someone without justice center experience could be chosen. She discussed changing the balance of the criteria points.

Mr. Leahy said a contractor submitting an application could also note that they would be associated with someone experienced in building a justice center.

2. Justice Center Functional and Space Program.

Project Manager Carole Knapel presented the staff report on this item. On July 5, 2005, the City Council approved a contract with Liebert and Associates for the development of a Functional and Space Program for the Justice Center Facility. This document has been drafted and reviewed with city staff and the Community Advisory Committee. The Program was necessary to document the requirements for the Police Department, Municipal Courts and City Jail. The work was to be completed by January 2006 for a cost of \$93,600.

The Draft Program has been completed approximately 2 months early and with a cost savings of approximately \$10,000. This Draft Program has been reviewed by the User Groups from the Police Department, the Court and the Prosecutor's Office. These groups have requested some minor modifications to the Program, however these modifications will not alter the total square footage of the facility. With these modifications, the User Groups have determined that the Program addresses their departmental requirements. The Draft Program was reviewed by the Community Advisory Committee on October 25. Based on their review, it was the consensus of the CAC that the City Council approve the Program as the basis for the design of the Justice Center. The City Manager's Executive Team has also reviewed the Program. The Executive Team requested that the Program specifically identify secure space for network infrastructure. With this modification, the Executive Team also agreed to recommend that council approve the Program as the basis for the design of the Justice Center. Staff will return to City Council on November 28 to request council action. The Draft Program includes a preliminary construction cost estimate for the cost of the new facility. This preliminary estimate indicates that the proposed requirements as outlined in the Draft Program can be provided within the funds available.

Ms. Knapel presented a power point presentation on this item which included:

- Springfield Justice Center: Gross Square Footage
- Police Department Square Footage Summary
- Overall Adjacency Diagram
- Outbuilding Diagram
- Courts Square Footage Summary
- Judicial Adjacency Diagram (Courtroom floor)
- Judicial Adjacency Diagram (Judicial Office and Jury sets)
- Court Operations Adjacency Diagram
- City Prosecutor Adjacency Diagram
- Jail Bed Classifications
- Overall Facility Adjacency Diagram
- Jail Program
- Housing
- Construction and Project Cost Summary
- Police Department
- Courts
- 100 Bed Jail
- Total Project Cost – Jail, Police Department & Courts
- Policy Issues for Consideration

Councilor Ballew asked for more information about maintenance and vehicle needs.

Staff would provide that information to council.

Ms. Knapel concluded the power point presentation by outlining the Policy Issues for Consideration.

Mr. Kelly said there was a jail maintenance issue which staff may bring back to council in several weeks. He discussed the possibility that Lane County may include Springfield jail operations in their public safety proposal that they may be putting on the May 2006 ballot.

Councilor Pishioneri asked if there was a provision for a K9 facility.

Ms. Knapel said there was an outbuilding for canines and the animal shelter.

Councilor Pishioneri said some of the components of the facility might be mandated by state statute.

Ms. Knapel said staff would bring additional details on jail operations costs to council at a later date.

Councilor Pishioneri asked about housing female inmates and noted that if female inmates were housed, they would need to look at staffing female officers twenty four hours a day, seven days a week.

Mayor Leiken asked staff to also bring council information on why the cost of the jail could be between \$220 and \$250 per foot. He said people would compare the cost with other commercial buildings and would question why it was so much more for the jail facility.

ADJOURNMENT

The meeting was adjourned at 6:55 pm.

Minutes Recorder – Amy Sowa

Sidney W. Leiken
Mayor

Attest:

Amy Sowa
City Recorder