



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Department of Public Works

Prepared by: Bill Guerin, Public Works Director **City Manager Approval:** _____ 

TOPIC: FIRE STATIONS 54 AND 55 CONTRACTOR PREQUALIFICATION PROCEDURES - ESSENTIAL FACILITIES PROJECTS

SUBJECT: RESOLUTION APPROVING USE OF A PREQUALIFICATION PROCESS AND AUTHORIZING THE CITY MANAGER AND ASSISTANT CITY MANAGER TO ACT AS THE PREQUALIFICATION APPEALS PANEL FOR THE FIRE STATION 54 AND FIRE STATION 55 PROJECTS

RECOMMENDATION: Adopt the resolution approving the use of a prequalification process and authorizing the City Manager and Assistant City Manager to act as the prequalification appeals panel for the Phase 2 Essential Facilities projects (Fire Station 54 and Fire Station 55).

BACKGROUND: Measure E passed on November 5, 2013 extending for 20 years an existing 0.5% sales tax and increasing it by 0.25%. On [February 3, 2014](#), the San Rafael City Council directed staff to set aside the revenues from the added quarter percent to begin to address our aging essential facilities. On [July 20, 2015](#), the City Council unanimously approved an Essential Facilities Strategic Plan. The plan calls for seismic and operational Upgrades to Fire Stations 54 and 55.

The designs for Fire Stations 54 and 55 have been approved by the Planning Commission and Design Review Board and are nearing completion. The projects are to be bid for construction as a single project, beginning with the selection of a general contractor. San Rafael Municipal Code, Chapter 11.50, generally requires that public works projects be competitively bid under the traditional low bid design-bid-build procedure and staff intends to follow that procedure for this project.

Public Contract Code Section 20101 allows public agencies to require licensed contractors that wish to bid for public works jobs to “prequalify” for the right to bid on a specific public works project. Essential facilities such as Fire Stations 54 and 55 are highly complex and critical public safety buildings serving the public’s needs. Staff and the City’s consultants recommend selecting highly qualified general contractors that have had experience in building similar essential facilities and can demonstrate certain specific qualifications needed for the essential facilities projects, including: a strong team; experience with projects of similar size, complexity and quality; strong references from previous clients; a strong safety record; and a record of collaborative and litigation-free delivery of previous projects. To ensure highly qualified

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2

general contractors for the Fire Stations 54 and 55 projects, staff recommends a contractor prequalification process for these projects.

ANALYSIS: The prequalification process requires that proposers respond to a defined prequalification questionnaire. City staff proposes a selection committee that would review each contractor's application and rate each firm against defined criteria. Staff would use the Department of Industrial Relations Labor Commissioner's Model Pre-Qualification Questionnaire and would perform specific reference checks with additional questions to standardize the prequalification evaluation. Proposers provide various references and staff will question the references regarding strength of project personnel, experience with similar projects, approach and organization, reference checks, safety record, and claims avoidance record in order to create a short-list of highly qualified bidders that would then be asked to submit bids for the Fire Station project.

The short-list of highly qualified contractors chosen would be provided with a set of complete construction documents in order to prepare a bid. The request for bids for Fire Stations 54 and 55 would be issued in the spring of 2021. The City would award a contract for the projects to the lowest responsive responsible contractor. A prequalification process maximizes the overall quality of bidders while still allowing for a larger pool of potential contractors to ensure adequate competition. This method ensures highly qualified contractors are building the prominent Essential Facilities projects in order to produce high quality buildings on schedule and within budget.

The Public Contract Code Section 20101(d) requires that the City's prequalification process allow for appeals of disqualification determinations. Public Contract Code Section 20101(d) requires public agencies that require prospective bidders to prequalify to establish a process that will allow prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids. To implement the appeals process mandated by the Public Contract Code, staff recommends that the City Council authorize the City Manager and the Assistant City Manager to be the designated appeals panel for the prequalification appeals process for the Phase 2 Essential Facilities projects (Fire Station 54 and Fire Station 55).

FISCAL IMPACT: There is no fiscal impact associated with this report.

OPTIONS:

1. Adopt resolution as presented approving use of a prequalification process and designating the City Manager and Assistant City Manager as the prequalification appeals panel for the Fire Stations 54 and 55 project.
2. Council may direct staff to modify the resolution.

RECOMMENDED ACTION: Adopt the resolution.

ATTACHMENTS:

1. Resolution approving use of a prequalification process and authorizing the City Manager and Assistant City Manager to act as the prequalification appeals panel for the Fire Stations 54 and 55 project.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING USE OF A PREQUALIFICATION PROCESS AND AUTHORIZING THE CITY MANAGER AND ASSISTANT CITY MANAGER TO ACT AS THE PREQUALIFICATION APPEALS PANEL FOR THE FIRE STATION 54 AND FIRE STATION 55 PROJECTS

WHEREAS, the City of San Rafael intends to construct two new essential facilities projects, to update and improve Fire Station 54 and Fire Station 55; and

WHEREAS, the City of San Rafael intends to expend considerable public resources to construct these facilities; and

WHEREAS, these new facilities are complex in nature and need to be constructed to ensure they are operable during and after a significant natural or man-made hazardous event in and/or around San Rafael; and

WHEREAS, these essential facilities need to be constructed to the highest quality in order to continue to function effectively decades into the future with minimal maintenance or downtime; and

WHEREAS, the City has a great interest in selecting construction contractors with certain specific qualifications needed for the essential facilities projects, including: a strong team; experience with projects of similar size, complexity and quality; strong references from previous clients; a strong safety record; and a record of collaborative and litigation-free delivery of previous projects; and

WHEREAS, City Staff has initiated, and recommends that the City Council approve, a process to prequalify bidders before they are offered the opportunity to bid on these essential facility projects; and

WHEREAS, the prequalification process will require that proposers respond to a specific set of defined pre-qualification questions and to provide various references describing strength of project personnel, experience with similar projects, approach and organization, reference checks, safety record, and claims avoidance record; and

WHEREAS, City staff will establish a selection committee who will review each contractor’s application and rate each firm against defined criteria. The selection committee will use the results of the evaluation to create a short-list of highly qualified contractors. Only this short-list of contractors will be invited to submit a cost proposal; and

WHEREAS, Public Contract Code Section 20101(d) requires public agencies that require prospective bidders to prequalify pursuant to this law to establish “a process that will allow prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids”; and

WHEREAS, Staff recommends that the City Council authorize the City Manager and the Assistant City Manager to be the designated appeals panel for the prequalification appeals process for the Phase 2 Essential Facilities projects (Fire Station 54, and Fire Station 55);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES
as follows:

1. The City Council hereby approves the use of the staff-initiated contractor prequalification process for the Fire Station 54 and Fire Station 55 projects.
2. The City Manager and Assistant City Manager are hereby authorized to act as the appeals panel for the prequalification process.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on the 1st day of March, 2021, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk