

CARSON CITY CAPITAL PROJECTS ADVISORY COMMITTEE

Minutes of the July 16, 1996, Meeting

Page 1

A meeting of the Carson City Capital Projects Advisory Committee was held on Tuesday, July 16, 1996, at the Carson City Administrative Offices, 2621 Northgate Lane, Suite 59, Carson City, Nevada, beginning at 5:30 p.m.

**PRESENT:** Chairperson Gary Sheerin, Vice Chairperson Jennifer Bacigalupi, and Members Richard Baker, Ed Moran, and Ron Swirczek

**STAFF PRESENT:** District Attorney Noel Waters, Community Development Director Walter Sullivan, Public Works Director Jay Alden, Undersheriff Barney Dehl, Chief Deputy Sheriff Bill Callahan, Lieutenant Dwight Dimit, and Recording Secretary Katherine McLaughlin (C.P.A.C. 7/16/96 Tape 1-0001.5)

**CONSULTANTS PRESENT:** Dan Carne, Bruce Fullerton, and Kristin Tokes

**A. ROLL CALL OF MEMBERS AND DETERMINATION OF A QUORUM** - Chairperson Sheerin convened the meeting at 5:40 p.m. Roll call was taken. A quorum was present although Member Bacigalupi had not yet arrived and Members Honkomp and Mullet were absent.

**D-2. DISCUSSION AND POSSIBLE ACTION REGARDING CONSTRUCTION MANAGEMENT OF THE PUBLIC SAFETY/COURTHOUSE COMPLEX PROJECT (1-0007.5)** - Chairperson Sheerin noted the problems encountered in developing an RFP for a construction manager/clerk of the works with a guaranteed maximum price and need to hire this individual posthaste. Mr. Waters further described the legal concerns involved with the procedure for going to bid for a construction manager with a guaranteed maximum price. His comments outlined the reasons for having such an individual on the project and the duties which he/she may perform. He recommended using a request for qualifications (RFQ) rather than a request for proposals with a guaranteed maximum price (RFP) for either the construction manager or the clerk of the works. The Committee could review the responses and recommend a firm with whom staff should negotiate the contract. The contract would be submitted to the Board of Supervisors for approval. (During these comments, Member Bacigalupi arrived--4:58 p.m. A quorum was present as noted.) He recommended against using the professional services exceptions and negotiating with only one firm. He felt that staff could complete the RFQ by next Wednesday. Mr. Aldean indicated that he had had a copy of a draft from Turner faxed to Chairperson Sheerin. Chairperson Sheerin further explained the RFP restrictions for a guaranteed maximum price. He supported Mr. Waters' recommendation to use the RFQ process. He also supported expediting the process as much as possible and having a construction manager. Chairperson Sheerin asked Member Bacigalupi to serve on a subcommittee to review the RFQs. Discussion indicated Member Mullet had served on the previous committee. Discussion also suggested a potential motion.

Mr. Aldean suggested that the RFQ include the pages or packages which will be bid. Member Baker opposed his recommendation as this would allow the individual to hire all of the subcontractors. He felt that the RFQ should be for a general contractor. This would give the City one individual to seek recourse from if something should go awry rather than being forced to go after the subcontractor who points to the construction manager, etc. Mr. Waters requested direction from the Committee on this point--should there be a general contractor or should there be various subcontractors controlled by the construction manager. The pros and cons of having a general contractor or a construction manager who hires and manages various subcontractors were debated at length. The consensus supported having both a general contractor and a construction manager. The general contractor would be responsible for the subcontractors. Mr. Fullerton supported trying to get the construction manager on board as soon as possible as the final design is now being prepared. The more work done on the final design the less potential for finding/changing different features/amenities of the building and cost savings. Comments also stressed the need for both the general contractor who would have subcontractors and a construction manager who would oversee the project and work with the architect in designing the facility. The construction manager would also look for cost saving features when working with the architect. Discussion followed on whether the construction manager would be able to find enough of a savings to justify the cost of his services, whether he could

# CARSON CITY CAPITAL PROJECTS ADVISORY COMMITTEE

Minutes of the July 16, 1996, Meeting

Page 2

be brought on board before the first of September or before the drawings are advanced so far that there would be an additional cost for redrawing any of the areas where he may find a savings, whether Mr. Fullerton could "slow down" the design to allow for the RFQ process to be completed without losing the staff now working on the facility, and the impact created by slowing down the timetable on the City's ability to break ground in December, its construction schedule, and its finances. Discussion indicated that the presentations which had been made previously had clearly indicated there is a need for a construction manager to look for cost reducing measures and in overseeing the total construction project. This individual would represent the City's interest. Discussion also explained the difference between RFQs and RFPs. (1-0701.5) Potential scope of duties for the RFQ were explored. Mr. Fullerton indicated that his firm had worked with and without construction managers on previous projects. He was willing to follow whatever direction the Committee gave on the project. (1-0907.5) Member Baker urged the Committee to use a clerk of the works. His experience had indicated that the construction manager/value engineer was not cost effective. He agreed that a construction manager could be a clerk of the works. Discussion indicated that once the design is completed there is little difference between the clerk of the works and construction manager. Both perform relatively the same functions. Staff would have to be the financial manager. A value engineer would duplicate these services. The pros and cons of having a value engineer were discussed. Discussion indicated that a construction manager should be hired for the project and that he should provide value engineering and clerk of the works services. Staff would prepare an RFQ for this service. (1-1015.5) Mr. Carne pointed out that the final design had not been completed at this point and that this individual would only be able to make any decisions based on the building concepts. He questioned the wisdom of having both a mechanical and an electrical review of the project at this point. Discussion indicated the individual/firm should be involved with construction and an RFQ should be put out for bid/responses. Chairperson Sheerin suggested a motion establishing a subcommittee and development of an RFQ for value engineering services. This would give the Committee time to work through the issues related to the Construction Manager. Member Baker recommended the scope of work be for a construction manager which would include inspection during construction. Member Bacigalupi felt that after the qualifications are analyzed, the scope could be limited to value engineering, etc. Discussion ensued on whether this would delay the project and the impacts. Member Bacigalupi felt that the Committee could question any increased design costs and determine whether these costs were feasible. **Member Bacigalupi then moved that the the Committee authorize and request City staff to do a draft RFQ to hire a professional construction management firm and for staff to work with the subcommittee to provide a minimum scope of work to be included in the RFQ and timeframes. Member Swirczek seconded the motion. The motion was voted and carried 4-1 with Member Moran voting Naye.**

(1-1275.5) Chairperson Sheerin then noted that staff to the subcommittee would be Messrs. Waters, Iratcabal and Aldean. Mr. Aldean's role in the project was noted. Mr. Aldean was directed to setup a subcommittee meeting as soon as possible.

Mr. Fullerton felt that his firm should continue to work on the project but at a reduced rate. This would allow City staff time to develop the RFQ and advertise it. He agreed to stretch his process out by two weeks or a month. This would get the project to plan check in late September rather than early September. Chairperson Sheerin indicated that groundbreaking would still be on December 20.

Discussion also indicated that the subcommittee meeting would be held on July 24th at 4 p.m. Drafts of the RFQ should be sent out on Monday and may be by fax. Discussion also indicated that the meeting would be agendized.

**D-1. DISCUSSION AND POSSIBLE ACTION REGARDING THE DESIGN/DEVELOPMENT AND CONSTRUCTION DOCUMENTS PHASES OF THE PUBLIC SAFETY/COURTHOUSE COMPLEX PROJECT AND OTHER BUDGET RELATED MATTERS (1-1390.5)** - Mr. Fullerton noted his meetings with various Departments concerning the building. He then explained the proposed change in the west window(s) of the "head piece". The original direction had been to provide a view of the State Capitol while reducing the cooling/heating demands created by the large west window. Maintenance concerns were also noted with the original concept. The current concept is to have vertical "wood fins" set at a fixed angle. This will block a portion of the sun while allowing a view. The wood tones will be visible through the glass. Reflective glass had also been

## CARSON CITY CAPITAL PROJECTS ADVISORY COMMITTEE

Minutes of the July 16, 1996, Meeting

Page 3

considered but rejected due to the feeling that it would not meet the City requirements. The proposal is considered a heat reduction system as it reduces the demand on the air conditioning system. The walkway is in front of the glass. The heat loss had been reduced with other modifications. The amount of glass on the north facing wall has not been reduced. Member Swirczek suggested considering a flexible louver system as it would help keep the heat in. Mr. Fullerton felt that it was a question of balancing the cost of doing it against the amount of energy savings created. Mr. Aldean also pointed out the problems encountered in attempting to get the louvers to work after five years which is a recognized maintenance problem. (Member Bacigalupi left at 7:12 p.m. A quorum was still present.) Mr. Fullerton then indicated that he would bring material samples for the next meeting. Chairperson Sheerin introduced Kristin Tokes.

(1-1590.5) Discussion ensued between Chairperson Sheerin and Mr. Fullerton on the original estimates, the changes implemented by the Committee and Board of Supervisors, the items which had been returned to the project causing it to ultimately reach a project total of \$17.8 million, and the amount allocated for contingencies. Chairperson Sheerin questioned the funding ability for the construction manager if a savings is not found within the project. Mr. Fullerton agreed that if a savings is not created, it may be necessary to cut the project in some area closer to the finish to provide this funding. He did not feel that the contingencies could be used for this purpose. Chairperson Sheerin questioned the differences between this cost estimate and the figure contained in Mr. Fullerton's July 13 memo. Mr. Fullerton explained that this memo was an attempt to recap the actions taken by the Board of Supervisors which had added additional items to the project. This had created a total project of approximately \$19.7 million. He felt that these changes would not create a problem at this time due to the roughness of the estimates. Clarification also indicated that Mr. Fullerton's July 16th memo did not include the bonding costs nor the design contingencies. Clarification indicated that the confusion was due to the fact that the estimated final project is \$17.6 million but that the estimated bid amount is \$17.4 million as the design contingency should not be included in the amount. No formal action was required or taken on this item.

**D-3. DISCUSSION AND POSSIBLE ACTION ON THE PROPOSED CONTRACT EXTENSION FROM LIEBERT AND ASSOCIATES (1-1987.5)** - Liebert had requested a contract extension for services during and after construction in a total amount of \$26,500. Undersheriff Dehl explained the Sheriff's position that all of the additional work is not needed and recommendation that a contract extension be offered for four trips, four on-site and four off-site consulting days' work at \$700 a day for a total of \$8600 including \$1000 in travel expenses. Discussion noted a proposal had not been submitted by Dan Wiley and questioned whether he would still be active on the project. Mr. Fullerton felt that Mr. Liebert's proposal included scope of work for both individuals. Comments also expressed the feeling that Mr. Wiley's services may not be required and that the Departments who had been contacted at the Courthouse seemed to be resigned to not having his services due to the lack of funding. Undersheriff Dehl explained the Department's feeling that the transition phase could be handled by the Department and would not justify Mr. Liebert's services. The Department felt that his services should be provided as an overview and not involve specific phases. Mr. Liebert would not be needed for the transition phase, the policies and procedures phases, nor the review phase. Periodic consultation on the project may be needed as it "comes up". Undersheriff Dehl indicated that the Sheriff's recommendation only addresses Dennis Liebert's services. There is still one more meeting which has not been held with Mr. Liebert. This meeting will be held on the security system. Member Swirczek felt that the contract should be issued for one amount which should be a not to exceed amount. Chairperson Sheerin volunteered to contact the District Judges and determine if Mr. Wiley's services were needed. This item will be agendized for the next meeting.

Discussion ensued on the status of the Detox Center's relocation project and the problems which have been encountered. The grant provided by the Committee was noted. Mr. Aldean felt that staff is handling the problems and educating the Detox Center's volunteers/architect as problems arise. The project may take longer than desired.

No formal action was taken on either of these items.

**C. PUBLIC COMMENTS (1-2335.5)** - None.

CARSON CITY CAPITAL PROJECTS ADVISORY COMMITTEE

Minutes of the July 16, 1996, Meeting

Page 4

**E. COMMITTEE MEMBER REPORTS (NON-ACTION)** - Chairperson Sheerin apologized for the time taken to discuss the construction management contract. This is a complex issue on which he felt the Committee had taken the appropriate action.

**F. STAFF REPORT (NON-ACTION)** - None.

**B. APPROVAL OF MINUTES - JUNE 10, 1996 (1-2357.5)** - Member Swirczek indicated he had been absent at this meeting and requested the tape be checked. Therefore, action was deferred.

**G. AGENDA ITEMS FOR FUTURE CAPITAL PROJECTS ADVISORY COMMITTEE MEETING (1-2404.5)** - The Subcommittee will meet on July 23 and review the RFQ. The next regular meeting will be on August 5. A special meeting will be held on July 30th to discuss the final draft of the RFQ. Mr. Fullerton indicated he would be present for the July 30th meeting and that Mr. Liebert would be available for that meeting. He was not sure that he could make the August meeting. No formal action was taken.

**H. ADJOURNMENT** - Member Baker moved to adjourn. Member Swirczek seconded the motion. Motion carried 4-0. Chairperson Sheerin adjourned the meeting at 8:05 p.m.

A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

The Minutes of the July 16, 1996, Capital Projects Review Committee meeting

ARE SO APPROVED ON 10/2, 1996.

/s/  
Gary Sheerin, Chairperson