



**City Council Agenda Report**  
**Meeting Date:** December 15, 2015  
**Department:** City Manager

---

**SUBJECT:**

AWARD OF LAKE FOREST CIVIC CENTER ARCHITECTURAL AND DESIGN SERVICES CONTRACT

**RECOMMENDED ACTION(S):**

1. Approve the selection of Carrier Johnson + CULTURE for architectural and design services related to the Lake Forest Civic Center project.
  2. Authorize the Mayor to sign, and the City Clerk attest, the agreement with Carrier Johnson + CULTURE, substantially in the form attached.
- 

**EXECUTIVE SUMMARY:**

In October, 2014, the City Council approved a Request for Proposals for architectural and design services for the Lake Forest Civic Center project. The City received a total of fifteen (15) proposals. After evaluating technical submittals, cost proposals, and interviewing the firms, staff recommends awarding a five-year contract to Carrier Johnson + CULTURE with a total not-to-exceed compensation amount of \$3,434,815. This amount covers design, construction, and post-construction phase activities. Design phase activities only are approximately \$2,758,934. There are sufficient funds in the 2 Year CIP Budget for Civic Center Design for the design phase activities in the proposed agreement. Established in 1977, Carrier Johnson + CULTURE brings significant experience in planning and designing civic centers and other public facilities. Since its inception, the firm has designed over 45 million square feet of space, including more than 4 million square feet of municipal space. The City Attorney's Office has reviewed and approved the attached agreement as to form.

---

**BACKGROUND:**

The design of the Lake Forest Civic Center will respond to the needs and wants of the community as gathered through collaborative visioning sessions and community workshops. The conceptual plan unveiled in December, 2011, envisioned facilities including a meeting center, uniquely dedicated senior center, performing arts theater, and emergency operations center. To reflect the unique

history and character of Lake Forest, the conceptual plan emphasized the natural beauty that defines the community, connecting the natural environment to everyday civic life.

---

## **DISCUSSION:**

On October 8, 2014, staff issued a Request for Proposal (“RFP”) for Architectural and Design Services for the Lake Forest Civic Center Project. The scope of work included the following services:

### General Services

- Establish and maintain a project schedule.
- Field review Civic Center property.
- Take an active role in scoping meetings.
- Prepare two (2) or more alternative conceptual plans with preliminary cost estimates.

### Architectural Services

- Develop a Facility Program detailing all spaces with assigned square footage.
- Facilitate public input and public presentations.
- Coordinate with the Construction Manager, including review of budget, construction materials/methods, cost estimating, and project phasing.
- Prepare Schematic Design Documents illustrating the size, scale, and character for each project component.
- Prepare Design Development Documents including plans, elevations, schedules, details and performance specifications that describe the site development, architectural design, public areas interior design and structural design.
- Prepare Construction Documents at 50%, 85%, 95%, and 100%.
- Coordinate all permitting and other requirements as needed.
- Assist the City in the bidding and negotiation of the project.
- Coordinate with the Construction Manager in project inspection and closeout, including closeout documentation, maintenance and operation manuals, warranties, as-built drawings, and systems testing.

Staff began the selection process by posting the RFP on the City’s website. Additionally, the RFP was sent to sixteen (16) consultants. Staff held an optional pre-proposal meeting on October 30, 2014. Posted on the website, the notice of the meeting included a call for questions or requests for further information.

During the meeting, staff reviewed a total of 23 submitted items. Later the same day, staff posted a document containing the information disseminated during the meeting on the City's website.

The most frequently posed questions by potential firms related to the budget for the project. Staff provided information on the estimated project budget, stating "The City prepared a tentative budget in 2012, dependent upon approval by the City Council, of \$53 million for the project. This budget will be escalated for inflation. A&E services are tentatively budgeted at approximately \$4 million."

During the time in which the RFP was released, staff became aware that the Army Corps of Engineers would require a Standard Individual Permit for any development activity on the proposed site. Understanding this process could significantly impact the proposed timeline, staff issued an Addendum to the RFP on November 6, 2014, extending the submission deadline by several months. The City ultimately received fifteen (15) proposals from the following firms by the appropriate deadline.

- Bundy-Finkel (Costa Mesa)
- Carrier Johnson + CULTURE (Irvine)
- Fentress Architects (Los Angeles)
- Gonzalez Goodale (Pasadena)
- Gruen Associates (Los Angeles)
- Harley Ellis Devereaux (Los Angeles)
- Johnson Fain (Los Angeles)
- Leach Mounce (Ventura)
- LPA (Irvine)
- Miller Hull (San Diego)
- Nichols, Melburg & Rossetto (Redding)
- Safdie Rabines Architects (San Diego)
- SVA Architects (Santa Ana)
- The Albert Group (Los Angeles)
- WLC Architects (Rancho Cucamonga)

The following City Manager-approved selection panel evaluated the submitted proposals.

- (Former) Deputy City Manager/Director of Management Services (Management Services)
- Director of Development Services (Development Services)
- Public Safety Manager (Economic Development/Community Preservation)
- (Former) Administrative Services Manager (Management Services)

The selection panel scored the proposals based upon the firm’s expertise and experience, response to the scope of work, and allocation of resources. In accordance with RFP guidelines, firms must score an average minimum of 70 points on the qualitative evaluation to advance to the interview portion of the process. Each of the fifteen (15) firms received at least the minimum score and the Selection Committee invited the top six (6) firms to the oral presentation/interview in April, 2015. Each firm was requested to bring to the oral presentation/interview those team members who would be working directly with City staff on the project.

Interview scores considered the following factors:

- Experience.
- Communications.
- Approach/methodology.
- Understanding of civic design.
- Understanding of and approach to public outreach.
- Proposed personnel and allocation of resources.
- Assessment of site and proposed role of landscape.

The results of the qualitative evaluation and interview are displayed in Table 1.

**Table 1. Qualitative Evaluation and Interview Scores**

	Technical Review				Technical Review Subtotal	Qualifications Interview				Interview Subtotal	Total
	Rater					Rater					
	1	2	3	4		1	2	3	4		
<b>FIRM: LPA</b>											
	96	85	92	91	364	91	95	94	91	371	735
<b>FIRM: Carrier Johnson + CULTURE</b>											
	96	80	86	83	345	96	90	92	96	374	719
<b>FIRM: Fentress</b>											
	84	80	76	82	322	90	85	90	86	351	673
<b>FIRM: Gonzalez Goodale</b>											
	96	80	92	85	353	78	80	85	75	318	671
<b>FIRM: Johnson Fain</b>											
	85	80	80	79	324	76	80	83	73	312	636
<b>FIRM: WLC</b>											
	86	75	86	75	322	64	80	81	70	295	617

Excellent communication skills will be the foundation for an effective, collaborative working relationship with the community; specifically, a more positive result will likely occur with the consultant’s greater ability to engage the

community in dialogue, hear the community’s needs and wants, understand the project’s opportunities and constraints, and verbalize the vision for the Lake Forest Civic Center. Confident that each of the top three firms possessed the technical abilities required for the job, staff desired to better understand each of their communication styles and abilities. As such, staff invited the top three firms to make a second oral presentation in May, 2015, to a broader staff audience, including all six Department Directors as well as the City Manager and the original members of the selection panel. Although no score was assigned to the second presentation, staff concluded that all three firms possessed the communication and public presentation skills to effectively interact with various community stakeholders, City Council, and staff.

Staff next conducted reference checks for the top two firms. When possible, staff called those former clients who were assigned the same members of the team as is proposed for the Lake Forest Civic Center project. The list of references called for each firm is provided in Table 2; reference sheets are included in Attachment 1. Both firms had strong references.

**Table 2. References**

<b>LPA</b>	
<i>Client</i>	<i>Project</i>
City of Laguna Niguel	Civic Center
City of Diamond Bar	City Hall/Library renovation
City of Malibu	City Hall
<b>Carrier Johnson + CULTURE</b>	
<i>Client</i>	<i>Project</i>
City of Vista	Civic Center
California Department of Corrections & Rehabilitation	Facilities Extensions, Additions, and Renovations
California Department of General Services	CalTrans District 11 Headquarters (San Diego)

Staff next evaluated cost proposals. Staff reviewed the fee proposals for all six (6) firms that were invited to the oral presentation/interview, as allowed per the City’s Purchasing and Contract Guidelines. The initial cost proposals are shown in Table 3.

**Table 3. Initial Cost Proposals for Top Six Firms**

<b>Firm</b>	<b>Initial Fee Proposal</b>	<b>Qualitative &amp; Interview Score</b>
LPA	\$4,101,846*	735
Carrier Johnson + CULTURE	\$3,434,815*	719
Fentress	\$4,650,600**	673
Gonzalez Goodale	\$3,730,000*	671
Johnson Fain	\$4,464,136*	636
WLC	\$3,050,005*	617

\*Fees include reimbursables.

\*\*Fees do not include reimbursables.

As documented in the City's Purchasing and Contracting Guidelines, the cost proposal of the top ranked consultant is evaluated to determine if it is reasonable. The tests of reasonableness include comparison of the cost proposal to the City's estimated project cost and the City's project budget, prior experience, comparative project costs in neighboring or relevant communities, professional judgment, and comparison to the costs submitted by qualified vendors for the proposed project.

Industry research indicates that there are three primary methods for determining compensation for architectural and design services: lump sum/fixed fee, time basis, or percentage-based fee. In addition, certain variables may affect the compensation, such as scope of services, project delivery method, need for specialist consultants, new technologies, construction administration, project location and site conditions. Despite the lack of access to the exact methodologies utilized to arrive at a cost proposal, it is still helpful to compare costs submitted by qualified vendors for the same project. Based upon the qualitative evaluation and interview scores, the top ranked firm's total score is only 2% higher than the second firm. However, the fee proposal for the top ranked firm is 19% higher, or \$667,031. Based upon this finding, staff initiated negotiations with the top ranked firm, LPA, beginning in August.

The negotiations were focused on three inter-related factors: allocation of resources, contract exceptions, and final cost proposal. Staff met with LPA and came to an agreement in regards to resources (i.e. the number of hours required to complete the project). During the cost proposal discussion, LPA stated that its costs were directly tied to certain clauses in the Lake Forest Professional Services Contract template, and lower costs could potentially be achieved by the resolution of certain contract exceptions. Staff then conferred with the City Attorney and prepared a final contract which was submitted to LPA for review. LPA documented its contract exceptions, and counsels for both the City and LPA teleconferenced to discuss the issues. The primary issue revolves around

language contained in the indemnification clause of the contract. On this particular issue, the City Attorney has advised staff not to except any modifications to the proposed language. This message was conveyed to LPA and its counsel during the teleconference. Subsequently, LPA delivered a letter to the City which included the following statement:

*We are excited to work with the City on the project, however we will not be able to sign the agreement without modifications, as it relates to the defense clause.*

In addition to the letter, LPA stated verbally that if the agreement could not be modified, LPA would have to respectfully withdraw from the selection process. The indemnification provisions included in the City's contract provide important protections to the City. Consequently, modification or removal of these provisions creates unwarranted liability and is not recommended by the City Attorney. As a result, the City moved on to further negotiations with the second-highest ranked firm.

Staff previously met with the second-highest ranked firm, Carrier Johnson + CULTURE, to review their proposed allocation of resources, and best and final cost proposal. Staff subsequently provided the final contract for Carrier Johnson's review, and received notification that no exceptions to the contract were taken. Staff is recommending Carrier Johnson + CULTURE be selected to provide architectural and design services for the Civic Center project. The reasons for this recommendation are set forth in the next section of this report.

## **Recommendation**

City staff believes that Carrier Johnson + CULTURE is well-suited to provide architectural and design services for the Civic Center project for the following reasons:

- Quality personnel.
  - The proposed Lake Forest Civic Center team has extensive experience working on Carrier Johnson's civic center projects. Mr. Gordon Carrier, co-founder and design principal, will be directly responsible to the City for delivering expert services in a timely manner. The combined tenures of the Project Executive/Project Manager, Project Architect, and Project Designer represent 80 years of industry experience.
- Experience.
  - Carrier Johnson brings a breadth of experience in the successful delivery of public agency building projects, including civic centers,

community centers, senior centers, and performing arts centers. Since its inception, the firm has designed over 45 million square feet of space, including more than 4 million square feet of municipal space. Carrier Johnson has designed a number of award-winning buildings, most notably the CalTrans Regional Headquarters in San Diego designed for the State of California. Other past projects include the City of Vista Civic Center, City of Chula Vista Civic Center Complex, City of San Jose – Edenvale Community Center, City of Murrieta Senior Center, and the County of Stanislaus – Gallo Performing Arts Center.

- Stability.
  - Established in 1977, Carrier Johnson currently employs 61 professionals, maintaining offices in Orange County and San Diego.
- Distinguishing skills and services.

Carrier Johnson’s vision for the Civic Center – connecting to existing surroundings, blending function with aesthetics, and delivering enduring civic and social value – is aligned with the guiding planning principles adopted by the City Council in 2011. Incorporated in its vision is a focus on walkability, sustainability, and adaptability. Carrier Johnson will promote the following values through planning, architecture, and landscape initiatives:

  - Shape an inspiring vision.
  - Maintain connections.
  - Create authentic places.
  - Sustain environmental resources.
  - Promote catalytic and transformational development.
  - Create civic art.

City staff believes that Carrier Johnson + CULTURE will provide outstanding architectural and design services for the Lake Forest Civic Center project. As such, staff recommends approving a five-year agreement with Carrier Johnson + CULTURE with a not-to-exceed total compensation of \$3,434,815. The Agreement includes two multi-year renewal options based on the length of the project. The City Attorney reviewed and approved the agreement as to form.

At this time, the City Council may decide to (1) approve or reject the staff recommendation, (2) reject all proposals, (3) instruct staff to re-negotiate all or any portion of the proposed agreement, or (4) seek supplemental information from any or all participating firms.

## **Next Steps**

Throughout the project, the City will issue phased notices to proceed. Although the attached contract encompasses the total anticipated costs associated with delivery of the entire Civic Center project, if approved, an initial notice to proceed will only be issued for design activities based upon the successful completion of the environmental permitting process. Subsequent notices to proceed will be issued upon readiness of the next phase and the confirmation of available funding.

Staff contemplates that preparation of plans and specifications could take approximately ten to twelve months. By winter 2016, staff expects to have shelf-ready design plans for the Civic Center project. It is the intent of staff that the recommended total compensation for this contract will cover the architectural and design services costs for the Lake Forest Civic Center as currently conceptualized. However, if an alternative conceptual design emerges, the total cost may increase based upon such factors as complexity of design and associated construction duration. In addition, if the City decides to exercise the “self-help option” of accelerating the grading of the Civic Center site as allowed for in the IRWD development agreement, the total cost of the architectural and design services contract may be impacted.

---

## **FISCAL IMPACT:**

The agreement’s total compensation is for a not-to-exceed amount of \$3,434,815. This amount encompasses design, construction, and post-construction activities. The agreement’s design phase activities are approximately \$2,758,934. There are sufficient funds in the 2 Year CIP Budget for Civic Center Design for the proposed design phase activities. Staff will return to Council with a proposed construction budget, to include construction and post-construction activities, once final design documents are completed.

---

## **ATTACHMENTS:**

1. References
2. Contract with Carrier Johnson + CULTURE

Initiated By: Hannah Shin-Heydorn, Director of Management Services  
Submitted By: Debra D. Rose, Assistant City Manager/Director of Economic Development/Community Preservation

Approved By: Robert C. Dunek, City Manager