



CITY OF GLENDALE, CALIFORNIA
REPORT TO THE:

Joint City Council Housing Authority Successor Agency Oversight Board

May 7, 2019

AGENDA ITEM

Report: Award of a Contract to Western Audio Visual, Inc., for the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project

1. Resolution adopting preliminary design, plans, specifications, and contract documents for the design and construction of the Glendale Television Channel 6 Technology and Space Planning Project using the design-build project delivery method;
2. Motion Awarding a design-build Contract to Western Audio Visual, Inc., per Specification 3789, for the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project in the amount of \$1,538,017.95, plus a contingency amount of \$100,000, for a total not-to-exceed contract amount of \$1,638,017.95, and authorizing the City Manager or her designee to execute the Agreement;
3. Motion Amending the Professional Services Agreement with BFA, Inc., by adding \$39,860 for their continued technical and contract compliance support associated with the proposed improvements for GTV6 for a total not-to-exceed contract amount of \$75,450, and authorizing the City Manager or her designee to execute the Amendment; and
4. Resolution of Appropriation in the amount of \$993,467.95.

COUNCIL ACTION

Public Hearing <input type="checkbox"/>	Ordinance <input type="checkbox"/>	Consent Calendar <input type="checkbox"/>	Action Item <input checked="" type="checkbox"/>	Report Only <input type="checkbox"/>
Approved for <u>May 7, 2019</u> calendar				

ADMINISTRATIVE ACTION

Submitted by:
Yazdan Emrani, P.E., Director of Public Works

John Takhtalian, Deputy City Manager

Prepared by:
Kevin C. Todd, Assistant Director of Public Works

Approved by:
Yasmin K. Beers, City Manager

Reviewed by:
Roubik R. Golanian, P.E., Assistant City Manager

Michael J. Garcia, City Attorney

Michelle Flynn, Interim Director of Finance *M. Flynn*

Signature

Yazdan Emrani

John Takhtalian

Kevin C. Todd For

Yasmin K. Beers

Roubik R. Golanian

Michael J. Garcia for

Michelle Flynn

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RECOMMENDATION

Staff respectfully recommends:

- The City Council adopt a Resolution approving preliminary design, plans, specifications, and contract documents for the design and construction of the Glendale Television Channel 6 Technology and Space Planning Project using the design-build project delivery method.
- The City Council approve a motion awarding a design-build contract to Western Audio Visual, Inc., for the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project, in the amount of \$1,538,017.95, plus a contingency amount of \$100,000, for a total not-to-exceed contract amount of \$1,638,017.95;
- The City Council approve a Motion amending the Professional Services Agreement with BFA, Inc., by adding \$39,860 for their continued technical and contract compliance support associated with the proposed improvements for GTV6, for a total not-to-exceed contract amount of \$75,450; and
- The City Council approve a Resolution of Appropriation.

BACKGROUND/ANALYSIS

Glendale Television Channel 6 (GTV6) is the City of Glendale's government access cable channel. GTV6 began operation in 1995 with live coverage of City Council meetings and has since expanded to operate two full-time cable channels on Charter Spectrum Cable and AT&T U-Verse. In addition to live coverage of the City Council and nearly all board and commission meetings, GTV6 covers a variety of City-sponsored events throughout the year and produces a range of original programs designed to better inform and familiarize the community with city departments and the services they provide. GTV6 also provides an internal video production service to other city departments by producing training videos, documentation, and duplication. In doing so, GTV6 provides residents and business a high level of transparency and accessibility by serving as a conduit for informing and educating the public about city programs and services.

The GTV6 broadcasting infrastructure and format is well beyond its expected operational life span, and reliability issues are increasingly common. The last major upgrade to GTV6 broadcast systems was in 2006 which began the era of live, online, and video streaming. The proposed improvements will modernize the broadcast systems for increased reliability, redundancy, and functionality. Key benefits also include:

- Improved video and audio quality in meeting rooms;
- Higher resolution live-stream and on-demand video;
- Expanded ability to stream and broadcast from remote locations;
- Various automation and ease-of-use improvements;
- Incorporation of specialized equipment, such as assisted listening devices at meetings to accommodate accessibility requirements; and
- Relocation of the broadcasting master control center from the basement of City Hall to the GTV6 studios at the General Services Building, where all GTV6 operations will be consolidated.

To date, capital equipment funding for all GTV6 needs have been derived through the collection of Public, Educational and Governmental (PEG) funding. PEG channels are not mandated by federal law; rather they are a right given to the franchising authority, which may choose to exercise its option to collect PEG fees from local cable operators. Further, pursuant to Section 611 of the Federal Communications Act, local franchising authorities may require cable operators to set aside channels for PEG use through the execution of a franchise agreement between the franchising authority and the cable operator. Through the City's Franchise Agreement, Glendale

maintains two governmental access channels which are directly controlled by the City and used for local programming and broadcasts. Additionally, the Glendale Unified School District and Glendale Community College share the use of Channel 15 for their broadcasting use.

Additionally, the City's Franchise Agreement provides for the collection of PEG revenue which is equal to 2% of Charter Spectrum and AT&T cable operators' gross revenues. Both cable service operators collect PEG fees from customers on their monthly cable bill and remit the funds to the City of Glendale. Upon receipt, the City retains 1.45% of the revenue and forwards the remaining .55% to the Glendale Unified School District and Glendale Community College for their capital and programming needs.

Both Federal Law and State Law outline the legal uses of these PEG funds. However, despite the passage of the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), ambiguity and conflict remains between federal and state law as it pertains to specific PEG fee provisions. In general, PEG funds are restricted to the acquisition and implementation of Capital upgrades within a broadcast operation. More specifically, while salaries and training do not qualify, expenses for studio construction and equipment acquisition are allowed.

In preparation for undertaking the Glendale Television Channel 6 Technology and Space Planning Project, the following actions have been undertaken to date:

- On February 19, 2018, staff retained the services of BFA, Inc. to assist the City with project programming and to create a comprehensive design-guideline suitable for attaining competitive Design-Build proposals.
- On September 17, 2018, the City Manager approved the Design-Build alternative project delivery method as required by the Glendale Municipal Code, Chapter 4.13.07, (attached hereto as Exhibit A is the City Manager's approval of the design-build alternative project delivery method). The "design-build" method provides for a single entity that will collaboratively complete the design/ engineering documents and execute the work. This method allows the selected contractor to start with certain construction activities concurrent with completing the overall design of the project. This method will expedite the project schedule by minimizing the procurement process and will minimize the project cost by having a single entity responsible for both the design and construction of the project.
- On November 7, 2018, staff released the RFQ/RFP. Five firms attended a mandatory job walk but no responsive proposals were received.
- On February 26, 2019, staff released a refined version of the RFQ/RFP. Four firms attended the mandatory job walk, and on March 12, 2019, the City received two proposals. The proposer with the higher cost is unable to meet the contract bonding requirements and therefore their proposal is deemed non-responsive.
- On March 19, 2019, the proposer with the lowest cost was invited to an interview. The interview included extensive and detailed discussion about proposer's means, methods, and costs and ultimately yielded an additional cost reduction of \$51,037.35 off the already lower proposed cost.

Staff respectfully recommends awarding a Contract to Western Audio Visual, Inc., (Western) for the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project for the following reasons:

1. Western was selected through a competitive evaluation process to Design and Construct the GTV6 improvements;
2. Western possesses extensive design and construction experience with similar public agencies;
3. Western demonstrates a firm understanding of the scope of work;
4. Western possesses the financial resources, stability, and proven record of delivering similar projects;
5. Western retains a credentialed and experienced team.
6. The proposed cost is the lowest provided and is lower than the target price estimated by BFA.

In addition, staff respectfully recommends that the City Council approve a Motion amending the existing Professional Services Agreement with BFA, Inc., by adding an additional \$39,860 to their contract for continued technical and contract compliance support, and quality control, for a total not-to-exceed contract amount of \$75,450.

FISCAL IMPACT

The City's Cable Access Fund, where PEG fees are deposited, currently maintains a fund balance of \$3,400,541.

The proposed project costs are as follows:

Western Audio Visual, Inc.	\$1,538,017.95
Western Audio Visual, Inc Contingency	\$100,000
Project Contingency	\$50,000
BFA, Inc.	\$75,450
Fiber Optic and Network Support	\$20,000
Project Administration	\$50,000
Permits	\$10,000
TOTAL PROJECT COST	\$1,843,467.95

Funds for this project have previously been approved in the 2018/19 budget:

Project Name	Account(s) PL/GL	Amount
GTV6 Control Room Relocation	52174-CONSTRUCT-0000	\$850,000
	52100-2800-MSD-0020	

A Resolution of Appropriation is requested for the balance of the project funding:

	Project/Fund	Accounts	Amount
FROM	Cable Access Fund (PEG)	24216-2800-MSD-0000	\$993,467.95
TO	GTV6 Control Room Relocation	52174-CONSTRUCT-0000	\$993,467.95
		52100-2800-MSD-0020	

Per California Department of Tax and Fee Administration, Regulation 1532, the GTV6 project may be eligible for a partial sales tax exemption equal to 5%. This exemption is expected to reduce the GTV6 project cost by approximately \$50,000.

PROJECT SCHEDULE

The Design and Construction are specified at 150 calendar days. All work will be coordinated to minimize impact to all scheduled meetings, operations, and events.

ENVIRONMENTAL REVIEW

This project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) as a Class 1 exemption pursuant to the California Code of Regulations, Title 14, Section 15301.

AMERICANS WITH DISABILITIES ACT (ADA)

The proposed project includes improvements that will comply with ADA accessibility guidelines.

ALTERNATIVES

Alternative 1: The City Council may adopt a Resolution approving the preliminary design, plans, specifications, and contract documents for the design and construction of the Glendale Television Channel 6 Technology and Space Planning Project; approve a Motion authorizing the City Manager or her designee to enter into a Contract with Western Audio Visual, Inc., for the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project in the amount of \$1,538,017.95, plus a contingency amount of \$100,000, for a total not-to-exceed contract amount of \$1,638,017.95; approve a Motion Amending the Professional Services Agreement with BFA, Inc., for their continued technical and contract compliance support associated with the proposed improvements for GTV6; and approve a Resolution of Appropriation to fully fund the project.

Alternative 2: The City Council may elect to defer all or part of the improvements at GTV6, in which case the reliability of the system will continue to deteriorate, support costs will increase, and certain services will remain unavailable.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

CAMPAIGN FINANCE DISCLOSURE

In accordance with the City Campaign Finance Ordinance, the following are the names and business addresses of the members of the board of directors, the chairperson, CEO, COO, CFO, Subcontractors and any person or entity with 10% interest or more in the firm proposed for contract in this Agenda Item Report:

Full Name	Title	Business Address	City	State	Zip
Catherine Schellin	Chief Executive Officer/President	1592 N. Batavia Street, Suite #2	Orange	CA	92867
Jay Schellin	Chief Financial Officer	1592 N. Batavia Street, Suite #2	Orange	CA	92867

EXHIBITS

Exhibit A - City Manager's memo of approval for utilizing the Design-Build alternative project delivery method.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA ADOPTING PUBLIC WORKS SPECIFICATION NO. 3789 FOR THE DESIGN AND CONSTRUCTION OF THE GLENDALE TELEVISION CHANNEL 6 TECHNOLOGY AND SPACE PLANNING PROJECT USING THE DESIGN-BUILD PROJECT DELIVERY METHOD

WHEREAS, the Director of Public Works has proposed the Design and Construction of the Glendale Television Channel 6 Technology and Space Planning Project ("Project") using Design-Build, an alternative project delivery method authorized under Chapter 4.13 of the Glendale Municipal Code ("GMC"); and

WHEREAS, on September 17, 2018, the Director of Public Works prepared a memorandum to the City Manager, as required by GMC Section 4.13.070(A)(1), describing the Project's attributes and stating the reasons and justifications for proposing the Design-Build method of project delivery; and

WHEREAS, the memorandum, which is attached as an exhibit to the May 7, 2019, staff report, states that:

1. The Project has a high level of technical complexity. Staff, in conjunction with technical consultant BFA, has created a technical report to guide the development of the eventual system. Due to the integration, compatibility, and complexity of the proposed equipment, it is advantageous to have the installing contractor be responsible for the design and engineering of the entire system [GMC Section 4.13.060(A)(1)]; and
2. The Project needs overall schedule acceleration. Due to the anticipated cancellation of regular Council meetings during the holiday season, this would be an opportune time to execute the improvements at Council Chambers and MSB 105 [GMC Section 4.13.060(A)(7)]; and
3. The Design-Build delivery method improves the Project's overall schedule [GMC Section 4.13.060(B)(1)] by consolidating the final designs and construction of the GTV6 improvements into a single entity the procurement process will be shortened by several months. In addition, throughout the project, design and construction decisions can quickly be made by the Design-Builder, further abbreviating the overall schedule; and
4. The Design-Build delivery method achieves or improves the Project's overall cost [GMC Section 4.13.060(B)(2)] due to the technical scope of work and the extensive details required to complete the work, the City will shift design liability to the Design-Builder. The shifting of design liability will greatly reduce the City's exposure to added project costs; and

WHEREAS, the City Manager, as required by GMC Section 4.13.070(A)(2), reviewed the Project and, on September 17, 2018, approved the use of Design-Build; and

WHEREAS, having received the City Manager's approval and having satisfied one or more reasons under GMC Section 4.13.060(A), and one or more justifications under GMC Section 4.13.060(B), the Project meets the procedural and substantive requirements for using an

alternative project delivery method.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE:

1. The foregoing facts are deemed to be true and correct, and are a basis for authorizing the use of the Design-Build delivery method on this Project.
2. The, plans, specifications, contract documents and preliminary design for construction of the Glendale Television Channel 6 Technology and Space Planning Project are hereby approved, adopted, and designated, and will be known as Specification No. 3789. The Director of Public Works is authorized to include non-substantive amendments to the Specification's technical sections.

Adopted this _____ day of _____, 2019

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM

SR. ASST. CITY ATTORNEY
DATE 4-20-19

City Clerk

MOTION

Moved by Council Member _____,
seconded by Council Member _____, that as a
result of contract negotiations between staff and Western Audio Visual, Inc., for a
design-build contract for the Glendale Television Channel 6 Technology & Space
Planning Project, Specification No. 3789 ("the Project"):

1. The City Council hereby accepts and approves the negotiated price of \$1,538,017.95— which reflects a reduction in price from the original proposal amount by Western Audio Visual, Inc.;
2. The City Manager, or her designee, is hereby authorized to enter into and execute a contract— subject to approval by the City Attorney— with Western Audio Visual, Inc., for the Project, in an amount not-to-exceed \$1,538,017.95; and
3. The Project's total allocated amount must not exceed \$1,638,017.95, which includes a contingency in the amount of \$100,000.
4. All other proposals are rejected.

Vote as Follows:

Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM

SR. ASST. CITY ATTORNEY

DATE 4/26/19

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MOTION

Moved by Council Member _____, seconded by Council Member _____, that the City Manager, or her designee, is hereby authorized to execute an amendment with BFA, Inc., to provide continued technical and contract compliance support associated with the proposed improvements for GTV6 by increasing the contract amount by \$39,860, for a total not-to-exceed amount of \$75,450, in a form approved by the City Attorney.

Vote as follows:

Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM
SR. ASST. CITY ATTORNEY
DATE 4-30-19

**RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE
MAKING AN APPROPRIATION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

SECTION 1: That the sum of \$993,467.95 is hereby appropriated and/or transferred from the following accounts to the following accounts:

ACCOUNTS	DESCRIPTION	FROM	TO
24216-2800-MSD-0000-P0000-T0000-F0000-0000-0000	State Grants, Workforce Investment Act Fund, Community Services & Parks, Projects	\$993,467.95	
52100-2800-MSD-0020-P0000-T0000-F0000-0000-0000	Salaries, Workforce Investment Act Fund, Community Services & Parks, Projects		\$993,467.95
52174-CONSTRUCT-0000-			

To appropriate funds for the design and construction of the Glendale Television Channel 6 Technology and Space Planning Project.

SECTION 2: The Director of Finance is authorized to make such other revisions, individual appropriation line-items, changes in summaries, fund totals, grand totals, and other portions of the budget document as necessary to reflect and implement the changes specified in this resolution.

SECTION 3: The City Clerk shall certify to the adoption of this Resolution.

Adopted this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk



CITY OF GLENDALE
DATE 04/24/2019
APPROVED AS TO FINANCIAL
PROVISION FOR \$ 993,467.95

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF GLENDALE)

Dr. en Michele Flynn

Director of Finance

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2019, and that the same was adopted by the following vote:

- Ayes:
- Noes:
- Absent:
- Abstain:

City Clerk

APPROVED AS TO FORM
SR. ASST. CITY ATTORNEY
DATE 4-30-19

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**CITY OF GLENDALE
INTERDEPARTMENTAL COMMUNICATION**

2018 SEP 17 AM 8:37

RECEIVED
CITY OF GLENDALE

TO: Yasmin K. Beers, City Manager
FROM: Kevin C. Todd, Facilities Management Administrator
DATE: September 17, 2018
SUBJECT: GTV6 Control Room Relocation and Technology Upgrades Project

The Public Works Department respectfully requests your approval of the proposed Design-Build project delivery method for the GTV6 Control Room Relocation and Technology Upgrades Project ("Project"). Under Chapter 4.13 of the Glendale Municipal Code (GMC), the City Manager or designee must review and approve the proposed alternative delivery method before presenting the Project to the City Council and seeking its approval.

SECTION I: As required by GMC Section 4.13.070, the following information about the project is provided:

1. Purpose and Function:

The Project will relocate the existing GTV6 control room from the basement of City Hall to the second floor of the General Services Building (i.e. GTV6 offices). The Project will also upgrade all switching and, broadcasting equipment, including audio and video, within Council Chambers and MSB 105. This Project will significantly improve the broadcasting quality and simplify the operation of the broadcasting equipment.

2. Design and Features:

The proposed technology improvements include High-Definition capability, centralized and consolidated controls, enhanced audio, intelligent video and audio functions, and user-friendly interfaces. The proposed improvements will replace existing cabling and fiber optic infrastructure, which in turn, will greatly improve the reliability and quality of GTV6 broadcasts. The new technology will provide many new integration options such as electronic voting and will enable several broadcasting options not possible with the current equipment.

3. Projected Cost:

The preliminary cost estimate for these improvements is \$1,000,000 which includes design and construction.

4. Estimated Completion Date:

The work will be scheduled for completion as soon as possible and will be coordinated to create minimal impact to the regular meetings.

5. Potential Design, Constructability, Maintenance, Repair, or Operability Issues:

The planned improvements are expected to simplify the operation of the broadcasting equipment and the replacement of aging infrastructure is expected to reduce the ongoing maintenance costs.

There will be extensive effort in coordinating this work around regularly scheduled meetings.

6. Impact on The Public and City Services until the Project's Completion:

During the construction phase there will be intermittent periods when the Council Chambers and/or MSB 105 will need to be closed for construction activities. All work will be coordinated to create the least impact possible.

SECTION II: As required by GMC Section 4.13.070, the project is being proposed for the following reason(s) and justification(s):

1. Reason for the Project [GMC Section 4.13.060(A)]:

No. 1: The Project has a high level of technical complexity. Staff, in conjunction with technical consultant BFA, has created a technical report to guide the development of the eventual system. Due to the integration, compatibility, and complexity of the proposed equipment, it is advantageous to have the installing contractor be responsible for the design and engineering of the entire system.

No. 7: The Project needs overall schedule acceleration. Due to the anticipated cancellation of regular Council meetings during the holiday season, this would be an opportune time to execute the improvements at Council Chambers and MSB 105.

2. Justification for the Alternative Project Delivery Method [GMC Section 4.13.060(B)]:

Design-Build achieves or improves:

No. 1: The Project's schedule by:

- a. Minimizing the project delivery time. By consolidating the final designs and construction of the GTV6 improvements into a single entity the procurement process will be shortened by several months. In addition, throughout the project, design and construction decisions can quickly be made by the Design-Builder, further abbreviating the overall schedule.

No. 2: The project's cost by:

- a. Minimizing the project's cost. Due to the technical scope of work and the extensive details required to complete the work, the City will shift design liability to the Design-Builder. The shifting of design liability will greatly reduce the City's exposure to added project costs.

The Design-Build delivery method allows for the design and construction phases of the Project to run concurrently, thereby reducing design errors and construction mistakes, which in turn, reduces the Project's costs.

If you have any questions or need additional information, please contact Kevin Todd on Ext. 3970.

KT/KCT:kct



Kevin C. Todd
Facilities Management Administrator

Approval granted:  9/17/18

Approval granted with the following condition(s): _____

Approval denied: _____

Yasmin K. Beers, City Manager