



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Matt Loesch

SUBJECT: See Below

DATE: March 2, 2026

Approved 	Date:
	3/10/26

COUNCIL DISTRICT: Citywide

SUBJECT: Master Agreements with Kitchell/CEM, Inc. and Impact Cx for Commissioning Agent Consulting Services

RECOMMENDATION

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute master agreements with Kitchell/CEM, Inc. and Impact Cx for commissioning consulting services for various Citywide Capital Improvement Program projects from the date of execution to December 31, 2031, in an amount not to exceed \$3,000,000 per agreement.

SUMMARY AND OUTCOME

Approval of the consultant master agreements with Kitchell/CEM, Inc. and Impact Cx will enable the City to obtain independent commissioning services to support various Citywide Capital Improvement Program projects. Commissioning is a critical quality assurance process that verifies building systems are designed, installed, tested, and functioning in accordance with project requirements and applicable California Building and Energy Codes, city ordinances, and the San José Municipal Code.

Engaging a commissioning authority early and throughout the design, construction, and post construction phases helps identify and resolve issues proactively and reduces the risk of costly change orders and post-occupancy deficiencies. Execution of these agreements will help ensure regulatory compliance, operational efficiency, and protection of the City’s investment in public infrastructure.

BACKGROUND

Master agreements with independent Commissioning Agents (CxA) are necessary to provide comprehensive commissioning services for Capital Improvement Program projects. Commissioning is a critical quality assurance process that verifies building systems, including mechanical, electrical, plumbing, life safety, and energy systems are designed, installed, tested, and functioning in accordance with project requirements and applicable California Building and Energy Codes, city ordinances, and the San José Municipal Code. In addition, commissioning services will include commissioning management, development of commissioning plans and specifications, project lifecycle support and coordination, performance testing troubleshooting, and training.

To ensure objective oversight and avoid conflicts of interest, the CxA must be an independent third-party entity and may not be part of the design or construction teams. Previous project delivery approaches, in which the CxA was retained by consultants or contractors, provided important insight into opportunities for improvement specifically around strengthening the City's independent oversight. Based on these lessons, directly contracting with an independent CxA will enhance transparency, reinforce accountability, and better protect the City's interests by ensuring objective and impartial commissioning services.

Projects supported under these master consultant agreements may include the new Fire Station No. 36; Convention Center Mechanical System Controls Upgrade; Convention Center Air Handling Units Replacement; Biblioteca Latinoamericana Branch Library Improvements; and other existing City facilities with aging infrastructure requiring system upgrades, replacements, or performance improvements.

Given the complexity and multi-year duration of City construction and renovation projects, five-year master agreements are appropriate to ensure continuity, consistency, and efficiency of commissioning services throughout all project phases.

ANALYSIS

A request for qualifications for consultant services to provide commissioning consultant services for various Capital Improvement Program projects was advertised on August 21, 2025. The City received statements of qualifications from 12 firms by the September 24, 2025, deadline; 11 were responsive, and one was nonresponsive.

The submittals were evaluated by a Technical Evaluation Panel based on the firm's expertise, experience, approach, and Local/Small Business Enterprise status. After evaluation of the statement of qualifications, the responsive firms were evaluated and ranked as shown in Table 1 below:

Table 1. Ranking of Responsive Firms

	Kitchell/CEM, Inc.	Impact Cx	WSP Buildings, Inc.	CBRE Design Collective, Inc.	Bureau Veritas Technical Assessment LLC	IMEG Corp.	EXP US Services Inc.	ColeBreit Engineering	A&S Engineers, Inc.	DB Engineering	Facility Dynamic Engineering
Expertise	16.67	16.67	16.33	14.33	15.00	16.67	15.33	15.33	14.00	14.00	9.00
Experience	39.33	38.17	34.83	36.00	35.83	33.33	33.33	32.83	30.67	30.83	15.00
Approach	17.33	16.67	16.00	15.33	14.67	15.00	15.33	14.67	14.67	12.67	13.67
Local Business Preference	5	0	0	0	0	0	0	0	0	0	0
Small Business Preference	0	0	0	0	0	0	0	0	0	0	0
Total	78.33	71.51	67.16	65.66	65.50	65.00	63.99	62.83	59.34	57.50	37.67

Upon completion of the evaluation process, Kitchell/CEM, Inc., a local business, received the highest rank, with Impact Cx ranked second. Based on the anticipated demand for commissioning services over the next five years, staff recommends approval to execute two master consultant agreements; one with Kitchell/CEM, Inc. and one with Impact Cx. Establishing two agreements will provide the City with adequate capacity, flexibility, and continuity to support multiple Capital Improvement Program projects.

Each master agreement will be administered through individual service orders that clearly define the project specific scope of services, deliverables, schedule, and compensation. Both firms demonstrated qualifications and experience that meet or exceed the City’s anticipated commissioning needs and will provide services on an as-needed basis.

Kitchell/CEM, Inc. has extensive experience delivering commissioning services for public-sector facilities, including new construction, full-building heating, ventilation, and air conditioning system replacements, and mechanical and plumbing upgrades. Relevant projects include the Measure W Community Civic Campus Phase I Police Operations and 911 Dispatch Center and Phase II Library, Parks, and Recreation Center for the City of South San Francisco, as well as the Pecos Surface Water Treatment Plant Water Quality Lab and HVAC Renovations for the City of Chandler. The firm also maintains a local office, which will support timely on-site response and coordination.

Impact Cx has provided commissioning services for a range of complex building and infrastructure systems, including mechanical, electrical, and plumbing systems. Representative projects include the New Gym and Aquatic Center project in San Diego,

HONORABLE MAYOR AND CITY COUNCIL

March 2, 2026

Subject: Master Agreements with Kitchell/CEM, Inc. and Impact Cx for Commissioning Agent Consulting Services

Page 4

California, and the Apple BK01 Cleanroom project in Santa Clara, California. Their technical expertise and experience with complex systems will support successful delivery of City projects under this master agreement.

EVALUATION AND FOLLOW-UP

No additional follow up action with the City Council is expected at this time.

FISCAL IMPACTS

No funding is needed to approve the master consultant agreements recommended for award in this memorandum. Funding sources will be identified prior to the issuance of service orders to the consultant as detailed scopes of work are defined and cost and schedules are negotiated, subject to the appropriation of funds.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Planning, Building, and Code Enforcement Department.

PUBLIC OUTREACH

This memorandum will be posted on the City Council Agenda website for the March 24, 2026 City Council meeting.

BOARD, COMMISSION, COMMITTEE RECOMMENDATION AND INPUT

No board, commission, or committee recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action.

HONORABLE MAYOR AND CITY COUNCIL

March 2, 2026

Subject: Master Agreements with Kitchell/CEM, Inc. and Impact Cx for Commissioning Agent Consulting Services

Page 5

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

MATT LOESCH

Director of Public Works

For questions, please contact Sal Kumar, Deputy Director of Public Works, Public Works Department at Sal.Kumar@sanjoseca.gov.