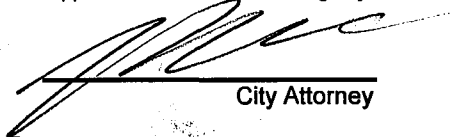


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

2018 JAN 11 PM 5:25

RESOLUTION No. ~~87041~~ **87041** - C.M.S.

Introduced by Councilmember \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE, AWARD AND EXECUTE PROFESSIONAL SERVICES AGREEMENTS FOR TWO-YEAR TERMS FOR ON-CALL PLAN CHECK SERVICES WITH 4LEAF, INC., AND WEST COAST CODE CONSULTANTS, INC. IN THE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR EACH AGREEMENT; AND, TO AMEND THE TERM AND AMOUNT FOR EXISTING PROFESSIONAL SERVICES AGREEMENTS WITH CSG CONSULTANTS, INC., AND TRB + ASSOCIATES, INC. TO ADD AN ADDITIONAL TWO-YEARS TO THE TERM FOR EACH FIRM WITH AN AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR EACH AGREEMENT**

**WHEREAS**, the Bureau of Building in the Planning and Building Department and the Oakland Fire Prevention Bureau in the Oakland Fire Department assists builders, property owners, architects, engineers, and realtors in understanding and processing permits related to building construction; and

**WHEREAS**, one of the many functions of the Bureau of Building and Oakland Fire Prevention Bureau plan check staff is to review and approve building proposals for compliance with the current edition of the California Building Standards Code (Title 24 of the California Code of Regulations) and the local amendments to the California Building Standards Code, which can be found in the Oakland Building Construction Code [Oakland Municipal Code (O.M.C.) Chapter 15.04] and the Oakland Building Maintenance code (O.M.C. Chapter 15.08), and the Oakland Fire Code (O.M.C. Chapter 15.12); and

**WHEREAS**, plan check staff's review of building proposals for code compliance is a critical component and a required step to ensure that structures are built in accordance with all applicable laws and regulations, including safety, accessibility, and energy conservation; and

**WHEREAS**, these plan check duties must be completed within a reasonable timely manner; and

**WHEREAS**, similar to other departments within the City, the Bureau of Building and Oakland Fire Prevention Bureau experienced substantial cuts to their staff and did not fill the vacancies as they developed. As such, the Bureau of Building and Oakland Fire Prevention Bureau remain considerably understaffed; and

**WHEREAS**, professional on-call plan check services are necessary to assist Bureau of Building and Oakland Fire Prevention Bureau staff to facilitate timely plan check review for both existing projects in development, and increased new and redevelopment application activity; and

**WHEREAS**, Bureau of Building and Oakland Fire Prevention Bureau staff anticipates that permit applications for private development projects of all sizes may benefit from on-call plan check services agreements; and

**WHEREAS**, on-call plan check services will be fully funded by applicants requesting these services; and

**WHEREAS**, the City Council finds that the City lacks qualified personnel to perform the necessary work and that the performance of these contracts are in the public interest because of economy or better performance; and

**WHEREAS**, in 2016 through the City's Request for Proposals (RFQ) process and as authorized by Resolution 86302 C.M.S., CSG Consultants, Inc. and TRB + Associates, Inc., are currently contracted with for on-call plan check services; and

**WHEREAS**, the City Council waived the City's 50 percent Local/Small Local Business Enterprises (LBE/SLBE) Program requirements for CSG Consultants, Inc. and TRB + Associates, Inc.; and

**WHEREAS**, in 2017 through the City's competitive RFQ process in accordance with O.M.C. section 2.04.051 for professional consulting services for as-needed (on-call) plan check services, proposals were submitted by 4Leaf, Inc., West Coast Code Consultants, Inc., and TRB + Associates, Inc.; and

**WHEREAS**, one (4Leaf, Inc.) of the three firms responding to the 2017 RFP earned credit (100 percent credit for 4Leaf, Inc.) for Local and Small Local Business (LBE/SLBE) Program requirements during the proposal phase; and

**WHEREAS**, two of the three firms (4Leaf, Inc. and West Coast Code Consultants, Inc.) responding to the 2017 RFP must come into compliance with the Equal Benefits Ordinance (EBO) prior to contract award as compliance was not established during the proposal phase; and

**WHEREAS**, all three firms responding to the 2017 RFP were identified as responsive and qualified to provide the desired professional services described herein; and

**WHEREAS**, one of the three firms responding to the 2017 RFP (TRB + Associates, Inc.) is one of the two firms currently contracted with the City for on-call plan check services; and

**WHEREAS**, the Bureau of Building desires to contract with all four of the qualified firms who responded to 2016 RFP and the 2017 RFP as indicated in the above title; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, the City Council finds that the agreements directly or indirectly support the City Council's goal to "Develop a Sustainable City"; and

**WHEREAS**, the City Council finds that the agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

**RESOLVED**, that the City Council authorizes the City Administrator to execute a Professional Services Agreement Contract for On-Call Plan Check Services for 4Leaf, Inc., and West Coast Code Consultants, Inc.; and be it

**FURTHER RESOLVED**, that the City Council hereby finds that a waiver of the City's LBE/SLBE Program requirements for West Coast Code Consultants, Inc., is in the best interests of the City for the reasons set forth herein and in the staff report accompanying this Resolution, and hereby waives this requirement; and be it

**FURTHER RESOLVED**, that the total amount of the Agreements for 4Leaf, Inc., and West Coast Code Consultants, Inc. shall be for a not-to-exceed amount of \$1.5 million for each Agreement ; and be it

**FURTHER RESOLVED**, that the City Council authorizes the City Administrator to amend the existing Professional Services Agreement Contracts for On-Call Plan Check Services for CSG Consultants, Inc. and TRB + Associates, Inc.; and be it

**FURTHER RESOLVED**, that the total amount of the Agreements for CSG Consultants, Inc. and TRB + Associates, Inc.; shall be for a not-to-exceed amount of \$1.5 million for each Agreement; and be it

**FURTHER RESOLVED**, that the term of all four Agreements shall be for two (2) years with three optional two-year extensions; and be it

**FURTHER RESOLVED**, that funds shall be deposited and appropriated in Development Services Fund (2415), Admin: Engineering Org (84411), Permits: Construction Account (42211), Services: Contract Account (54911), Project to be determined, Engineering & Architectural Plan Approval Program (PS30), and the General Purpose Fund (1010), Fire Marshall's Office Org (20311), Other Fees: Fire Plan Checking, Inspection and Testing Account (45411), Services: Contract Account (54911), Project to be determined, Fire Prevention Bureau Program (PS20); and be it

**FURTHER RESOLVED**, that the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said Agreements including those related to an increase in total compensation, or the appropriation of funds contingent upon available funds, and provided that such amendments or extensions shall be approved for form and legality by the City Attorney and a copy shall be kept on file with the City Clerk

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 06 2018

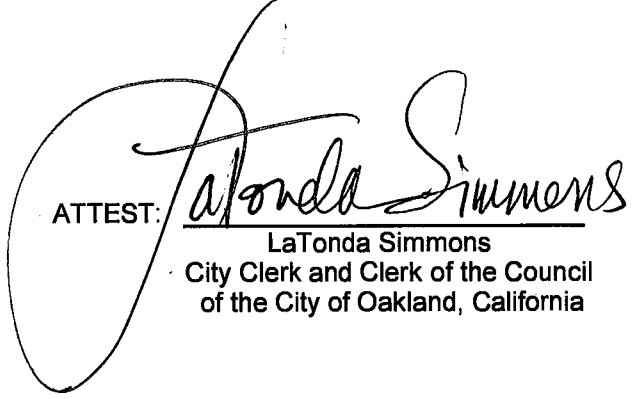
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, CAMPBELL WASHINGTON, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN,  
and PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California