

CONSENT CALENDAR
July 16, 2013

To: Honorable Mayor and Members of the City Council

From: ( Christine Daniel, City Manager

Submitted by: Eric Angstadt, Director, Planning and Development Department

Subject: Contracts: Plan Checking Services

## RECOMMENDATION

Adopt three Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms for plan checking services for a three year contract period:

- 1. Telesis Engineers, Inc., for an amount not to exceed \$500,000.
- 2. Interwest Consulting Group, for an amount not to exceed \$500,000.
- 3. West Coast Code Consultants, for an amount not to exceed \$500,000.

# FISCAL IMPACTS OF RECOMMENDATION

The full cost for outside plan checking services is paid by applicants. The consultants are used on an as-needed basis, which varies based on availability of in-house resources, as well as on the level and complexity of construction projects. The consultants invoice the City by project, based on work completed.

The amount requested per contract is a not-to-exceed amount, which is expected to last for three – six years (contracts allow administrative extensions). The baseline budget for plan checking contracts is currently \$120,000 per year and may be increased, if needed, by an amendment to the Annual Appropriation Ordinance (AAO).

Applicants pay plan check fees to the City based on 65% of the building permit fee, averaging \$1.5M in annual revenues received under 833-8602-341-7101. These fees pay for three in-house plan check staff and cover the cost of contracted plan check, special services, and other related costs. The expenditure code for plan checking services is 833-8602-463-3038.

Contract Management System numbers are: CMS No. YW7TN (Telesis Engineers), CMS No. DRNH2 (Interwest Consulting Group), CMS No. FU8TE (West Coast Code Consultants).

## Contract: Plan Checking Services

# **CURRENT SITUATION AND ITS EFFECTS**

The City requires owners and contractors to obtain building permits prior to construction. Plan review must be performed before most permits can be issued. Plan check contractor services vary with volume and complexity of construction projects, and availability of in-house plan checkers.

In response to the City's release of a Request for Proposal (RFP) for plan checking services (Specification No.13-10754-C), a total of six (6) proposals were received and reviewed by a committee of Planning and Development Department staff. Proposals were judged on five criteria outlined in the RFP, with Telesis Engineers, Interwest Consulting Group and West Coast Code Consultants receiving the highest rankings.

## **BACKGROUND**

The Planning and Development Department has established performance measures that provide benchmarks for permit services, including plan checking and inspections. The department has maintained contracts for outside plan check services to ensure reasonable turnaround times for customers since 1992. Based on the last RFP process, the City approved contracts with Telesis Engineers, Interwest Consulting Group and Bureau Veritas.

The contracts are primarily used for plan review services for all types of projects including, but not limited to, new buildings, renovations and alterations of existing buildings, un-reinforced masonry and soft story building retrofits, and high rise buildings including special life safety provisions. Consultants may also review proposals and make recommendations to the Building Official on acceptance of alternative materials, designs and methods of construction per Section 104.11 of the California Building Code. As indicated above, the full cost of plan review is covered by the plan check fees paid by the applicants.

The contracts will allow the following additional services to be provided if requested by the City.

- Temporary staff for field inspection
- Technical assistance on an as-needed basis for Code development, such as for seismic mitigation programs
- Review of engineering reports that analyze the seismic adequacy of buildings, such as those required by the Unreinforced Masonry (BMC 19.38) and Soft Story (BMC19.39) Ordinances
- On an as-needed basis, including following a disaster, special field and office reviews, structural assessments of buildings, and geotechnical review

If the above services were requested and were not covered by project-specific plan check fees, they would be paid from the Planning and Development Department's enterprise fund, which is fee supported.

Because the use of the service depends to a large extent on the volume and complexity of building projects that private parties choose to build, it has been common for the City to amend the contracts during the term to increase the authorized amount. Construction activity has increased this year and; therefore, the proposed not-to-exceed amounts per contract were increased, based on staff analysis of potential need.

# RATIONALE FOR RECOMMENDATION

The services provided by the consultants allow the Building and Safety Division to maintain a turnaround time for plan review that meets the City's performance requirements and the needs of the community. Consultants can be used flexibly when volume is higher than staff can handle and to maintain necessary services in the face of unforeseeable staff shortages. Consultants also provide special expertise when needed, such as for the soft story program. Without this help, the review time would be increased substantially, particularly on large and complex projects, and special expertise would have to be contracted on a case-by-case basis causing delays in obtaining the required services.

### ALTERNATIVE ACTIONS CONSIDERED

Take no action: The department would not be able to meet its plan check and other performance requirements.

# **CONTACT PERSON**

Alex Roshal, Building & Safety Manager, 981-7441

### Attachments:

1. Resolution: Telesis Consulting Group

2. Resolution: Interwest Engineers

3. Resolution: West Cost Code Consultants

#### RESOLUTION NO. -N.S.

## CONTRACT: TELESIS ENGINEERS FOR PLAN CHECKING SERVICES

WHEREAS, the City of Berkeley has utilized the services of private plan checking consultants since 1992 to provide expertise and the flexibility to respond to varying work demand; and

WHEREAS, there is, and will be, a continuing need for flexibility to provide timely plan review when City staff are not available to provide the required services within the timeframe established to meet the City's performance requirements; and

WHEREAS, six firms responded to a Request for Proposals (RFP) that was released in May 1, 2013 (Specification No. 13-10754-C); and

WHEREAS, selection committee reviewed the proposals and determined that Telesis Engineers, is one of the best qualified to provide the services that are needed; and

WHEREAS, the cost of the contracted service and overhead is fully recoverable in fees; and

WHEREAS, the contract has been entered in the Citywide Contracts Management database and assigned CMS No. YW7TN; and

WHEREAS, funding for plan check contracts is a baseline budget item (833-8602-463-3038), set at \$120,000 per year and any additional funding above the baseline will be available from the Fund 833 fund balance to be appropriated as part of a future amendment to the appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract, and any amendments with Telesis Consulting Group for plan checking services for a total contract period of three years in amount not to exceed \$500,000.

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

# RESOLUTION NO. -N.S.

CONTRACT: INTERWEST CONSULTING GROUP FOR PLAN CHECKING SERVICES

WHEREAS, the City of Berkeley has utilized the services of private plan checking consultants since 1992 to provide expertise and the flexibility to respond to varying work demand; and

WHEREAS, there is, and will be, a continuing need for flexibility to provide timely plan review when City staff are not available to provide the required services within the timeframe established to meet the City's performance requirements; and

WHEREAS, six firms responded to a Request for Proposals (RFP) that was released in May 1, 2013 (Specification No. 13-10754-C); and

WHEREAS, selection committee reviewed the proposals and determined that Interwest Consulting Group, is one of the best qualified to provide the services that are needed; and

WHEREAS, the cost of the contracted service and overhead is fully recoverable in fees; and

WHEREAS, the contract has been entered in the Citywide Contracts Management database and assigned CMS No. DRNH2; and

WHEREAS, funding for plan check contracts is a baseline budget item (833-8602-463-3038), set at \$120,000 per year and any additional funding above the baseline will be available from the Fund 833 fund balance to be appropriated as part of a future amendment to the appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract, and any amendments with Interwest Consulting Group for plan checking services for a total contract period of three years in amount not to exceed \$500,000.

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

# RESOLUTION NO. -N.S.

CONTRACT: WEST COAST CODE CONSULTANTS FOR PLAN CHECKING SERVICES

WHEREAS, the City of Berkeley has utilized the services of private plan checking consultants since 1992 to provide expertise and the flexibility to respond to varying work demand; and

WHEREAS, there is, and will be, a continuing need for flexibility to provide timely plan review when City staff are not available to provide the required services within the timeframe established to meet the City's performance requirements; and

WHEREAS, six firms responded to a Request for Proposals (RFP) that was released in May 1, 2013 (Specification No. 13-10754-C); and

WHEREAS, selection committee reviewed the proposals and determined that West Coast Code Consultants, is one of the best qualified to provide the services that are needed; and

WHEREAS, the cost of the contracted service and overhead is fully recoverable in fees; and

WHEREAS, the contract has been entered in the Citywide Contracts Management database and assigned CMS No. FU8TE; and

WHEREAS, funding for plan check contracts is a baseline budget item (833-8602-463-3038), set at \$120,000 per year and any additional funding above the baseline will be available from the Fund 833 fund balance to be appropriated as part of a future amendment to the appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract, and any amendments with West Coast Code Consulting Group for plan checking services for a total contract period of three years in amount not to exceed \$500,000.

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.