




Office of the City Manager

CONSENT CALENDAR
September 26, 2006

To: Honorable Mayor and
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Dan Marks, Director, Planning and Development Department

Subject: Contract: Inspections for Condominium Conversion Applications

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend the contract with 4Leaf, Incorporated for inspections to comply with the Condominium Ordinance, increasing the contract amount by \$60,000 for a total amount not to exceed \$84,999 and extending the term until June 30, 2008.

FISCAL IMPACTS OF RECOMMENDATION

Fees paid to the Permit Service Center Fund cover the cost of condominium inspections and support services on an as-needed basis. Funding for the Planning and Development Department's condominium inspection contract is a baseline budget item.

4Leaf, Incorporated will complete all services identified in the Scope of Services section of the contract (CMS# I4H68) for a fee not to exceed \$84,999. Funding is available in the Planning and Development Department's FY 07 revenue, and will need to be appropriated to the Permit Service Center Fund expenditure budget code (833-8602-463-3038). This funding adjustment will be included in the First Amendment to the FY 2007 Appropriations Ordinance.

CURRENT SITUATION AND ITS EFFECTS

The City requires that owners comply with local laws pursuant to Berkeley Municipal Code Section 21.28.100 prior to converting existing dwelling units to condominiums. The City hires a building inspector to determine whether all units and any building additions or modifications were legally constructed with the permits required at the time of construction and what, if anything, must be corrected in order to bring the property into compliance. The inspectors evaluate conformance with Public Works, Fire Code, Housing Code, and Building Code requirements.

In July 2005 a contract was entered into between the City and 4Leaf, Incorporated to provide inspection and support services as required by the Condominium Ordinance. The City does not have capacity in-house to evaluate conformance.

BACKGROUND

On December 14, 2004 the City released a Request for Proposal (RFP) to provide inspections for the condominium ordinance (Specification No. 05-10006.1). A total of two proposals were received and reviewed by a committee of Planning and Development Department staff. Based on criteria outlined in the RFP, the proposals were not accepted. On May 10, 2005 the City released a second RFP and received one proposal from 4Leaf, Incorporated. Based on criteria outlined in the RFP, the committee selected 4Leaf, Incorporated and processed a \$24,999 contract. The amount of work has exceeded the City's expectations and, therefore, the contract amount needs to be increased. The City is satisfied with the contractor's work.

RATIONALE FOR RECOMMENDATION

The services provided by the 4Leaf, Incorporated have allowed the Department to process condominium conversion applications as required by the Condominium Ordinance, which is a valuable service to the community.

ALTERNATIVE ACTIONS CONSIDERED

Release a new Request for Proposal: This would significantly delay projects that are currently waiting for inspections.

CONTACT PERSON

Wendy Cosin, Deputy Director, Planning and Development, 510-981-7402.

Attachments:

1: Resolution

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

AUTHORIZING A CONTRACT AMENDMENT WITH 4LEAF INCORPORATED FOR
CONDOMINIUM CONVERSION INSPECTIONS

WHEREAS, Section 21.28.100 of the Berkeley Municipal Code requires inspections as part of the condominium conversion process to verify that the units comply with local laws; and

WHEREAS, the inspectors are required to evaluate conformance with Public Works, Fire Code, Housing Code, and Building Code requirements; and

WHEREAS, the City does not have capacity in-house to evaluate conformance; and

WHEREAS, fees paid to the Permit Service Center Fund cover the costs of inspections and support services; and

WHEREAS, funding for this contract amendment is available in the department's FY 07 revenue, and will need to be appropriated to the Permit Service Center Fund section of the expenditure budget (833-8602-463-3038) CMS No. I4H68.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute an amendment of the contract with 4LEAF, Incorporated to increase the contract amount by \$60,000 for a new amount not to exceed \$84,999 for Condominium Inspections and extending the term until June 30, 2008.

A record signature copy of the contract to be on file in the Office of the City Clerk.