



COUNCIL REPORT

DATE: December 10, 2024

CATEGORY: Consent

DEPT.: Community Development

TITLE: **Amend Professional Services Agreements for Outside Building Plan Checking and Inspection Services**

RECOMMENDATION

1. Authorize the City Manager or designee to execute an amendment to the professional services agreement for building plan checking, inspection, and consultant/professional support services with Shums Coda Associates, Inc., to increase maximum compensation by \$1,050,000 for a total contract amount not to exceed \$1,300,000.
2. Authorize the City Manager or designee to execute an amendment to the professional services agreement for building plan checking, inspection, and consultant/professional support services with CSG Consultants, Inc., to increase maximum compensation by \$25,000 for a total contract amount not to exceed \$275,000.

BACKGROUND

The Building Division uses outside consultant services to assist in building plan checks, inspections, and professional support services for the Community Development Department. Contracting with these professional agencies allows the Building Division to respond and manage the development workload to provide consistent and reliable service response times and technical expertise as well as maintain state-mandated permit review timelines.

City staff initiated these contracts at conservative amounts of \$250,000 each at the beginning of the fiscal year with the intent to return to Council if adjustments were necessary. The requested actions reflect staff's current assessment of services anticipated for the remainder of this fiscal year and the consultant resources necessary based on current workload levels and the state-mandated timelines required to deliver permit services. As such, the Community Development Department continues to rely heavily on outside consultants to assist with these specialized services.

The term of services is July 1, 2024 through June 30, 2025. Since the maximum compensation reflects an estimated amount for contract services, if service needs are less than expected, the full contract amount would not be expended.

FISCAL IMPACT

Building Division services are part of the Development Services Fund, and the services provided are fully cost-recovered from plan checking and permit fees paid for by permit applicants. The requested contract amendments require a total of \$1,575,000 in funding. On June 25, 2024, the City Council appropriated \$2.5 million in the Development Services Fund for contract services for plan checking/inspection services as part of the Adopted Budget for Fiscal Year 2024-25, therefore, there is sufficient funding available in the Adopted Budget and no additional appropriations are requested at this time.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant in the proceeding within the last 12 months. A city official is similarly prohibited from accepting, soliciting, or directing a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant to any proceeding involving a license, permit, or other entitlement for use for 12 months after a final decision is rendered in said proceeding.

Please refer to the “X” in the checklist below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

EXEMPT FROM THE LEVINE ACT

- Competitively bid contract
- Labor or personal employment contract
- General policy and legislative actions

For more information about the Levine Act, please see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

ALTERNATIVES

1. Reduce the contract amendment amounts and direct staff to return to Council for additional authorization later in the fiscal year as needed.
2. Provide additional direction to staff.

PUBLIC NOTICING—Agenda posting.

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GM/6/CAM
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