

## **RESOLUTION NO. 2013-158**

### **RESOLUTION OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING THE FIRST AMENDMENT TO THE DESIGN PROFESSIONAL SERVICES AGREEMENT WITH 4LEAF, INC. FOR BUILDING PLAN CHECK AND INSPECTION SERVICES**

**WHEREAS**, the City of Rohnert Park Municipal Code Title 3 Chapter 3.04 provides that the city's purchasing functions shall be governed by the city's purchasing policy;

**WHEREAS**, in December, 2011, staff issued a Request For Proposals for Professional Building Plan Check Services and/or Building Inspection Services to identify qualified consultants to assist the city with outside plan check and inspection services on an as-needed basis;

**WHEREAS**, on June 18, 2012, consistent with City of Rohnert Park Purchasing Policy, the city entered into a Design Professional Services Agreement ("Agreement") with 4LEAF, Inc. ("Consultant") for building plan check and inspection services on an as-needed basis for a not-to-exceed amount of \$30,000.00;

**WHEREAS**, the City has utilized the Consultant's services and exhausted the not-to-exceed amount of the original Agreement and is in need of an amendment to the Agreement; and

**WHEREAS**, City and Consultant now desire to enter into Amendment No. 1 which authorizes an additional \$75,000.00 to be used for building plan check and inspection services.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AS FOLLOWS:**

**Section 1.**     Recitals.   That the above recitations are true and correct and material to this Resolution.

**Section 2.**     Environmental Clearance.   That the adoption of this Resolution and accompanying Amendment is exempt from review under the California Environmental Quality Act because the activity in question is not a project as defined under CEQA Guidelines Section 15378 in that there is no potential that the activity will result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

**Section 3.**     Agreement.   That the First Amendment to the Agreement between 4LEAF, Inc. and the City of Rohnert Park for building plan check and inspection services is hereby authorized and approved in an amount not to exceed an additional seventy-five thousand dollars (\$75,000.00).

**Section 4.**     Authorization.   That the City Manager is hereby authorized and directed to take all actions to effectuate the Amendment for and on behalf of the City of Rohnert Park, including execution if necessary, in substantially similar form to the Amendment attached hereto as Exhibit "A," subject to minor modifications by the City Manager or City Attorney.

DULY AND REGULARLY ADOPTED this 26<sup>th</sup> day of November, 2013.

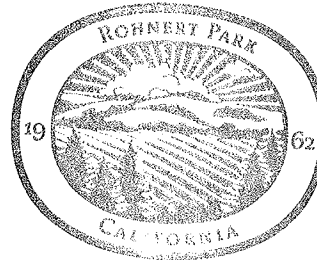
CITY OF ROHNERT PARK

Pam Stafford  
Pam Stafford, Mayor

ATTEST:

JoAnne Buergler  
JoAnne Buergler, City Clerk

Attachment (Exhibit "A") – First Amendment



AHANOTU: Aye BELFORTE: Aye MACKENZIE: Aye CALLINAN: Aye STAFFORD: Aye  
AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )

# **FIRST AMENDMENT TO THE DESIGN PROFESSIONAL SERVICES AGREEMENT WITH 4LEAF, INC. FOR BUILDING PLAN CHECK AND INSPECTION SERVICES**

This First Amendment to Design Professional Services Agreement between the City of Rohnert Park ("City") and 4LEAF, Inc., ("Consultant") for building plan check and inspection services ("First Amendment") is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2013, ("Effective Date"), by and between City and Consultant.

## **RECITALS**

- A. City and Consultant are parties to that certain Agreement entitled "*Design Professional Services Agreement*" dated June 18, 2012, for the amount of \$30,000.00 authorized per Rohnert Park Municipal Code Chapter 3.04 Purchasing Program.
- B. City and Consultant now desire to enter into this First Amendment to provide for additional work as described below.

## **AGREEMENT**

NOW, THEREFORE, in consideration of the following mutual promises, the parties hereby amend the Agreement as follows:

1. Scope of Services. Consultant shall continue to provide the services as described in original Design Professional Services Agreement's Exhibit A.
2. Compensation. Section 3(A) of the Agreement shall be amended to provide for an additional \$75,000.00 in compensation, thus increasing the total not-to-exceed amount of the Agreement to \$105,000.00.
3. Agreement in Effect. Except as amended by this First Amendment, the Agreement shall remain in full force and effect.
4. Counterpart Signatures. This First Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS THEREOF, the parties have executed this First Amendment as of the date first written above.

### **CITY OF ROHNERT PARK:**

By: \_\_\_\_\_  
 Darin Jenkins, Interim City Manager (Date)  
 Per Resolution No. 2013-\_\_\_\_ adopted by the Rohnert Park  
 City Council at its meeting of November 26, 2013.

### **ATTEST:**

\_\_\_\_\_  
 City Clerk

### **APPROVED AS TO FORM:**

\_\_\_\_\_  
 City Attorney

### **CONSULTANT - 4LEAF, INC.:**

By: \_\_\_\_\_ 11/15/13  
 Name: Kevin J. Duggan (Date)  
 Title: President

By: \_\_\_\_\_ 11/15/13  
 Name: Kevin J. Duggan (Date)  
 Title: Secretary