

RESOLUTION NO. 2017-081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENTS WITH CODE SOURCE AND SHUMS CODA ASSOCIATES

WHEREAS, in accordance with the City's Purchasing Policy, staff has issued request for Qualifications for building plan check and inspection services, evaluated responses and determined that Code Source and Shums Coda Associates were most qualified to provide design services on this project; and

WHEREAS, on July 14, 2015 the City executed a Consultant Services Agreement with Code Source, the term of which ends on June 30, 2017; and

WHEREAS, on June 9, 2015 the City executed a Consultant Services Agreement with Shums Coda Associates, the term of which ends on June 30, 2017; and

WHEREAS, both consultants have provided high quality service to the City and bring unique understanding of ongoing development projects in the City; and

WHEREAS, the costs associated with these consultant contracts is fully recovered by the building and inspection fees paid by applicants receiving these services.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to the execute the First Amendment to the Consultant Services Agreement with Code Source attached hereto as Exhibit "A" and incorporated herein by reference, subject to minor modifications by the City Manager or City Attorney.

BE IT FURTHER RESOLVED that the City Manager is authorized to the execute the First Amendment to the Consultant Services Agreement with Shums Coda Associates attached hereto as Exhibit "B" and incorporated herein by reference, subject to minor modifications by the City Manager or City Attorney.

BE IT FURTHER RESOLVED that the Finance Director is authorized to amend the budget, make appropriations and transfer funds as necessary to fund the authorized contracts from building and inspection fee revenue paid to the City from project applicants.

DULY AND REGULARLY ADOPTED this 27th day of June, 2017.

CITY OF ROHNERT PARK

Pam Stafford for
Jake Mackenzie, Mayor

ATTEST:

Caitlin Saldanha
Caitlin Saldanha, Deputy City Clerk

Attachments: Exhibit A and Exhibit B

AHANOTU: Aye BELFORTE: Aye CALLINAN: Aye STAFFORD: Aye MACKENZIE: Absent
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

EXHIBIT A TO RESOLUTION

FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH CODE SOURCE FOR PROFESSIONAL PLAN CHECK AND BUILDING INSPECTION SERVICES

This First Amendment to the Agreement between the City of Rohnert Park ("City") and Code Source ("Consultant") for additional services ("First Amendment") is entered into as of the 1st day of July 2017, ("Effective Date"), by and between City and Consultant.

RECITALS

- A. City and Consultant are parties to that certain Agreement entitled "*Agreement with Code Source for Professional Plan Check and Building Inspection Services*" dated July 14, 2015 and authorized by Minute Order approved by the City Council on July 14, 2015, for the amount of \$500,000.
- B. The Agreement referenced above terminates on June 30, 2017.
- C. City and Consultant now desire to enter into this First Amendment to extend the term of the agreement and provide for ongoing and 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.** In addition to the services provided under the Agreement, Consultant shall provide additional services as described in the attached Exhibit A.
- 2. **Compensation.** Consultant shall perform the services described in this First Amendment for a total not-to-exceed amount of \$500,000.00, in accordance with the Fee Schedule included in Exhibit B.
- 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.

Signatures on Next Page

CITY OF ROHNERT PARK:

CONSULTANT:

By: _____ / _____

Darrin Jenkins, City Manager (Date)

Per Resolution No. 2017-__ adopted by the Rohnert Park City Council at its meeting of June 27, 2017.

ATTEST:

City Clerk

By: _____ / _____

Name: _____ (Date)

Title: _____

By: _____ / _____

Name: _____ (Date)

Title: _____

APPROVED AS TO FORM:

City Attorney

EXHIBIT A TO AMENDMENT #1 SCOPE OF WORK

The following is a description of the multi-disciplinary services Code Source will provide to the City of Rohnert Park:

1. Plan Review Services:

Scope: We are qualified to review all types of occupancies: single family dwellings, multi-family buildings, commercial and industrial buildings, in any type of construction: wood-frame, masonry, heavy timber or steel.

Our standard review includes checking code compliance with the currently adopted editions of all applicable codes: California Building, Residential, Plumbing, Mechanical and Electrical Codes, along with the California Energy Code, Green Building Code, Historical Code and Fire Code, as applies.

We examine soils reports, energy reports, Wildland-Urban Interface requirements, water efficiency measures, access compliance and the applicable ordinances adopted by the Jurisdiction. We also specialize in the review of photovoltaic electrical system for commercial and residential installations of any size, and we can also provide Geotechnical Peer review and other services.

We provide qualified, certified and/or licensed staff as required to review plans for the codes listed above. Code Source has the equipment, and facilities needed in which to perform the work in a professional manner, and we maintain general liability insurance to cover the cost of any unforeseen calamity.

Code Source will coordinate the resolution of identified deficiencies with the applicant and/or the designer of record; however, the Building Official shall decide all unresolved issues.

Work Product: We prepare a formal comment letter describing all information required for plan approval. We identify items needing clarification or correction to achieve compliance and provide a reference to each applicable code section.

We transmit the report to the applicant, the designer, or other contact person as directed by the building department, with a copy to the Building Department. As is the custom now, Plan Review Comment Letters are transmitted by email attachment. We can also mail or fax the comment letter if the applicant requests that form of communication.

Transportation of plans: Upon notification that plans are ready to be submitted to us for review, Code Source will either pick them up by the end of the next business day or provide a UPS shipping label for use in shipping the documents to us. The use of a shipping service is our preferred method as it is also the most energy efficient and sustainable method for the transportation of packages.

Plans and related documentation are returned to the Building Department upon review completion, at Code Source's expense, by shipping or delivery.

EXHIBIT A TO AMENDMENT #1 SCOPE OF WORK

Time Frame Residential: Our standard turn-around time for basic residential projects is 10 business days for initial review and 5 business days for recheck, based on the day the complete review package is received in our office and ends the day we ship the project package back to the jurisdiction.

Time Frame Commercial/Industrial: Our standard turn-around time for basic Commercial/Industrial projects is 15 business days for initial review and 10 business days for recheck, based on the day the complete review package is received in our office and ends the day we ship the project package back to the jurisdiction.

Deferred submittal items and revisions to the Approved Plans: These submittals will be completed within the same turnaround times as described above for the type of work being reviewed and time charged per our hourly rates.

Expedite Reviews: When our schedule allows, and with additional fees per the Fee Schedule, we can offer an Expedite Review that cuts the initial review time in half. Recheck time remains the same, but are given priority over other rechecks.

Number of Reviews: Percentage based plan review fees will cover three submittals. If an applicant has not sufficiently addressed all comments by the third review, extra charges will be assessed on an hourly basis, after informing the Building Official, or designee.

2. Inspection Services:

Scope: Code Source Inspectors are qualified to inspect all types of occupancies: single family dwellings, multi-family buildings, commercial and industrial buildings, in any type of construction: wood-frame, masonry, heavy timber or steel.

Our inspectors are trained for all applicable codes: California Building, Residential, Plumbing, Mechanical and Electrical Codes, along with the California Energy Code, Green Building Code, Historical Code and Fire Code, as applies.

They are also trained to be aware of and to adhere to the inspection procedures of the Jurisdiction and we supply them with all the necessary tools, codes, cell phones and transportation needed.

Time Frame: A minimum of 48 hours advance request is preferred.

3. Certified Access Specialist (CASP) services:

Scope: With a CASp on staff, Code Source can provide Plan Review for State and Federal Accessibility compliance for any project. We can also provide research and consultation to the Building Official by the hour. CASp inspections are not offered at this time.

EXHIBIT B TO AMENDMENT #1 FEE SCHEDULE

FLAT FEES BASED ON PERCENTAGE OF JURISDICTION'S PLAN REVIEW FEE:

Complete Standard Review: 65%
Complete Expedite Review: 65% x 1.5 (2) see notes below
Structural Only Review: 50%

Fee includes 1st review, two rechecks and the cost of shipping documents to and from the jurisdiction.

HOURLY RATES for On Site services:

<u>Classification</u>	<u>Rate per Hour</u>
Building Official:	\$125.00
Senior Building Official:	\$145.00
Permit Technician:	\$ 75.00
Field Inspector: **	\$ 75.00*
Senior Field Inspector: **	\$ 80.00*
Senior Field Inspector II: **	\$ 90.00*

* Additional \$25 per day for vehicle use, if jurisdiction does not provide a vehicle

** Half-day (4 hour) minimum charge

HOURLY RATES for Plan Review:

Checking plans for compliance with the adopted editions of the applicable California Codes:

Senior Structural Engineer:	\$140.00
Senior Structural Engineer II:	\$160.00
Senior Plan Check Engineer:	\$100.00
Senior Plan Check Engineer II:	\$120.00
Plans Examiner:	\$ 75.00
Senior Plans Examiner:	\$ 85.00
Senior Plans Examiner II:	\$100.00
Clerical Support:	\$ 50.00

HOURLY RATES Specialist:

Geotechnical Peer Review	Geotechnical Consultant cost plus 15%
Certified Access Specialist:	\$100.00/hr
Senior Certified Access Specialist:	\$120.00/hr
Professional Consultant (MEP)	Engineer Consultant cost plus 15%

Notes:

1. Additional Classifications may be added to the list during the year as new positions are created.
2. Hourly rates are for standard time.
 - Expedite review fees are 1.5x the listed rates and reduces the initial review time by half, rechecks remain the same number of days.
 - Emergency review for Commercial, Multi-Family and Master Plans are 2.5x the listed rate and reduces each review (initial/recheck) to 5 working days.
3. Does not include Consultation in connection with litigation or court appearance

EXHIBIT B TO RESOLUTION

**FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH
SHUMS CODA ASSOCIATES INC. FOR PROFESSIONAL PLAN CHECK AND
BUILDING INSPECTION SERVICES**

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RECITALS

- A. City and Consultant are parties to that certain Agreement entitled "*Agreement with Shums Coda Associates Inc. for Professional Plan Check and Building Inspection Services*" dated June 9, 2015, and authorized by Minute Order approved by the City Council on June 9, 2015, for the amount of \$500,000.
- B. The Agreement referenced above terminates on June 30, 2017.
- C. City and Consultant now desire to enter into this First Amendment to extend the term of the agreement and provide for ongoing and 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. In addition to the services provided under the Agreement, Consultant shall provide additional services as described in the attached Exhibit A.
- 2. Compensation. Consultant shall perform the services described in this First Amendment for a total not-to-exceed amount of \$250,000.00, in accordance with the Fee Schedule included in Exhibit B.
- 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.

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CITY OF ROHNERT PARK:

CONSULTANT:

By: _____ / _____

Darrin Jenkins, City Manager (Date)

Per Resolution No. 2017-__ adopted by the Rohnert Park City Council at its meeting of June 27, 2017

By: _____ / _____

Name: _____ (Date)

Title: _____

ATTEST:

By: _____ / _____

Name: _____ (Date)

Title: _____

City Clerk

APPROVED AS TO FORM:

City Attorney

**EXHIBIT A TO AMENDMENT #1
SCOPE OF WORK**

Project Types	Plan Review Response time	Plans Transportation	1st plan review time frame	2nd & 3rd plan review time frame	Electronic plan review	Bldg Inspection availability on-call, advanced notice?	Project Size limitation?
Single Family Dwelling	24 hours	FedEx, SCA Staff	7 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A
Multi-Family Townhomes	24 hours	FedEx, SCA Staff	10 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A
Multi-Family Apartments (Standard)	24 hours	FedEx, SCA Staff	10 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A
Multi-Family Apartments (Large Scale)	24 hours	FedEx, SCA Staff	15 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A
Tenant Improvements	24 hours	FedEx, SCA Staff	10 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A
New Commercial Industrial	24 hours	FedEx, SCA Staff	10 days*	3-5 days*	YES	24 - 48 hrs, most cases 24 hours	N/A

*These review times are based on typical plan submittals, but there may be specific projects that are more complex in nature that will require some minor adjustments to the general turnaround schedule.

SCA is also capable of reviewing special projects, such as Capital Improvement Projects, OSHPD 3 Facilities, Private School/Colleges, Hazardous Materials Facilities or Laboratory/Clean Rooms, typically within 10 working days for the initial review, and 5 working days for subsequent rechecks.

If an expedited plan review is requested, the turn-around time could be as quickly as a single day, but these types of review schedules are typically determined based on the complexity of the project and the availability of SCA staff to complete the review.

**EXHIBIT B TO AMENDMENT #1
FEE SCHEDULE**

% Plan Review	Hourly Rate For Structural Plan Review	Hourly Rate For Non- Structural Plan Review	Cost after 3rd Review	Expedited Fee	Emergency Hourly Plan Review Fee	Bldg Inspection Rate	Bldg Inspection additional Cost
55% ¹	\$120.00	\$100.00 - \$110.00	Hourly - based on Structural or non- structural Review rate ²	1.5 x Standard Rate	2.25 x Hourly Standard Rate ³	\$60 - \$90 an hour depending on qualifications of Inspector ⁴	Mileage at IRS current rate

In-House Plan Reviewer - \$110/hour.

Overtime will be not be charged for any plan review services billed at the hourly rate, while inspection services will be charged at 150% of the standard hourly rates (see qualifying statement below⁵), with prior authorization from the client.

Reimbursable Expenses

Reimbursable expenses shall include, but not be limited to, the following as approved by the jurisdiction:

Mileage

Per current IRS mileage rate

Other Direct Project Expenses⁶

at cost plus 15%

¹ The Plan Review fee covers all services associated with the typical plan review, including: Pick-up and delivery of design documents to the jurisdiction. First, second and quick third review to approval projects.

² Our fee will cover a first, second and minor third reviews if needed at no additional cost to the city or applicant. However, if there should be a need for a forth and subsequent reviews, Shums Coda will charge at our hourly fee rate.

³ Plan review is guaranteed to be completed within 5 business days for the initial review and 3 business days for subsequent reviews.

⁴ Training level inspector = \$60 - \$65 (depending on certificates and experience)

Building Inspector I = \$65 - \$75 (entry level inspector – certificates and some inspection experience with commercial work) Building Inspector II = \$75 - \$85 (multiple certificates and able to inspect complex commercial)

Building Inspector III = \$85 - \$90 (many certificates and experience to work independently or supervise others as needed)

⁵ Hours for inspections in excess of 8 hours (per day) will be billed as overtime at the rate shown above. When inspection overtime is requested, on days when inspector has not already performed inspections on the site (i.e., weekends, holidays, etc.), inspection overtime services will be provided in 4-hour minimum segments. These non-scheduled inspections, when in excess of 4 hours, shall be billed as an eight hour day.

⁶ Printing cost, expedited courier services or other expenses. Pre-approval by the City is required prior to incurring such expenses.