

# City of Los Alamitos

## Agenda Report Consent Calendar

October 5, 2009  
Item No: 8C

**To:** Mayor Troy Edgar and Members of the City Council

**Via:** Jeffrey L. Stewart, City Manager

**From:** Steven Mendoza, Director of Community Development

**Subject:** Professional Services Agreement for Building & Safety Services

**Summary:** The City's Professional Services Agreement for Building & Safety Services expired on September 30, 2009. This amendment will permit continuation of Building & Safety Services by Willdan, to June 30, 2010.

**Recommendation:** Authorize the City Manager to execute a second amendment to the Professional Services Agreement between the City of Los Alamitos and Willdan, for Building and Safety Services.

### Background

The City has contracted with Willdan to provide Building and Safety Services for the City since 2001. The term of the current contract with Willdan was approved on September 15, 2008 at which time the service was sent out to bid. The agreement was first amended in 2008 to include NPDES (National Pollution Discharge Elimination System) responsibilities and expired on September 30, 2009. The City currently relies entirely on consultants to perform all required Building and Safety duties and employs no City staff.

Willdan designated Mr. Bill Sharkey, C.B.O. as the lead Willdan staff assigned to the City in the capacity of Building Official. In addition, Mr. Scott Jones provides building inspection services and schedule coverage in coordination with Mr. Sharkey. This arrangement provides the City with counter coverage for building services.

Contracting out the Building and Safety Division has provided the City access to personnel within the consultant's firm with capabilities that could not be replaced without hiring individual specialized employees. The performance of the NPDES inspections has been contracted pending an assessment of the resources and program management needed for the entire NPDES program. This assessment is presently being performed.

Staff has worked closely with representatives from Willdan to attempt to devise an approach that would be affordable to the City and which would ensure the City the on-site services of a Building Official. Willdan demonstrated a very receptive and flexible approach in dealing with the City and the following arrangement was proposed:

- Los Alamitos will receive the on-site services of a Building Official on a full-time basis in the same manner as it is presently provided by Willdan.
- Building Inspections and Plan Checking will be provided with Willdan to receive 60% to 85% of fees received, depending on the total amount of fees received during a given month. This scaled approach addresses Willdan's need to receive a certain base level of compensation for their entire service package, which includes the Building Official at no separate cost. **Please note that the contract amount has been reduced from the previous contract, which was 65% - 90% of total fees received.**
- An add-on service will be provided by Willdan to perform required commercial and industrial NPDES inspections and associated work at a cost of \$41,000. This is identical to work that Willdan presently provides to the City for a contract amount of \$41,000. The increase reflects increased cost for service and the need to respond to increasing levels of activities required to respond to regional mandates. **Please note that the NPDES inspection fees were decreased by \$9,000 from last year's fee, which was \$53,000.**
- The complete Willdan cost proposal is attached to this report.

This arrangement with Willdan will ensure that the City will keep the level of service that the public and City currently enjoys.

## Fiscal Impact

The new negotiated rate equals a higher percentage retained by the City, and a lower percentage retained by Willdan. The resulting change will equate to a cost savings over the budgeted amount.

Submitted By:

Reviewed By:

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Steven Mendoza  
Community Development Director

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Nita McKay  
Assistant City Manager

Approved By:

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Jeffrey L. Stewart  
City Manager

Attachment: 1) Amended Professional Services Agreement, with amended Exhibit B  
2) Original Professional Services Agreement, dated 9/15/08