

**DATE:** November 6, 2007  
**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Authorization to Execute Agreements with Plan Check Consultants

### **RECOMMENDATION**

That the City Council approve the attached resolution authorizing the execution of agreements for the provision of plan check services.

### **SUMMARY**

The City of Hayward has historically entered into agreements with private firms for plan check services that exceed the availability or capacity of City staff. This arrangement lets the City employ the number of permanent staff necessary to meet the average level of demand for plan check services, yet remain flexible enough to provide additional or more specialized plan check services when required. Keeping several firms under contract and available to respond also insulates the City from the difficulty of trying to find qualified firms or persons to assist us on short notice. Having several firms under contract allows the City to distribute the work to firms based on their specific area of specialization and on their staff availability. The continuous relationship also encourages the firms to give the City special consideration on turnaround time and priority of review.

### **BACKGROUND**

The City last solicited proposals from plan check firms three years ago. The contracts were for three years with annual evaluation and renewal. Currently, the City has agreements with five plan check firms. Generally we have been pleased with their service and professionalism although a couple seem more aware of the needs of our customers and will proactively search ways to find solutions to difficult code interpretations.

Our current contracts are due to expire at the end of November. In September the Building Official sent out a new request for proposals to most of the firms currently under contract as well as several other firms in the area. Ten requests were sent out and seven proposals were received on October 12. These were evaluated for their ability to meet City of Hayward mandated time frames for plan check responses, as well as for qualifications of staff, references provided by nearby jurisdictions, charges for services, and ability to provide comments via e-mail.

## **DISCUSSION**

Each of the recommended firms has demonstrated the capacity to perform thorough review of plans, timely turnaround of reviews, and excellent customer service. At the end of this three-year period staff will again issue a request for qualifications for plan check services. The Council has approved multi-year contracts for plan check services in the past, with the proviso that they are subject to annual appropriation.

The three firms for which authorization to execute agreements is sought are:

West Coast Code Consultants (WC3)

Kutzmann & Associates

Interwest Consulting Group

Two of these consultants currently are under contract with the City of Hayward, one, Interwest Consulting Group, is a newer firm but several of the principals are well known within the building code community.

## **FISCAL IMPACT**

The cost of contracting for consultant services is offset by the fees paid for plan check by the permit applicant at the time the plans are submitted. Consultants are hired for each project they review so there is no cost to the City if demand for plan check services diminishes. Staff is recommending authorization to enter into agreements in an amount not to exceed \$100,000 per fiscal year per firm. Although the annual allocation per firm is greater than in the past, it is for fewer firms so the overall amount is the same. This will allow the staff to assure large projects, such as complex industrial projects or subdivisions, which involve multiple sets of plans, can be reviewed in a timely manner. The total amount for plan check services is not to exceed \$300,000 annually.

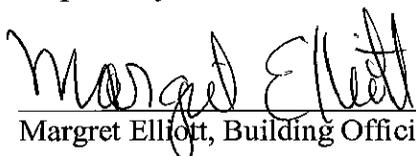
## **PUBLIC CONTACT**

The public was not involved in this process, however, staff gave consideration to the past attitude of consultants toward customer service. Those consultants who proactively search for ways to help our customers resolve difficult technical issues were rated more highly those who do not.

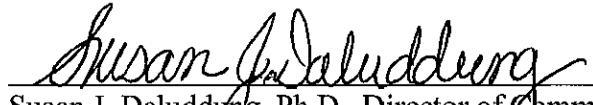
## **SCHEDULE**

Staff recommends the City Council approve the attached resolution authorizing the execution of agreements for plan check services with each of the above named firms for a period of three years in an amount not to exceed \$100,000 per firm per fiscal year. These contracts will be effective from December 1, 2007 through November 30, 2010.

Prepared by:

  
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Margret Elliott, Building Official

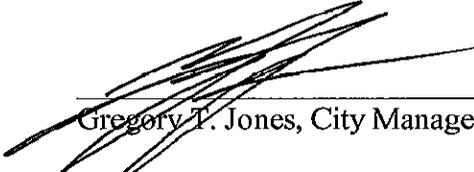
Recommended by:



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Susan J. Daludding, Ph.D., Director of Community and Economic Development

Approved by:



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Gregory T. Jones, City Manager

Attachment: Draft Resolution

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION AUTHORIZING CITY MANAGER TO  
EXECUTE AGREEMENTS WITH PLAN CHECK  
CONSULTANTS**

BE IT RESOLVED, by the City Council of the City of Hayward that the City Manager is hereby authorized to enter into and execute agreements for plan check services with each of the following named firms for a period of three years, in an amount not to exceed \$100,000 per firm, per fiscal year, in a form to be approved by the City Attorney:

West Coast code Consultants (WC3)  
Kutzman & Associates  
Interwest Consulting Group

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2007

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward