



DATE: May 20, 2024

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager  
Marlene Subhashini, Assistant City Manager

FROM: Sofia Mangalam, Community Development Director  
Becki Hanan, Management Analyst

DEPARTMENT: Community Development

SUBJECT: AUTHORIZING THE ISSUANCE OF A REQUEST FOR  
PROPOSALS FOR ON-CALL PROFESSIONAL CONSULTANT  
SERVICES FOR THE BUILDING DIVISION

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### RECOMMENDATION

It is recommended that the City Council adopt the attached resolution, authorizing staff to issue a Request for Proposals (RFP) for on-call professional consultant services to augment Building Division staff of the Community Development Department and find the request exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3).

### EXECUTIVE SUMMARY

The Community Development Department (CDD) is committed to planning, maintaining, and improving the quality of life and public safety of Foster City in keeping with the vision of the City Council in the General Plan and other measures that reflect the City's heritage as a Master Planned community. CDD is comprised of the Planning/Code Enforcement and Building Divisions. The Building Division is responsible for ensuring that all construction projects permitted within the City comply with the California Building Code, the Foster City Municipal Code and all other applicable codes and regulations. The Building Division provides permit intake, plan check, and building inspection services to ensure compliance with the California Health and Safety Codes.

The Building Division has a limited staff comprising of six (6) personnel providing services related to building permits and construction activity. Limited staffing poses a significant challenge in providing timely, continuous and uninterrupted building division services. To overcome these challenges, the implementation of on-call inspection and plan review services is proposed. On-call personnel will provide coverage during staff absences, ensuring continuity of services, increased flexibility, cost-effectiveness, and enhanced customer satisfaction.

The Building Division intends to select up to two (2) consulting firms to provide on-call building services under this RFP. Selected firms will be placed on an official list of qualified consultants who will be called upon to provide staffing services, including performing plan checks, inspections and/or permit intakes in response to staff absences, vacant positions, workflow demands and providing quality service to Foster City community.

## BACKGROUND

Currently, the Building Division is staffed by one (1) Chief Building Official (currently vacant and is filled by a consultant), one (1) Plan Examiner, two (2) Inspectors, and two (2) Permit Technicians. The staffing levels, although adequate, can present a challenge during staffing vacancies, the amount of time taken to fill a vacant position, and staff absences due to vacation, training, and/or illness. Under such circumstances, staff has to either postpone or reschedule the inspections or delay plan checking, affecting service delivery levels to our customers. Thus, staff determined that adding on-call consulting services to provide continued coverage and ensure that the service is not interrupted would be helpful.

In addition, Assembly Bill 2234 (AB 2234) that came into effect on January 1, 2023, requires that the cities and counties must review building permit applications for completeness within 15 business days and complete an initial review within either 30 business days (for projects of 25 units or less) or 60 working days (for larger projects). If the local agency does not provide notice of a complete or incomplete application within 15 business days, the application will be deemed complete. In addition to AB 2234, there are several other bills that mandate streamlined review and shorter processing timelines including review of Wireless Communications Facilities permits, ADU permits, Solar energy systems, certain housing projects, etc.

The state mandated requirements related to permit streamlining, new construction projects, including Gilead's new lab building might further strain staff resources and availability, potentially leading to delays and service interruptions. The proposed on-call consultant services to augment Building Division staff on an as-needed basis will help building division to manage workload and meet the demands of new construction projects and ensure consistent and efficient service delivery to the Foster City community including its residents and businesses.

On July 17, 2023, the City Council authorized master services agreements with two (2) selected consultants for professional on-call building services, including West Coast Code (WC3) and 4Leaf Inc., to provide on-call building services in an amount not to exceed \$75,000 and without limitation for certain plan check fees that will be payable directly by the applicant. The consultant services have been used for building inspection services and at present are being used for interim Chief Building Official (CBO) position, while the city fills in the permanent CBO position.

Both the agreements with the consultants were for one (1) year and are set to expire on June 30, 2024. Staff determined that it would be helpful to continue engaging on-call consulting services to provide coverage and ensure that the services are not interrupted. However, staff is recommending the length of the agreement to be for two (2) years instead of one (1) year.

## ANALYSIS

The scope of the RFP includes providing as needed on call consultant services for building inspection, plan review services, and permit technician services for various types of buildings, residential and non-residential, including, but not limited to:

1. Building inspections for code compliance. The consultant shall perform building inspection services for a specified number of hours. These services shall include review of all approved plans, specifications and documents, review and respond to all inspection requests and reports, City staff coordination, perform inspections for compliance to applicable codes;
2. Permit Technicians Services for front counter. Consultant shall perform permit process services for a specified number of hours. These services include front counter and phone assistance regarding building permit requirements, plan check fees, plan check filing procedures and processing, permit status, accepting permit applications, calculating, and applying fees, and reviewing plans for conditions of prior approval;
3. Plan Review Services. The consultant shall perform plan review services including the initial plan review and all subsequent re-reviews as necessary for building permit issuance; and
4. Other Staff Augmentation Services.

The draft RFP is included as an attachment #2 to this staff report.

If approved, the RFP will be issued on May 21, 2024, with a due date of June 11, 2024. City staff will review and evaluate the proposed scope of work, experiences of firm, staffing, experiences of firm, and budget submitted by consultants and will ensure that the proposal meets and fulfills the City's standards and requirements. Attachment 2 is the proposed Draft RFP that will be issued if the City Council approves this item. Based upon the Scope of Work and Timeline as outlined, an agreement with the prospective consulting firm would be tentatively scheduled for City Council consideration and awarded at its July 1, 2024, meeting.

## California Environmental Quality Act

The issuance of an RFP is exempt per CEQA Guideline Section 15061(b)(3), Common Sense Exemption.

## FISCAL IMPACT

There is no cost associated with the issuance of the RFP. The cost for the consultant services will be brought to the City Council along with the award of the contract at a future meeting in July including a request for budget appropriation from the General Fund for consultant services.

## CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Smart Planning, Development, and the Local Economy

## ATTACHMENTS:

Attachment 1 - Resolution

Attachment 2 - Request for Proposal (RFP)