



DATE: July 15, 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, Senior Management Analyst

DEPARTMENT: Community Development

SUBJECT: AGREEMENTS EACH WITH WEST COAST CODE  
CONSULTANTS (WC3) AND 4LEAF, INC. (4LEAF) FOR  
PROFESSIONAL ON-CALL BUILDING SERVICES IN AN  
AMOUNT NOT TO EXCEED \$150,000 EACH; AND APPROVING  
THE APPROPRIATION OF \$300,000 TO ACCOUNT NO. 001-  
0820-424-42-51

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## RECOMMENDATION

It is recommended that the City Council adopt the attached resolutions, authorizing the Mayor to execute two-year agreements each with the selected two (2) consultants, (i) West Coast Code Consultants, Inc. (WC3); and (ii) 4LEAF, Inc. (4LEAF) for professional on-call building services for the Building Division of the Community Development Department in an amount not to exceed \$150,000 and without limitation for certain plan check fees that will be payable directly by the applicant; approving the appropriation of \$300,000 to Account No. 001-0820-424-42-51; and finding approval of the agreements exempt from the CEQA pursuant to 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 construction permit activity. Limited staff poses a significant challenge in providing 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.

On May 20, 2024, staff requested authorization to issue Request for Proposals (RFP) for an on-call consultant services to augment Building Division staff of CDD. Upon approval from the City Council, an RFP was issued on May 21, 2024, with a due date of June 11, 2024. Staff received a total of seven (7) responses, including WC3, Bureau Veritas, TRB and Associates, Inc., Shums Coda Associates, Inc. (SCA), CSG Consultants, Inc. (CSG), 4LEAF, True North Compliance Services, Inc.

Upon review of the proposals from the firms that responded to the RFP, staff acknowledged that all the firms are qualified. However, staff recommends that the City Council execute agreements with 4LEAF and WC3 for a period of two (2) years each. The total amount for two (2) two-year contracts would be \$300,000.

## **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, which proves challenging during staff absences due to vacation, training, illness, and 9/80 off working schedule. There have been instances when regular personnel are unavailable due to vacation or illness or vacant position.

On July 17, 2023, the City Council authorized agreements with two (2) selected consultants for professional on-call building services, including WC3 and 4LEAF, 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, plan reviews, and at present are being used for interim Chief Building Official position, while the city fills the permanent position.

Both the agreements with the consultants were for one (1) year and expired 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

On May 20, 2024, staff requested authorization from the City Council to issue an RFP for professional on-call building services for the Building Division of the CDD. Subsequent to this, on May 21, 2024, upon authorization from the City Council, City staff issued an RFP with a due date for proposals/responses by June 11, 2024.

The RFP was advertised in following ways soliciting responses to the scope of work for Professional on-call Building Services:

1. Sent to consulting firms via email – May 21, 2024; and
2. Posted on City's RFP webpage – May 21, 2024.

Staff received seven (7) responses to the RFP, including, WC3, Bureau Veritas, TRB and Associates, Inc., SCA, CSG, 4LEAF, True North Compliance Services, Inc.

### Evaluation of RFP Responses

Given the number of responses from reputable firms, staff awarded points based on proposal content submitted by the consulting firms so that City can enter into agreements with two (2) consulting firms. The maximum number of points that any firm can score is 25 points.

- Expertise/Experience (5 points).
- Understanding of Foster City Regulations (5 points).
- Qualifications of Key Team Member Summary (5 points).
- Proposed Project Approach and Work Plan (5 points).
- Fee Proposals (5 points)
- References (5 points)

Upon evaluation of the responses, the following points were scored for each of the seven (7) firms, with 4LEAF and WC3 scoring the most points.

<b>Consulting Firm</b>	4 Leaf	Bureau Veritas	CSG	Shums Coda Associates	TRB+Associates	True North Compliance Services	WC3
<b>Score</b>	25	17	24	23	21	19	25

While cost was an important factor, the proposals were evaluated on the basis of expertise, reliability, and comprehensive service capabilities. WC3 and 4LEAF demonstrated a strong track record in handling Foster City projects and providing knowledgeable staff, which gives staff confidence in their ability to deliver. Their fee structure, though not the lowest, included additional services such as ongoing support

and proactive regulatory compliance checks. By entering into agreements with WC3 and 4LEAF Consultants, staff anticipates fewer complications and better long-term outcomes. This decision was the result of a thorough evaluation process where in addition to considering initial costs, the overall value and benefits provided by the consultant were considered.

It shall be noted that for building inspection and permit support services, the fee charged would be based on an hourly rate for personnel assigned as included in the fee proposal. However, for certain plan checks/reviews, the fee charged would be on fixed percentage basis and these fees will be paid directly to the consultant by the applicant. This is a common practice where for plan checks, consultants take a portion of the fees, usually 65% or 70% and city receives the remaining plan check fees. Plan check fees are paid at the time of permit submittal and the remaining fees, including building permit fees, General Plan and Title 15 Building and Title 17 Zoning Ordinance Maintenance Fees etc. are paid at the time of issuance of the permit.

The on-call services will help manage staffing challenges, meet the demands of new construction projects, and ensure consistent and efficient service delivery to the Foster City community including residents and businesses. Staff is recommending that City Council authorize the execution of agreements with the two (2) consultants, 4LEAF and WC3. In addition, staff is also recommending the length of the agreement to be for two (2) years instead of one (1) year to continue engaging on-call consulting services to provide coverage and ensure that the services are not interrupted.

## CEQA

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

## FISCAL IMPACT

The agreements for on-call building services include building inspection, permit support services, and plan reviews. There will be no fiscal impact for Plan check services as the partial fixed percentage fee based on City's master fee schedule would be paid directly by the applicant to the consultant. However, for staff augmentation services, staff is requesting an appropriation of \$150,000 each to Account No. 001-0820-424-42-51. The total amount for two (2) two-year contracts is \$300,000.

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

Smart Planning, Development, and the Local Economy

## ATTACHMENTS:

Attachment 1 – Resolution

Attachment 2 – 4LEAF Master Services Agreement

Attachment 3 – WC3 Master Services Agreement

Attachment 4 – 4LEAF proposal

Attachment 5 – WC3 proposal