



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Authorize Amending an Existing Contract with Fire & Risk Alliance, LLC for Temporary Personnel Services (F21-022)

REPORT IN BRIEF

Approval is requested to amend an existing contract with Fire & Risk Alliance, LLC of Rockville, Maryland for temporary personnel services, including fire protection system plan review and inspections for new construction, increasing the not to exceed contract amount by \$175,000 for a new not-to-exceed contract amount of \$2,500,000 and extending the term of the Agreement until December 31, 2021. Approval is also requested to authorize the City Manager to amend the contract for up to two years, if operationally necessary, subject to available budget, provided pricing and service remain acceptable to the City.

EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, City Council approval is required for the procurement of goods and/or services exceeding \$100,000 in any one transaction.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the action will have a significant effect on the environment.

BACKGROUND AND DISCUSSION

On February 9, 2016, City Council approved appropriating funds to add staff positions in the departments of Community Development, Public Works and Public Safety to respond to the workload needs of development and environmental review, construction permitting and construction inspections (RTC No. 15-0988). Additionally, funds were appropriated to support contracts for on-call building inspection and fire inspection services.

In January 2017, City Council approved appropriating additional Development Enterprise Fund Reserves to the temporary personnel service agreements for fire protection system plan review and inspection services for new construction (RTC No. 16-1022).

Due to growing development activities and continued staff vacancies, City Council approved amendments to the existing contract with Fire & Risk Alliance, LLC, in January 2018 (RTC No. 17-1135) and December 2018 (RTC No. 18-0838) increasing the total contract by \$1,100,000 to a new not-to exceed amount of \$1,475,000. In 2019, under the City Manager's delegated authority, the contract was extended until 12/31/2020 and increased to a new not-to-exceed amount of \$2,325,000.

To date, one of the five fire protection engineer (FPE) positions remain vacant in the Department of Public Safety (DPS). Two FPE positions were filled in July 2019; however, they were filled at the FPE I level as there were no adequate FPE II candidates. Recruitment and training efforts have been ongoing, and until all vacancies are filled, staff will need to continue relying on temporary personnel to meet ongoing workload demands.

Based on a review of past expenditures and increasing workload during the last 12 months, DPS staff estimates approximately \$175,000 in additional temporary staff services through December 2021 will be required to maintain the published turnaround times for inspections and plan check activities.

FISCAL IMPACT

Funding for fire protection system plan reviews and inspection services is provided in the Development Enterprise Fund. With higher than average levels of development there are sufficient revenues to fund this work. Additionally, the Fire Prevention operating budget will be underspent due to staff vacancies, offsetting the impact of this contract.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Take the following actions:

- Authorize the City Manager to execute the Seventh Amendment to an existing contract with Fire & Risk Alliance, in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed contract amount by \$175,000 for a new not-to-exceed contract amount of \$2,500,000 and extending the term of the Agreement until December 31, 2021; and
- Authorize the City Manager to amend the contract for up to two years, if operationally necessary, subject to available budget, provided pricing and service remain acceptable to the City.

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Phan Ngo, Director of Public Safety

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Draft Seventh Amendment to Temporary Personnel Services Agreement