

ITEM 4.8

CITY MANAGER'S REPORT OCTOBER 10, 2022 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE TASK ORDER NO. 30 WITH 4LEAF, INC. FOR BUILDING INSPECTION SERVICES**

RECOMMENDATION: **Adopt Resolution Approving Task Order No. 30 with 4LEAF Inc. to provide Building Inspection Services in the Building Department**

SUMMARY:

Due to the continued increase in construction activity related to capital improvement, private land development, residential, commercial, and industrial projects, staff requested a proposal from 4LEAF, Inc. (4LEAF), to provide continued professional services in the Building Department. A series of various task orders have been previously approved to provide various professional services within the Building Department, such as professional building inspection and plan checking.

Staff is requesting City Council approval of Task Order No. 30 with 4LEAF to provide continued professional consultant services in the capacity of Building Inspection Services for an amount not to exceed \$250,000.

Sufficient funds have been allocated in budget fiscal year 22/23.

BACKGROUND:

The Building Department is responsible for the permitting and inspection of construction (including but not limited to; new construction, additions, alterations, repairs, and remodeling) throughout the City's building permitting jurisdiction as required by the California Building Codes. The Building Department enforces the California Building Codes and the Lathrop Municipal Code.

Due to the continued increase in construction activity related to capital improvement, private land development, residential, commercial, and industrial projects, staff requested a proposal from 4LEAF to provide continued professional services in the Building Department for Building Inspection Services.

The City recovers its costs to provide building inspection services for active construction projects by charging a construction permit fee collected when building permits are issued. These services are fully funded in the Building Department budget and offset by revenue received from building permits.

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APPROVE TASK ORDER NO. 30 WITH 4LEAF INC., FOR BUILDING
INSPECTION SERVICES

Below is a summary table of previously approved task orders to date:

Task Order No.	Approved	Building Department Work Scope Description
1,2	2015	Staff Augmentation, Plan Check Services
3-5	2016	Plan Check & Inspection Services
6,7	2017	Plan Check & Inspection Services
8-11	2018	Interim Chief Building Official (CBO), Plan Check & Inspection Services
12-16	2019	Plan Check & Inspection Services, Interim CBO, Professional Services
17-24	2020-2021	Interim CBO, Inspection Services
25-29	2022	Interim CBO, Plan Check & Inspection, Code Enforcement Services

REASON FOR RECOMMENDATION:

Additional professional services are needed in the Building Department to keep up with the continued increase in construction activity related to capital improvement, private land development, and residential, commercial and industrial projects.

FISCAL IMPACT:

The cost of Task Order No. 30 is not to exceed \$250,000 and will be paid on a time and material basis. The proposed scope will provide professional services from October 2022 to March 2023. Sufficient funds have been allocated in fiscal year 22/23.

ATTACHMENTS:

- A. Resolution Approving Task Order No. 30 Pursuant to Master Consulting Agreement dated September 21, 2015 with 4LEAF, Inc. to provide Building Inspection Services in the Building Department
- B. Task Order No. 30 Pursuant to Master Consulting Agreement dated September 21, 2015 with 4LEAF, Inc. to provide Building Inspection Services

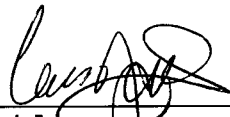
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APPROVALS:



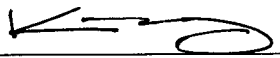
Ed Short
Chief Building Official

9-27-2022
Date



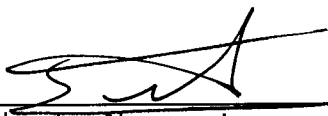
Cari James
Finance Director

10/4/2022
Date




Michael King
Assistant City Manager

9.29.2022
Date



Salvador Navarrete
City Attorney

10.3.2022
Date



Stephen J. Salvatore
City Manager

10.5.22
Date

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING TASK ORDER NO. 30 WITH 4LEAF INC. TO PROVIDE BUILDING INSPECTION SERVICES IN THE BUILDING DEPARTMENT.

WHEREAS, due to the continued increase in construction activity related to capital improvement, private land development, residential, commercial, and industrial projects, staff requested a proposal from 4LEAF to provide continued professional Building Inspection services in the amount of \$250,000; and

WHEREAS, the City utilizes contracting professional personnel services in the Building Department in order to keep pace with ongoing construction activity; and

WHEREAS, the cost of Task Order No. 30 is not to exceed \$250,000, and will be paid on a time and material basis. The proposed scope will provide professional services from October 2022 to March 2022.

NOW, THEREFORE, BE IT RESOLED, that the City Council of the City of Lathrop does hereby approve Task Order No. 30 with 4LEAF, Inc. to provide Building Inspection Services in the Building Department.

The foregoing resolution was passed and adopted this 10th day of October 2022, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

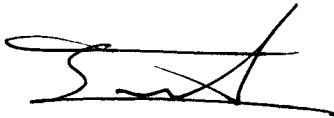
ABSTAIN:

Sonny Dhaliwal, Mayor

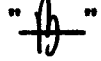
ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

**CITY OF LATHROP****TASK ORDER NO. 30****PURSUANT TO MASTER CONSULTING AGREEMENT DATED
SEPTEMBER 21, 2015 WITH 4LEAF, INC.****TO PROVIDE BUILDING INSPECTION SERVICES**

THIS TASK ORDER NO. 30 dated for convenience this **10th day of October 2022** is by and made and entered into by and between **4LEAF, Inc.** (“CONSULTANT”) and the **CITY OF LATHROP**, a California municipal corporation (“CITY”);

RECITALS:

WHEREAS, on September 21, 2015, CONSULTANT entered into a Master Agreement with the CITY, and parties approved an extension of the term to June 30, 2021, pursuant to Amendment No. 2, dated May 13, 2019. On March 8, 2021, City Council approved an extension of the term to June 30, 2023 pursuant to Amendment No. 3 (“AGREEMENT”), by which the CONSULTANT has agreed to provide Building Inspection Services; and

WHEREAS, CONSULTANT is specially trained, experienced, and competent to perform Building Inspection Services, which are required by this agreement; and

WHEREAS, CITY selected the CONSULTANT pursuant to said qualifications; and

WHEREAS, CONSULTANT is willing to render such Building Inspection Services, as hereinafter defined, on the following terms and conditions.

NOW, THEREFORE, CONSULTANT and the CITY agree as follows:

AGREEMENT**(1) Incorporation Of Master Agreement**

This Task Order hereby incorporates by reference all terms and conditions set forth in the Master Agreement for Consulting Services for this project, unless specifically modified by this Task Order.

(2) Scope of Service

CONSULTANT agrees to perform Building Inspection Services in accordance with the scope of work and fee proposal provided in Exhibit “A” to this Task Order.

CITY OF LATHROP – TASK ORDER NO. 30 WITH 4LEAF INC. TO PROVIDE BUILDING INSPECTION SERVICES

CONSULTANT agrees to diligently perform these services in accordance with the upmost standards of its profession and to the CITY'S satisfaction.

(3) **Effective Date and Term**

The effective date of this **Task Order No. 30** is **October 10, 2022**, and it shall terminate no later than **March 31, 2022**.

(4) **Compensation**

CITY hereby agrees to pay CONSULTANT hourly rates and other charges detailed in Exhibit "A" up to a total sum not to exceed **\$250,000** for the Interim Building Inspection Services. CONSULTANT shall be paid any uncontested sum due and payable within thirty (30) days of receipt of billings containing all information pursuant to Paragraph 5 in the Master Consulting Agreement Dated September 21, 2015.

(5) **Notice to Proceed**

Prior to commencing work under this agreement, CONSULTANT shall receive a written "Notice to Proceed" from CITY. A Notice to Proceed shall not be issued until all necessary insurance have been received. City shall not be obligated to pay CONSULTANT for any services rendered prior to issuance of the Notice to Proceed.

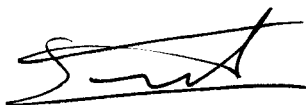
(6) **Signatures**

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

CITY OF LATHROP – TASK ORDER NO. 30 WITH 4LEAF INC. TO PROVIDE BUILDING INSPECTION SERVICES

Approved as to Form:

City of Lathrop
City Attorney



10-3-2022

Salvador Navarrete

Date

Recommended for Approval:

City of Lathrop
Public Works Director

Michael King

Date

Approved by:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore
City Manager

Date

CONSULTANT:

4LEAF Inc.
2126 Rheem Drive
Pleasanton, CA 94588
Fed ID # 94-3393574
Bus License # 20088

Signature

Date

Kevin J. Duggan, President
(Print Name and title)



2022 FEE SCHEDULE & BASIS OF CHARGES

For the City of Lathrop

All Rates are Subject to Basis of Charges

Inspection Services

Senior Combination Building Inspector (BIII)	\$130/hour
Commercial Building Inspector (BII)	\$118/hour
Residential Building Inspector (BI)	\$106/hour
Inspector of Record (including DSA or OSHPD)	\$158/hour
Public Works Inspector	\$163/hour
CASp Inspection	\$170/hour
Fire Inspection	\$155/hour
Hourly overtime charge per inspector	1.5 x hourly rate
Mileage (for inspections performed within the City)	IRS Rate+ 20%

BASIS OF CHARGES

Rates are inclusive of "tools of the trade" such as forms, telephones, and consumables.

- All invoicing will be submitted monthly.
- Inspection services work is subject to 4-hour minimum charges unless stated otherwise.
- 4LEAF assumes that these rates reflect the task order period of June 2022 to December 2022.
- Overtime and Premium time will be charged as follows:

- Regular time (work begun after 5AM or before 4PM)	1 x hourly rate
- Nighttime (work begun after 4PM or before 5AM)	1.125 x hourly rate
- Overtime (over 8-hour M-F or Saturdays)	1.5 x hourly rate
- Overtime (over 8 hours Sat or 1 st 8-hour Sun)	2 x hourly rate
- Overtime (over 8 hours Sun or Holidays)	3 x hourly rate
- Overtime will only be billed with prior authorization of designated Authority personnel.
- All work with less than 8 hours rest between shifts will be charged the appropriate overtime rate.
- In accordance with California's Meal Break and Rest Break Law requirements, Client will be billed one (1) additional hour per day at the regular time rate for each missed meal or rest break due to Client-directed tasks or requirements. Client should allow 4LEAF's non-exempt, hourly employees the opportunity to take their entitled rest and meal breaks during each work shift.
- If 4LEAF is requested or otherwise required to conform to Client's alternative work week schedule ("AWW"), Client hereby agrees to compensate or reimburse 4LEAF for all overtime paid to its employees who work an AWW.



4LEAF, INC.

ENGINEERING . CONSTRUCTION MANAGEMENT
PLAN CHECK . BUILDING INSPECTION . PLANNING

-
- If 4LEAF's affected employment group approves an AWW election and the same is registered, the overtime compensation/reimbursement shall not be required.
 - Mileage driven during Inspections will be charged at cost plus 20%.
 - Payment due on receipt. All payments over 30 days will be assessed a 1.5% interest charge.
 - Client shall pay attorneys' fees, or other costs incurred in collecting delinquent amounts.
 - Client agrees that 4LEAF's liability will be limited to the value of services provided.