



Board Agenda Item 40

DATE: October 19, 2021

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Agreement with Consultant for Miscellaneous On-Call Professional Services

RECOMMENDED ACTIONS:

Approve and authorize the Chairman to execute an agreement with Southern Yosemite Engineering, Inc., to provide on-call professional consultant services, effective upon execution, with a three-year base contract and two optional one-year extensions, total not to exceed \$500,000.

Approval of the recommended action will supplement the list of on-call consultants previously chosen through the County's formal selection process, by adding a third electrical engineering firm. While there is no guaranteed minimum amount the County is required to pay to the consultant, the maximum total of the agreement will not exceed \$500,000. This item is countywide.

ALTERNATIVE ACTION:

If the recommended action is not approved, projects may be delayed because some projects may require an independent professional consultant services selection process in order to obtain the electrical engineering services required for their completion.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. A not-to-exceed cost for each project will be negotiated and authorized in writing by the Department of Public Works and Planning (Department), in consultation with the user departments, prior to the commencement of work. The user departments will pay the capital project costs. Sufficient appropriations and estimated revenues are included in the user departments Orgs for the FY 2021-22 Adopted Budget. As the services are provided, costs will be paid for or reimbursed by the user departments.

DISCUSSION:

Specialized professional service consultant contracts are necessary to assist the Department in the completion of a number of capital projects of varying sizes. Other county departments are able to use the contracts through the Department's Capital Projects Division. The contracts provide for such consultants to be on-call for assignments to supplement the services provided by the Department's Capital Projects Division staff. The Department has determined that it is less costly and more efficient to administer smaller project elements under specialty professional consultant service agreements rather than solicit proposals, select consultants, and administer separate agreements for each project.

With multiple consultants under contract for specialized services, and given the number of capital projects

that may be pending development with critical time lines for delivery, assignments are based upon availability of the firm, experience and performance with similar work, and the fee proposal for the specific project's anticipated service. The Department utilizes firms with relevant experience and expertise on a project specific level. Each project's specific anticipated scope is identified and defined in advance of proposal approval and work execution.

On March 1, 2019, the Department issued a Request for Qualifications (RFQ) entitled General On-Call Consultant Services Various Capital Improvement Projects in accordance with County Ordinance Code, Chapter 4.10 for the Selection of Architects, Engineers, and Other Professionals. The RFQ sought submittals from firms for the following disciplines: architectural, structural, electrical, cost estimating, civil, geotechnical and materials testing, and from firms offering a combination of these professional services.

A selection committee comprised of representatives from the Department reviewed and evaluated the statements based on Board of Supervisors' approved criteria. The Department received 35 responses, and the selection committee recommended entering into contract negotiations with 30 of those firms.

On October 8, 2019, the Board approved the contract template and authorized the Department's Director to negotiate and execute contracts with up to 30 firms, in a maximum amount of \$500,000 - \$600,000 each, with a cumulative total for all contracts combined not to exceed \$18,000,000. Currently 23 such contracts have been executed, twenty (20) of which are with firms specializing in a single discipline for a maximum amount of \$500,000 each, and the other three contracts are with firms providing multi-disciplinary services, for a maximum amount of \$600,000 each. Accordingly, the cumulative combined maximum total for all 23 contracts executed to date by the Director, pursuant to such authorization, is \$11.8 million. As of the date of preparation of this report, approximately \$1.3 million has been expended under those 23 contracts.

The terms of the agreement will be advantageous to both the County and consultant. Due to the diversity in the size of the consulting firms, the liability insurance limits are slightly less than the recommended limits listed in the County's standard model contract provisions; therefore, Risk Management has been advised of the revised lowered limits included in the contract. This will ensure that smaller sized firms are not effectively eliminated from contracting with the County due to the expense necessary to carry large amounts of liability insurance coverage for work on smaller projects.

Southern Yosemite Engineering, Inc. (Southern Yosemite) would have submitted a response to the RFQ but was unaware back in 2019 of its having been issued. Department staff is very familiar with the qualifications and experience possessed by members of this firm's staff and on that basis recommends the addition of Southern Yosemite to the list of on-call consultants. The firm's reasonably proximate location in Oakhurst is another plus in terms of both mutual interest and the firm's availability to respond in a timely manner to requests for on-call services. Because difficulties have arisen with the availability of one of the only two on-call electrical engineering firms under contract, Southern Yosemite's addition to the list of on-call consultants would fulfill a serious need for such specialized services.

The proposed consultant services agreement with Southern Yosemite Engineering, Inc. is substantially identical to the template agreement that was approved by your Board in October 2019 and that was used for the 23 agreements previously executed by the Director with the on-call firms currently under contract. Given the lapse of time since your Board's delegation of such authority, it was determined by the Director that this agreement should be brought to your Board for approval and execution.

REFERENCE MATERIAL:

BAI 48, October 8, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - On Call Professional Services Agreement with Consultants

CAO ANALYST:

Ron Alexander