



# Board Agenda Item 48

DATE: October 8, 2019

TO: Board of Supervisors

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

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

RECOMMENDED ACTIONS:

- 1. Authorize the Director of the Department of Public Works and Planning, or designee, to negotiate agreements with up to thirty (30) private engineering and architectural firms to provide multi-disciplinary on-call professional consultant services, effective upon execution, not to exceed five consecutive years, each of which will provide for a three-year base contract and two optional one-year extensions, total not to exceed \$500,000 to \$600,000, a combined maximum total of \$18,000,000; and**
- 2. Authorize the Director of the Department of Public Works and Planning, or designee, upon review and approval by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute the Consultant Services Agreements to expedite services needed on various projects.**

Approval of the recommended actions will streamline the consultant selection and retention process, allowing work to commence promptly as the need arises on various and varying sized capital projects. There is no guaranteed minimum amount the County is required to pay to each consultant; however the combined maximum total of the agreements will not exceed \$18,000,000. This item is countywide.

ALTERNATIVE ACTION:

If the recommended actions are not approved, projects may be delayed because each will require an independent professional consultant services selection process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The agreements with professional consultants to provide multi-disciplinary on-call services would range between \$500,000 to \$600,000, a combined total of \$18,000,000, for all agreements. A not-to-exceed cost for each project will be negotiated and authorized in writing by the Department of Public Works and Planning, 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 2019-20 Adopted Budget. As the services are provided, costs will be paid for or reimbursed from by the user departments.

DISCUSSION:

Specialized professional service consultant contracts are necessary to assist the Department in the completion of a variety and varying sized capital projects. Other county departments will be able to use the contracts through the Department's Capital Projects Division. The selected consultants will be for on-call 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.

Given the number of capital projects that may be pending development with critical time lines for delivery, the Department recommends that multiple professional consultants be placed under contract. The Department will be able to contract trade work as needed resulting in timelier and dependable project delivery. The Department will utilize firms with relevant experience and expertise on a project specific level. With multiple consultants under contract for specialized services, assignments will be based upon availability of the firm, experience and performance with similar work, and fee proposal for the specific project's anticipated service. Each project's specific anticipated scope will be 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. Thirty-five statements of qualifications were received by the March 22, 2019 deadline for the following disciplines: architectural, structural, electrical, cost estimating, civil, geotechnical and materials testing, and 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. After considering the qualifications, experience, familiarity with County projects, past performance, size of staff, availability and consultants' hourly rates, the committee recommended 30 firms enter into contract negotiations.

To meet schedule requirements, Department staff is requesting that the successfully negotiated contracts be approved by the Director of the Department, upon review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form.

Attachment A is a consultant services agreement template that is substantially identical to the agreement that will be sent to the consultants for approval. 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.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

Sonia M. De La Rosa