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DATE: March 13, 2013  
TO: Honorable Mayor and City Councilmembers  
FROM: Development Services Department  
SUBJECT: **AMENDMENT TO PROJECT PARTNERS INC. PROFESSIONAL SERVICES AGREEMENT FOR CONTRACT BUILDING INSPECTOR**

**SYNOPSIS**

Staff recommends that the City Council approve the adoption of a budget amendment increasing the expenditure and revenue budget of the Building Division by \$57,000; and approve Amendment 1 in the amount of \$57,000 to the existing professional services agreement with Project Partners Inc., for contract building inspector services, and authorize the City Manager to execute the amendment.

**BACKGROUND**

In November 2012, the City entered into a professional services agreement with Project Partners Inc., in the amount of \$24,500 to provide a contract Building Inspector I due to increased volume of building inspection workload. Initial funding for the contract building inspector was derived from the FY 2012-13 approved budget for Building Division contractual services. That \$24,500 will be expended by the end of March 2013. The high volume of building inspection workload continues, thus necessitating the continuation of the contract building inspector position.

In addition, the City is obligated to conduct mobile home park inspections under the responsibilities of the California Mobile Home Park Act. The City collects mobile home park inspection fees prescribed by the State, which will total \$33,820 in 2013. These funds are deposited into the General Fund. The City is required to inspect 300 existing mobile home units each year under the program requirements.

**ANALYSIS**

Staff is recommending the continued use of the contract Building Inspector I for performing inspections on permitted construction projects and for mobile home park inspections. This approach will allow for the City to conduct inspection requests for permitted construction projects in a timely manner and to perform the mobile home park inspections required by the State.

The use of the contract Building Inspector I allows the City flexibility with staffing while trends in construction activity are evaluated for economic sustainability. The positive increases in construction activity seen over the past year have resulted in increased revenue and corresponding workload for the Building Division. It is prudent to observe the construction activity trends for another period of time prior seeking authorization to add another Building Inspector to the workforce.

### **FISCAL IMPACT**

Current revenue from all sources for Building Division activity is currently at 70 percent of budgeted revenue and is expected to exceed the budget by approximately \$200,000. With the \$57,000 increase in the revenue budget (400401101.4161.0001) and the \$57,000 increase in professional services (400401101.5305), there are sufficient funds available to fund \$57,000 for the proposed amendment to Project Partners, Inc. These funds will cover costs for the entire mobile home inspection program as well as provide for the continuation of contract inspection services through the end of FY 2012-13.

### **INSURANCE REQUIREMENTS**

City's insurance requirements will be maintained.

### **COMMISSION OR COMMITTEE REPORT**

Does not apply.

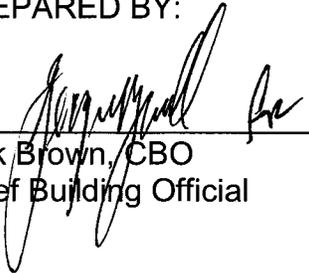
### **CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

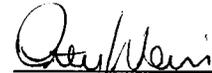
**RECOMMENDATION**

Staff recommends that the City Council approve the adoption of a budget amendment increasing the expenditure and revenue budget of the Building Division by \$57,000; and approve Amendment 1 in the amount of \$57,000 to the existing professional services agreement with Project Partners Inc., for contract building inspector services, and authorize the City Manager to execute the amendment.

PREPARED BY:

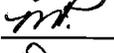
  
\_\_\_\_\_  
Rick Brown, CBO  
Chief Building Official

SUBMITTED BY:

  
\_\_\_\_\_  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
George Buell, Development Services Director  
Margery Pierce, Neighborhood Services Director  
Teri Ferro, Financial Services Director

  
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Attachments

1. Amendment 1 to PSA with Project Partners Inc.

**CITY OF OCEANSIDE**  
**AMENDMENT 1 TO**  
**PROFESSIONAL SERVICES AGREEMENT**

**PROJECT: Development Services Department Building Inspector**

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (hereinafter "Amendment"), dated 3/4/ 2013 for identification purposes, is made and entered into by and between the CITY OF OCEANSIDE, a municipal corporation, hereinafter designated as "CITY", and Project Partners, Inc., hereinafter designated as "CONSULTANT."

**RECITALS**

WHEREAS, City and Consultant are the parties to that certain Professional Services Agreement dated November 19, 2012, hereinafter referred to as the "Agreement", wherein Consultant agreed to provide certain services to the City as set forth therein;

WHEREAS, the Development Services Department is in need of the services of a Temporary Building Inspector I;

WHEREAS, the parties desire to amend the Agreement to provide for changes and /or modifications to increase the contract by \$57,000.

**AMENDMENT**

NOW, THEREFORE, as set forth herein, the parties hereto do mutually agree that the Agreement shall be amended as follows:

1. SCOPE OF WORK: Services will continue as specified in the agreement.
2. COMPENSATION: Total compensation for all work performed in accordance with this amendment shall not exceed \$57,000. Hourly billing rates specified in the Agreement shall remain in effect.
3. Except as expressly set forth in this Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

**Development Services Department Building Inspector**

**SIGNATURES.** The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment on behalf of the respective legal entities of the CONSULTANT and the CITY.

IN WITNESS WHEREOF the parties hereto being duly authorized on behalf of their respective entities to execute this Amendment, do hereby agree to the covenants contained in the Agreement, including this Amendment, and have caused this Amendment to be executed by setting hereunto their signatures on the dates set forth below.

PROJECT PARTNERS, INC.

By: *Kim Look*  
Kim Look, P.E., Principal

Date: 3-4-13

By: *Kim Look*  
Kim Look, P.E., Secretary

Date: 3-4-13

CITY OF OCEANSIDE

By: \_\_\_\_\_  
Peter Weiss, City Manager

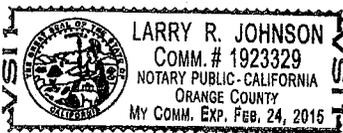
Date: \_\_\_\_\_

APPROVED AS TO FORM:

33-0736965  
Employer ID No.

*Robert A. Hamilton*, ASST.  
City Attorney

**NOTARY ACKNOWLEDGMENTS OF CONSULTANT MUST BE ATTACHED.**



State of California  
County of Orange  
On 3/4/13 before me, Larry R. Johnson, Notary Public,  
personally appeared Kim Look  
who proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that  
by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.  
I certify under PENALTY OF PERJURY under the laws of the State of California  
that the foregoing paragraph is true and correct.  
WITNESS my hand and official seal.

*Larry R. Johnson*