



# City of Rialto

## Legislation Details (With Text)

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**Title:** Request City Council to Approve the First Amendment to the Professional Services Agreements with Engineering Resources of Southern California and Willdan Engineering for On-Call Plan Check Services to Increase the Estimated Amount of Plan Check Services from \$300,000 to \$500,000 Annually.

**Sponsors:**

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**Code sections:**

**Attachments:** 1. Attachment 1 - Disclosure Statement ERSC.pdf, 2. Attachment 2 - Disclosure Statement Willdan.pdf, 3. Attachment 3 - ERSC First Amendment.pdf, 4. Attachment 4 - Willdan First Amendment.pdf

Date	Ver.	Action By	Action	Result
9/28/2021	1	City Council		

For City Council Meeting [September 28, 2021]

**TO:** Honorable Mayor and City Council

**APPROVAL:** Marcus Fuller, City Manager

**FROM:** Michael Tahan, Interim Public Works Director

Request City Council to Approve the First Amendment to the Professional Services Agreements with Engineering Resources of Southern California and Willdan Engineering for On-Call Plan Check Services to Increase the Estimated Amount of Plan Check Services from \$300,000 to \$500,000 Annually.

**(ACTION)**

### **BACKGROUND:**

One of the important functions of the Public Works Department is to review various plans and technical studies related to City-approved private land development projects. Following the entitlement process, an owner or developer will engage its own engineering consultant to prepare the required improvement plans for on-site rough grading, precise grading/paving, on-site or off-site storm drainage improvements, public street improvements, traffic signal installation and other associated work. These plans require technical studies (geotechnical/soils, hydrology/hydraulic, traffic, water quality management plans, drainage, grading, etc.) which supplement the improvement plans for the required work which also require review by the City. Public Works coordinates closely with developers to be responsive and facilitate their projects smoothly and timely.

On July 28, 2020, the City Council approved an On-call Professional Service Agreements with Engineering Resources of Southern California (ERSC) and Willdan Engineering (Willdan) for On-Call

Plan Checking Services. At the time, the annual level of plan check services was estimated at \$300,000 each.

**ANALYSIS/DISCUSSION:**

ERSC and Willdan's scope of services includes civil engineering plan-check services for various development related approvals and plan checking of the items identified below:

- Rough Grading
- Precise On-site Grading/Paving
- Public Street, Sewer, Water, Storm Drain, Traffic Signal, Traffic Striping/Signing, Landscape and Irrigation, and Street Light/Lighting Plans.
- Subdivision Maps, Tract Maps, Parcel Maps, Parcel Merger, Lot Line Adjustments, Right-of-Way Dedications, Right-of-Way Vacations, and public easements.
- Hydrology/Hydraulic Reports, Sewer Reports, Traffic Studies, Geotechnical Reports, and Water Quality Management Plans.

As development continues, there is a continued need to have plan checking services from ERSC and Willdan. The number of land development projects that receive plan-checking services by each vendor has increased. Additionally, almost all applicants are taking advantage of the expedited plan check services, where the plan check time is reduced for an added 50% fee above the normal fee. City Staff also anticipates requiring plan checking services for known existing and upcoming land development projects. A descriptive list of the on-going and upcoming land development projects that will potentially require plan-checking services through the end of FY2021/2022 are listed below.

ERSC is currently supporting the City with Plan Checking Services for the following represented projects, but not limited to:

- Lennar Homes Tract Map 20092 ("A" Map that creates 6 large planning areas and backbone improvements)
  - Tract Map 20205 Planning Area 2 for 146 houses
  - Tract Map 20206 Planning Area 3 for 87 houses
  - Tract Map 20209 Planning Area 6 for 131 houses
  - Tract Map 20208 Planning Area 5 for 205 clustered houses

Willdan is currently supporting the City with the Plan Checking Services for the following represented projects, but not limited to:

- Orbis Warehouse - 1900 W Renaissance Parkway
- Dedeaux - 10624 Lilac Avenue (Warehouse)
- Richmond American Homes - Tract 20237 E. Acacia Avenue (E. Acacia Avenue - 52 Single Family Residential Lots)
- Abdel Awal - Parcel Map 20275 (Idyllwild Avenue - 2 Single Family Residential Lots)
- Best 1 Trucking (Industrial Building)
- 840 S. Lilac Avenue (1 Single Family Residential Lot)
- Rialto Trucking - 2180 Willow Avenue (Old Dominion Truck Parking)
- Ecology Auto Parks - 221 E. Santa Avenue
- Beyond Foodmart & Fuel Stations

- 1944 N. Alder Avenue
- South East Corner of Santa Ana and Cedar Avenues
- South West Corner of Riverside and Randall Avenues
- Parcel Map 19557 - 540 E. Merrill Avenue
- Seasons - Tract 20108 (52 Single Family Residential Lots - 771 S. Sycamore Avenue)
- Sycamore 32 (1 Single Family Residential Lot - S. Acacia Avenue)
- Prestige Renaissance Group - South East Corner of Alder Avenue and Renaissance Parkway
- SC Flyer - 571 W. Slover Avenue (Warehouse)
- R37491 - Lilac Avenue (Storm Drain Extension)
- Warehouse - El Rivino Drive and Cactus Avenue
- Cedar Villas - Tract 20294 (22 Single Family Residential Lots)
- Correction of Deeds - APN 0258-0112-13-0000
- Casa Grande Drive and Mango Avenue (Street Improvement)
- Lot Line Adjustment - 1181 N. Terrace Road
- Lot Line Adjustment - 1182 N. Terrace Road
- Moti Family Development - 612 E. Foothill Boulevard
- Lynn Trucking - 11190 Riverside Avenue (Truck Wash Station)
- Crown Enterprises - 2765 S. Riverside Avenue (Storage Lot)
- RBV Investment Group - Bonnie View (56 Single Family Residential Lots)
- Coronado Stone Development - 201 S. Cactus Avenue

These fees as they relate to plan check services is on a “pass-through” basis, whereby the City will collect plan check fees from a developer sufficient to cover the plan check fees to pay for the services provided by ERSC and Willdan Engineering. Upon receipt of payment from a developer, plan check revenues will be recognized in the General Fund-Engineering Services Account which will offset the expenditure for plan check services to be paid from the General Fund- Engineering Services.

The current Agreements with ERSC and Willdan approved in Fiscal Year 2020/2021 are one (1) year agreements with two (2) optional one (1) year extensions for a maximum of three (3) years.

Fiscal Year 2021/2022 represents the first of the two (2) optional one (1) year extensions.

Based on the level of plan check activity, Staff recommends increasing the annual budget to \$500,000 each. The actual level of plan check activity and the contract amount to be paid will correlate directly with plan check fees collected for those services.

Copies of the Disclosure Statements and First Amendments for both vendors are included as **Attachments 1 through 4**.

### **ENVIRONMENTAL IMPACT:**

The requested City Council action is not a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

### **GENERAL PLAN CONSISTENCY:**

This action is consistent with Guiding Principle 3A in the General Plan:

*Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.*

Approval of this action also complies with the following City of Rialto General Plan Goals and Policies:

**Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.**

**Goal 4-1: Provide transportation improvements to reduce traffic congestion associated with regional and local trip increases.**

Policy 4-1.1: Establish and maintain standards for a variety of street classifications to serve both local and regional traffic, including Major Arterial Highways, Major Arterials, Secondary Arterials, Collector Streets, and Local Streets.

Policy 4-1.20: Design City streets so that signalized intersections operate at Level of Service (LOS) D or better during the morning and evening peak hours, and require new development to mitigate traffic impacts that degrade LOS below that level. The one exception will be Riverside Avenue south of the Metrolink tracks all the way to the City's southern border, which can operate at LOS E.

Policy 4-1.21: Design City streets so that unsignalized intersections operate with no vehicular movement having an average delay greater than 120 seconds during the morning and evening peak hours, and require new development to mitigate traffic impacts that increase delay above that level.

### **LEGAL REVIEW:**

The City Attorney has reviewed and supports the staff report and First Amendment.

### **FINANCIAL IMPACT:**

#### **Operation Budget Impact**

Approved agreements with ERSC and Willdan provides services to the City as an "on-call" agreement. Scope of services required by the Agreement vary dependent upon the number and type of development services items requiring the Consultant's plan check services. The annual level of "on-call" plan check services required by the Agreement is unknown, and may significantly increase or decrease from year to year.

Execution of the Amendment to this Agreement as it relates to plan check services is on a "pass-through" basis, whereby the City will collect plan check fees from a developer sufficient to cover the plan check fees to pay for the services provided by ERSC and Willdan. Upon receipt of payment from a developer, plan check revenues will be recognized in the General Fund-Engineering Services Account No. 010-400-7262-7629/7625, which will offset the expenditure for plan check services to be paid from the General Fund - Engineering Services Account No. 010-500-7262-2011.

The 2021/2022 fiscal year budget identifies \$1,000,000 as estimated revenue from plan check fees charged to developers, out of which expenditures associated with the proposed Amendment to the Agreement with ERSC and Willdan are paid. Staff recommends that the City Council approve the First Amendments to increase the annual level of plan check services to \$500,000 with each firm. Payments will be processed through a Purchase Order Increase with both firms in the total amount of \$200,000 each under PO No. 2022-0561 and PO No. 2022-0757 for Fiscal Year 2021/2022.

Budget is available from FY2020-21 in the Engineering General Fund Account No. 010-500-7262-2011 that will be carried forward in FY2021-22 for the purchase order increases pursuant to the proposed agreement amendments with ERSC and Willdan in the amount of \$200,000.

**LICENSING:**

A Business license application and payment of a Business License tax at the Professional Service rate of \$254 will be paid by both ERSC and Willdan.

**RECOMMENDATION:**

Staff recommends that the City Council:

1. Approve the First Amendment to the Professional Service Agreement with Engineering Resources of Southern California, to increase the annual contract sum from \$300,000 to \$500,000;
2. Approve the First Amendment to the Professional Service Agreement with Willdan Engineering, to increase the annual contract sum from \$300,000 to \$500,000;
3. Authorize the City Manager to execute all documents.