



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: July 18, 2023

TO: Paul Buddenhagen, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Authorizing A Second Amendment Of The Professional Services Contract With West Coast Code Consultants (WC³) For Fiscal Year 2022-2023 For Building Division Services In An Amount Of \$250,000 To Cover Expanded Services For A Total Amount Not To Exceed \$3,091,714 And Increasing Revenues And Expenditures In The Building Division Budget For Fiscal Year 2022-2023

RECOMMENDATION

Staff recommends that the City Council approve the above-entitled resolution authorizing a Second Amendment to the fiscal year 2022-2023 West Coast Code Consultants (WC³) contract to increase compensation by \$250,000 from \$2,841,714 to \$3,091,714 for previously unbudgeted plan review services to the Building Division and making corresponding increases in revenues and expenditures in the Community Development Department budget for fiscal year 2022-2023.

DISCUSSION/ANALYSIS

The WC³ contract was approved by the City Council on June 21, 2022, by Resolution No. 22-77. A first amendment to this contract was approved by the City Council on March 21, 2023, by Resolution No. 23-31. Subsequently, the following additional major projects were submitted for plan review services to the Building Division:

Description	Address	Valuation	Total City Plan Check fee Collected	Consultant Plan Review Fee
Speculative Office and Lab Tenant Improvements	6601-6603 Shellmound Street	\$18,041,948	\$111,860.08	\$78,302.05
Bay Center Life Science Lab Tenant Improvements	6475 Christie Avenue, 3rd Floor	\$5,000,000	\$31,000.00	\$21,700.00
Fogo de Chao - Tenant Improvements Valuation Revision	5633 Bay Street	\$2,582,223	\$24,014.67	\$16,810.27
Nellie Hannon Gateway – Valuation Revision	3600 San Pablo	\$24,115,348	\$149,515.16	\$104,660.61
Totals			\$316,389.91	\$221,472.93

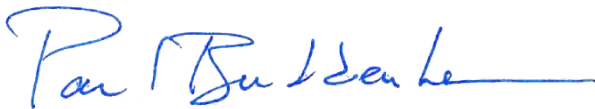
The existing contract executed with WC³ for fiscal year 2022-2023, does not include the cost to provide plan check for these projects or for other unanticipated major development projects or baseline projects that were submitted after passage of Resolution No. 23-31. Therefore, Section 3B of the Professional Services Agreement, “Compensation and Method of Payment”, should be revised from \$2,841,714 to \$3,091,714 an increase of \$250,000, which is the estimated cost to provide these additional services by WC³.

FISCAL IMPACT

An appropriation from the General Fund (Fund 101) of \$250,000 to the Building Division Professional Services – Plan Check Fees account (1730-80480) is required to cover this contract increase. To offset this additional expense, revenues should likewise be increased, including an increase of \$300,000 in the Plan Checking account (1730-58400); \$57,000 in the Title 24 Energy Review Fee account (1730-58380). Revenues exceed expenditures because expenditures include only consultant services, whereas revenues must also cover other City expenses such as overhead and administrative costs.

PREPARED BY: Victor R. Gonzales, Chief Building Official

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Paul Buddenhagen, City Manager

ATTACHMENTS:

- Draft Resolution including Exhibit A, Second Amendment to Contract with WC³