

# Agenda Report

July 14, 2014

**TO:** Honorable Mayor and City Council

**THROUGH:** Finance Committee

**FROM:** Planning & Community Development Department

**SUBJECT: AMENDMENT THE EXISTING PURCHASE ORDER WITH PACIFIC MUNICIPAL CONSULTANTS (PMC), TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY \$176,911 FROM \$43,589 TO \$220,500 FOR AN ENVIRONMENTAL REVIEW COORDINATOR**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the City Manager to retroactively amend the existing purchase order with Pacific Municipal Consultants (PMC) by increasing the contract amount by \$176,911 for a new total not to exceed amount of \$220,500 for continued environmental review services and extend the contract to December 31, 2014;
2. To the extent this transaction could be considered a separate procurement subject to competitive selection, grant the proposed contract with PMC an exemption from the Competitive Selection process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to P.M.C. section 4.08.049 (B), contracts for which the City's best interests are served; and
3. Find that the amendment to the purchase order with PMC is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b) (3) (General Rule).

## **BACKGROUND:**

The Planning and Community Development Department's Planning Division reviews public and private projects to ensure compliance with the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Air Quality Management District regulations, State and County Hazardous Material programs and various land use planning laws and guidelines. Currently, the City does not have an in-house planner with specialized technical expertise in environmental compliance, including expert knowledge in CEQA and the preparation of Environmental Impact

Reports. The Department intends to fill this position with a full-time, permanent employee prior to the end of this calendar year.

In the meantime, in January of 2013, the City released a Request for Qualifications for an Environmental Review Coordinator to ensure that public and private projects reviewed by the City are in compliance with environmental regulations. The work program for the environmental review coordinator includes preparation of Initial Studies; managing the preparation of Environmental Impact Reports; peer review of CEQA documentation; oral presentations before the City Council, Commissions and other groups as assigned; and other duties related to compliance with environmental clearance.

On January 18, 2013, proposals were received per the Request for Qualifications (RFQ) for an environmental review coordinator and evaluated using the criteria set forth in the RFQ, in accordance with the City's competitive selection process for professional services.

Based upon the evaluation criteria, ultimately, Pacific Municipal Consultants (PMC) was determined to be the most qualified to perform the required services for the City. A purchase order was issued in March 2013 for \$74,999 for a one year term. The last invoice paid to PMC was in October 2013 with a remaining balance of \$4,921.20 on the purchase order.

The City has seen a sustained increase in the volume of projects requiring environmental clearance over the last year thus increasing the workload for the environmental review coordinator. In order to not cause a delay in the environmental review process, and prior to staff completing a contract for anticipated work through the end of this calendar year, PMC has continued providing services while awaiting a contract amendment. Staff has not timely agendized this report; however, staff has been cautiously tracking the salary savings from the vacant planner positions to ensure that there are available funds to cover 100% of the costs associated with the environmental review coordinator's services. In order to ensure that future invoices are monitored and contracts are not exceeded, staff will be trained on invoice tracking along with a centralized system of invoice monitoring for checks and balances. In the future, contract amendments will be agendized for City Council approval as soon as a contract is running low on its balance.

The current unpaid balance due to PMC is \$85,521.25 for invoices from November 2013 through the current invoice of May 2014. The \$176,911 requested will pay for the outstanding balance and will cover services through the end of the calendar year.

The Planning and Community Development Department intends to fill this position with a full-time City Employee and has been actively working with the Human Resources Department on recruitment. Although the action requested of the City Council this evening would allow the Department to continue utilizing contract services until December of 2014, it envisioned that a full time employee will fill this position before that

date and all costs associated with this contract are to be paid by the Department's salary savings for vacant positions.

In order to review existing and anticipated projects for the remainder of the calendar year, it is in the best interest of the City to recommend that the contract with PMC be increased to a not to exceed amount of \$220,500.

**COUNCIL POLICY CONSIDERATION:**

The proposed contract furthers City Council's strategic plan goals of ensuring public safety and increasing conservation and sustainability. Additionally, it furthers the City's mission to deliver exemplary municipal services.

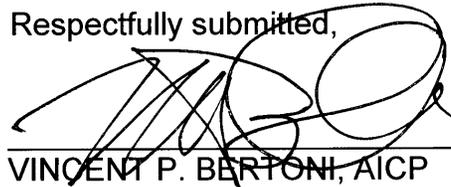
**ENVIRONMENTAL ANALYSIS:**

This project is exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b) 3. This contract is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to the provisions of CEQA.

**FISCAL IMPACT:**

This contract will be paid out of salary savings from the vacant planner positions in the Planning Division.

Respectfully submitted,



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