




**CITY COUNCIL ACTION REQUEST**

<b>Department(s):</b> Finance	<b>CEQA:</b> Not a Project, File No. PP17- 003, Agreements/ Contracts (New or Amended) resulting in no physical changes to the environment	<b>Coordination:</b> City Attorney’s Office, City Manager’s Budget Office and Fire Department	<b>Dept. Approval:</b> /s/ Rick Bruneau
<b>Council District(s):</b> Citywide			<b>CMO Approval:</b>  9/18/23

**SUBJECT: ACTIONS RELATED TO THE AGREEMENT WITH BRYCER, LLC FOR FIRE CODE AND ADMINISTRATION SERVICES**

**RECOMMENDATION:**

Adopt a resolution authorizing the City Manager or designee to:

- (a) Negotiate and execute an agreement with Brycer, LLC (Warrenville, IL) for fire code and administration services at no cost to the City for an initial one-year term beginning on the date of City’s execution;
- (b) Negotiate and execute amendments and change orders as required for unanticipated changes in requirements; and
- (c) Exercise up to six additional one-year options to extend the term of the agreement.

**Desired Outcome:** Authorizing the City Manager to take this action provides fire code and administration services to the Fire Department to ensure compliance with adopted fire codes and fire and life safety system inspection reports as outlined in the National Fire Protection Association code.

**BASIS FOR RECOMMENDATION:**

In February 2023, the Finance Department issued a Request for Quotation (RFQ) on behalf of the Fire Department for fire code and administration services. Over 6,600 vendors were notified of the bid opportunity, and six companies viewed the solicitation. One responsive bid was received prior to the submittal deadline. Based on these bid results, a notice of intended award was issued on June 30, 2023 recommending award to Brycer, LLC as the sole responsive and responsible bidder. No protests were received.

There is no cost to the City for these services. Instead, Brycer will collect applicable fees (\$27 per report) from third-party inspectors on behalf of the City. Brycer will retain \$17 per report for its fee and return to the City \$10 per report to cover the City’s costs. This revenue, estimated to be approximately \$96,000 per year based on 9,600 inspect reports per year, will be used by the Fire Department to partially offset its related operational costs.

Approval of this recommendation will authorize staff to negotiate and execute an agreement with Brycer, LLC to provide the Fire Department with (1) fire code and administration services to ensure compliance with adopted fire codes; (2) fire and life safety system inspection reports as outlined in the National Fire Protection Association code; and (3) approximately \$96,000 per year in revenues to help offset related program costs.

Commission Recommendation/Input: There is no commission recommendation or input associated with this action.

**COST AND FUNDING SOURCE:**

Fund #	Appn #	Appn. Name	Total Appn.	Rec. Budget Action	2023-2024 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No)
001	R120	Fees, Rates, and Charges	\$22,372,680	\$96,000	N/A	06/20/23; 23-248
001	0542	Non-Personal/Equipment	\$12,973,621	\$96,000	513	06/20/23; 30933

\* The 2023-2024 Adopted Operating Budget was approved on June 13, 2023 and adopted on June 20, 2023 by the City Council.

**FOR QUESTIONS CONTACT:** For procurement-related questions, please contact Albie Udom, Deputy Director of Finance – Purchasing and Risk Management, at [albie.udom@sanjoseca.gov](mailto:albie.udom@sanjoseca.gov). For program-related questions, please contact James Dobson, Deputy Fire Chief/Fire Marshal, at [james.dobson@sanjoseca.gov](mailto:james.dobson@sanjoseca.gov).