



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Christopher Burton

**SUBJECT:** SEE BELOW

**DATE:** November 8, 2022

Approved

Date

11/15/22

**SUBJECT: AGREEMENTS TO PROVIDE TEMPORARY STAFFING SERVICES FOR PLANNING, BUILDING PLAN CHECK, BUILDING INSPECTIONS, AND RELATED SERVICES**

## **RECOMMENDATION**

Adopt a resolution authorizing the City Manager to negotiate and execute Master Agreements and up to four one-year options thereafter with the agencies named below to provide temporary staffing and to execute amendments and to increase or decrease the maximum compensation of each agreement, not to exceed the aggregate compensation amount of \$4,000,000 annually for all the agreements, and \$2,000,000 annually for any one agency, subject to the appropriation of funds.

## **OUTCOME**

Approval of the recommendations will supplement the City's full-time workforce to provide critical resources as necessary and allow Planning, Building and Code Enforcement (PBCE) continuity of professional services to provide on-call or as-needed planning, building plan check, building inspection, building permit issuance and code enforcement services.

## **BACKGROUND**

In February 2012, the City Council approved actions to accommodate staffing service Agreements during peak periods. Staffing services from various contractors to address temporary or "peak staffing" requirements were sought from private firms to provide building inspection, plan check, and planning services. These services were required for Development Services to keep up with the increased workload and rapid rate of vacancies.

Since then, PBCE has been using temporary personnel to augment service delivery that has provided an annual average of 25,000 hours of service amounting to a total cost of \$31M over the life of the agreements. At the same time, PBCE continues to struggle with meeting its performance goals in the plan review and plan development areas. Currently, the department employs temporary peak staffing personnel for approximately 1,200 hours per month, equivalent to 7.5 full-time employees. Depending upon the specific service-delivery aspect within Development Services, the challenges have been a varying mixture of turnover, low recruitment yields, and increased demand for services. This has resulted in a current vacancy rate of 27% compared to the pre-pandemic, long-term average of approximately 15%. The current peak staffing agreements have provided the flexibility needed to meet staffing gaps until permanent staffing can be hired and trained, but these providers are also often limited in the amount of personnel available.

Due to the limited resources available in-house, and the wide magnitude and range of complexities within each request for development services, the City would like to continue utilizing the assistance of temporary, qualified personnel to achieve the goals set forth by the City Council. An extension to the agreement, which expired July 30, 2022, was extended to January 31, 2023, to allow staff to complete a Request for Proposal (RFP) and enter into new agreements. No further options on these agreements are available. The City released an RFP from qualified agencies on May 19, 2022, with a closing date of June 23, 2022.

This memorandum provides the results of the RFP and recommends the adoption of resolutions authorizing the City Manager to negotiate and execute all related agreements and amendments.

## **ANALYSIS**

On May 19, 2022, the City issued an RFP from agencies that could provide temporary personnel on request for the following services:

- A. Building Inspection
- B. Building Plan Check
- C. Building Permit Specialist
- D. Planner
- E. Code Enforcement Inspection

The closing date to respond was June 23, 2022. The RFP requested proposals from agencies that could provide temporary professional staffing services in one or more of the services listed above. Agencies could provide personnel with different levels of experience from beginners to several years of experience in their respective fields. The RFP requested the submission of resumes as supporting documentation of expertise and experience.

Since the focus of this request was to secure temporary personnel to supplement the City's workforce and not the implementation of a particular project, the scope of the outreach was limited. Outreach activities (to over 500 suppliers) included agencies specializing in planning, including urban planning, building trades, code enforcement, the ability to provide temporary personnel services, and agencies with experience working with government contracts. A total of 40 firms viewed the RFP advertisement of which 30 firms either partially or fully downloaded the RFP documents. Of these, eleven firms responded to the RFP.

The submitted applications were responsive and were then evaluated based on criteria (maximum percentage points) which included the agencies' Expertise (70%) and Experience (20%) in the service areas proposed. Agencies that qualified as Local and/or Small Business Enterprise were given an additional 5% each. The proposals were evaluated by a five-member team that has leadership and managerial responsibilities and extensive experience in the requested service areas within PBCE. Each team member independently evaluated the materials for agency expertise and experience.

Nine of the eleven agencies are being recommended for approval to enter into Master Agreements.

1.	4Leaf
2.	Bureau Veritas North America
3.	CSG Consultants
4.	Interwest
5.	Metropolitan Planning Group
6.	TRB & Associates
7.	True North Compliance Services, Inc.
8.	VCA Code
9.	West Coast Code Consultants

The remaining two agencies are not being recommended due to insufficient documentation that supported their Experience or Expertise in the service area(s) proposed.

Results of the evaluation and a Notice of Intent to Award were published on October 06, 2022, with a 10-day protest period. No protests were received. After the 10-day protest period, staff began working closely with the City Attorney's Office, and the agencies that were selected to develop and finalize agreements.

## **CONCLUSION**

City staff evaluated the proposals received and have determined that the agencies are qualified and have the necessary expertise and experience, to achieve the goals set forth in the RFP.

City staff conducted the necessary due diligence to ensure outreach to potential proposers. The City is also proposing to implement an RFP process on an annual basis to potentially increase the availability of agencies to deliver essential development services.

The procurement of qualified personnel to augment the existing workforce until the City can close the vacancy gap is a temporary solution that is beneficial to the City. This solution will reduce associated risks, increase the City's ability to meet the demands of the Development Community, meet deadlines, reduce staff burnout, and recruit top talent.

Therefore, staff recommends that the Council approves the recommendations set forth in the "RECOMMENDATION" section of the memorandum.

### **EVALUATION AND FOLLOW-UP**

This memorandum will not require any follow-up from staff.

### **CLIMATE SMART SAN JOSE**

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

### **PUBLIC OUTREACH**

This memorandum will be posted on the City's website for the November 29, 2022, City Council meeting.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Office of Employee Relations.

### **COMMISSION RECOMMENDATION/INPUT**

No commission recommendation or input is associated with this action.

**COST SUMMARY/IMPLICATIONS**

Funding associated with the actions recommended in this memorandum is included in the Department's non-personal/equipment budget as outlined in the 2022-2023 Adopted Operating Budget. The recommended actions in this memorandum would allow for the establishment of nine Master Agreements for up to five years when including potential options, and a total aggregate amount of \$4.0 million per year. The ability to spend against these agreements in future years is subject to the appropriation of funds.

**FISCAL/POLICY ALIGNMENT**

This action is consistent with the City's Budget City Service Areas Delivery Framework for Community and Economic Development towards the established strategic goal to "Provide Seamless and Effective Development Review Including Implementation of Environmental Regulations, in a Customer Friendly Fashion".

**BUDGET REFERENCE**

The table below identifies the fund and appropriations to fund the services recommended as a part of this memorandum.

<b>Fund #</b>	<b>Appn. #</b>	<b>Appn. Name</b>	<b>Total Appn.</b>	<b>Amount Requested</b>	<b>2022-2023 Adopted Operating Budget Page</b>	<b>Last Budget Action (Date, Ord. No.)</b>
001	204S	Destination Home SV Grant	\$291,088	\$150,000	877	10/18/2022; 30833
238	0586	Planning Development Fee Non-Personal/Equipment	\$166,723	\$50,000	1027	6/21/2022; 30790
239	205O	Citywide Planning Fee – Non Personal/Equipment	\$1,369,057	\$200,000	966	6/21/2022; 30790
237	0583	Building Development Fee Program - Non-Personal/Equipment	\$1,811,969	\$700,000	960	6/21/2022; 30790

HONORABLE MAYOR AND CITY COUNCIL

November 8, 2022

**Subject: Agreements to Provide Temporary Staffing Services for Planning, Building Plan Check, Building Inspections and Related Services**

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001	209P	Accessory Dwelling Unit Amnesty Program	\$293,000	\$100,000	884	6/21/2022; 30790
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**CEQA**

Not a Project, File No. PP17-003, Agreements/Contracts (new or amended) resulting in no physical changes to the environment.

/s/

Christopher Burton, Director  
Planning, Building, and Code Enforcement

The principal author of this memorandum is Page Benway, Senior Analyst. For questions, please contact [Page.Benway@sanjoseca.gov](mailto:Page.Benway@sanjoseca.gov) or (408) 535-7887.