



CITY COUNCIL STAFF REPORT



November 5, 2024

ITEM TITLE

Agreement: Approve a First Amendment to the Consultant Services Agreement with Bureau Veritas North America, Inc. to Provide Building Plan Check and Building and Fire Inspection Services for the Gaylord Pacific Resort and Convention Center

Report Number: 24-0259

Location: 1000 H Street

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act (“CEQA”) State Guidelines. Therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the CEQA State Guidelines.

Recommended Action

Adopt a resolution approving a First Amendment to the Agreement for building plan check and inspection services, including fire inspection services, and increasing the not-to-exceed amount for the initial term of the Agreement from \$2,000,000 to \$3,000,000 for the Gaylord Pacific Resort and Convention Center.

SUMMARY

The City currently has agreements with three (3) consultants to provide permit processing, building plan check and building inspection services. On June 1, 2022, the City entered into an additional agreement with one of our consultants, Bureau Veritas North America, Inc. (“Bureau Veritas”), to assist with the plan review of deferred submittals, plan changes, other plan submittals as well as provide building inspection services for the Gaylord Pacific Resort and Convention Center (“Project”). To assist in maintaining project timelines, an amendment to this agreement is being proposed to add fire inspection services. With the ongoing number of building and fire inspections required for the Project, it is anticipated that the not-to-exceed amount in the existing agreement will not be adequate.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (“CEQA”) and has determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Notwithstanding the foregoing, it has also been determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the CEQA State Guidelines. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable

DISCUSSION

Bureau Veritas performed the building plan check for the construction of the Project and has continued to assist the City in the review of deferred submittals, plan changes, other submittals and building inspection services for the Project since the original agreement went into effect on June 1, 2022. Pursuant to Chula Vista Municipal Code section 2.56.110(H)(2), the original agreement waived the competitive selection process requirements based on a determination that City’s interests would be materially better served by applying a different purchasing procedure based on Bureau Veritas North America, Inc.’s in-depth knowledge of, experience with, and ability to provide quality and timely services for the Gaylord Pacific Hotel and Convention Center Project (Attachment 1).

The original agreement was a result of the City’s building inspection division not having adequate staff to take on the additional inspection demands of the Project. The original agreement did not specifically include fire inspection services. Given the importance of this Project to the City, and the increased demand for fire inspections, staff recommends amending the original agreement with Bureau Veritas to include fire inspection services (Attachment 2). Along with the qualified, contract building inspectors currently working on the Project, Bureau Veritas can provide qualified fire inspectors to assist the City’s fire prevention division with the remaining fire inspections for the Project. By employing Bureau Veritas to assist with fire inspections for the Project, the City’s fire prevention division can continue to provide necessary inspection services for all other construction projects throughout the City.

The original agreement with Bureau Veritas includes a three (3) year initial term through May 31, 2025, with one (1) one-year option to extend. The maximum amount to be paid to Bureau Veritas for services performed during the initial term shall not exceed \$2,000,000. Through August 2024, a total of \$1,582,857.50 has been processed as part of this agreement. With the Project’s proposed completion date in May 2025, it is anticipated that the ongoing number of building inspections required along with the additional fire inspections being completed by Bureau Veritas, the current not-to-exceed amount needs to be increased. Staff proposes amending the original agreement to increase the not-to-exceed amount for the initial term of the agreement from \$2,000,000 to \$3,000,000 (Attachment 2).

Staff recommends that the City adopt a resolution approving the first amendment to the agreement with Bureau Veritas to include fire inspection services and increase the not-to-exceed amount of the initial term of the agreement from \$2,000,000 to \$3,000,000.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.)

CURRENT-YEAR FISCAL IMPACT

All costs of plan check and inspection services are borne by the developer, resulting in no current-year impact to the General Fund or Development Services Fund as result of this action.

ONGOING FISCAL IMPACT

All costs of plan check and inspection services are borne by the developer, resulting in no ongoing fiscal impact to the General Fund or Development Services Fund as a result of this action.

ATTACHMENTS

1. Consultant Services Agreement No. 2022-0241
2. First Amendment to Consultant Services Agreement with Bureau Veritas North America, Inc.

*Staff Contact: Shayne Wagner, Building Official/ADA Coordinator, Development Services
Laura C. Black, AICP, Director of Development Services*