

**AMENDMENT NO. 1
NAPA COUNTY AGREEMENT NO. 220141B**

PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT NO. 1 OF NAPA COUNTY AGREEMENT NO 220141B is made and entered into as of this ____ day of February, 2022, by and between NAPA COUNTY, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and BPR Consulting Group, a California limited liability company, whose mailing address is 2201 Francisco Drive, Suite 140-658, El Dorado Hills, CA 95762, hereinafter referred to as "CONTRACTOR";

RECITALS

WHEREAS, COUNTY and CONTRACTOR entered into Napa County Agreement No. 220141B on September 15, 2021, to obtain building plan review and inspection services; and

WHEREAS, COUNTY and CONTRACTOR now wish to amend the Agreement to amend the scope of work to include Building Official services as well as to increase the maximum compensation payable to CONTRACTOR for services provided during Fiscal Year 2021/2022 and future fiscal years.

TERMS

NOW, THEREFORE, the Agreement is amended as follows:

1. Exhibit "A" of the Agreement is rescinded and replaced in full by the document entitled Exhibit "A-1", and all references in the Agreement to Exhibit "A" shall mean Exhibit "A-1".
2. Paragraph 2 of the Agreement is hereby amended to read in full as follows:
 2. **Scope of Services.** CONTRACTOR shall provide COUNTY those services set forth in Exhibit "A-1", attached hereto, incorporated by reference herein.
3. Paragraph 3 of the Agreement is hereby amended to read in full as follows:
 3. **Compensation.**
 - (a) **Rates.** In consideration of CONTRACTOR's fulfillment of the promised work, COUNTY shall pay CONTRACTOR at the rates set forth in Exhibit "B", attached hereto and incorporated by reference herein.
 - (b) **Expenses.** Travel and other expenses will be reimbursed by COUNTY upon submission of an invoice in accordance with Paragraph 4 at the rates and/or in accordance with the provisions set forth in Exhibit "B."
 - (c) **Maximum Amount.** Notwithstanding subparagraphs (a) and (b), the maximum payments under this Agreement shall be a total of One Hundred Fifty Thousand Dollars (\$150,000) for professional services and expenses per fiscal year;

provided, however, that such amounts shall not be construed as guaranteed sums, and compensation shall be based upon services actually rendered and reimbursable expenses actually incurred.

4. Except as provided in paragraphs 1 through 3 above, the terms and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment No. 1 to the Agreement was executed by the parties hereto as of the date first above written.

BPR CONSULTING GROUP

By: _____

Ron Beehler, CBO

By: _____

Bill Rodgers, Director

CONTRACTOR"

NAPA COUNTY, a political subdivision of
the State of California

By: _____

RYAN GREGORY, Chair
Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>Jason M. Dooley</u> Deputy County Counsel Date: <u>January 21, 2022</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ _____ Deputy Clerk of the Board	ATTEST: GREG MORGAN Deputy Clerk of the Board of Supervisors By: _____
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EXHIBIT A-1

SCOPE OF SERVICES

BUILDING AND SAFETY SERVICES

We understand the County of Napa desires to retain a qualified firm to provide building safety services to support the County's Building Department. BPR Consulting Group proposes to provide the following Building Department services:

- Plan Check Services
- Building Inspection Services
- Permit Technician Services
- Building Official Services

BPR Consulting Group has a proven track record providing these services in support of public agencies and has the experienced staff necessary to provide flexibility in providing these services to meet the needs of the County of Napa. The services we provide are always closely coordinated and monitored to ensure we meet or exceed the service levels desired by our clients and to seamlessly integrate the services we provide with your department. We will work in close partnership with the County of Napa tailoring our services and the deployment of staff resources to match the work volume and adhere to County requirements.

BUILDING PLAN CHECK

All plans examination services will be performed under the direction of a licensed Civil or Structural Engineer and/or licensed Architect and an ICC certified Plans Examiner. For more complex projects and when needed to meet peak workload demands, additional support will be provided from our regional office for, on-site or off-site structural and non-structural plan review services. Our plans examiners understand and are intimately familiar with applicable building codes and plan review procedures and policies and will readily assist the County with their plan review needs. Plan review services will be provided as follows:

- Plan Check services will be provided within our local regional office unless space is available at the County office and the County requests that plans be reviewed within their offices.
- All assigned personnel will be professionally qualified by both experience and certifications to perform commercial and/or residential construction document plan check.
- BPR's Plan Review Director, Bill Rodgers, S.E. will be the responsible contact for all communications between the County and BPR.
- All assigned personnel will be provided with all necessary materials, resources, and training to conduct plan checks, including current copies of County amendments, policies, procedures and forms.
- Plan Check approval shall not be recommended to the County until all code compliance issues are resolved and all permit issuance requirements of the County Building Division are satisfied. We will contact the County with any questions related to specific County requirements.
- We will respond within one business day upon notification that a plan check is authorized for us to perform.

- All documents will be picked up from the County of Napa Building Department, or as otherwise directed, by our shipping carrier for delivery to our regional office.
- All plan checks will be performed in a timely manner within time-frame guidelines established by the County.
- At completion of each plan review iteration an electronic plan review comments letter will be distributed to the County's representative and the applicants, design team and any other individual as directed by the County. The results of the plan review will also be downloaded into the County's Accela data base. Upon completion of the plan review where approval of the documents is recommended, we will return complete sets of all final documents to the County annotated as "Reviewed for Code Compliance by BPR Consulting Group".
- All plan review comment letters shall be completed in the format provided by the County.
- All communication shall be conducted and coordinated with the County's representative. We will not contact the applicant directly unless instructed to do so by the County's representative. We will not contact the applicant when plans are approved and understand that the County will notify the applicant when the permit is ready to issue.
- We understand that code interpretations are subject to final review and approval by the Chief Building Official and that all plan review comments are subject to review by the County.
- We will be available within one business day to respond to questions from the County that may be generated during field inspection for each authorized plan check that is subsequently issued a permit for construction.
- We will communicate data necessary for a Certificate of Occupancy per CBC Section 110.2 to the County.
- We are familiar with and will enforce the County's adopted codes and amendments.
- All proposed staff will have valid California Drivers Licenses.

Plans will be checked for conformance with the latest adopted version of the California Building Code, California Residential Code, California Green Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and the Accessibility and Energy Conservation requirements as mandated by State Title 24 and all applicable local amendments and ordinances.

Our staff will work with County staff and project applicants in a collaborative and professional manner to quickly identify and resolve any violations of codes, standards or local ordinances. We will provide thorough plan reviews in an effort to provide complete and accurate construction documents to minimize questions and problems during the construction phase of projects. Plan review comments will be specific, detailed, complete, and reference plan sheet numbers and code sections where applicable.

Upon completion of our final review, two (2) sets of submitted documents, or one (1) copy of electronic documents, bearing BPR Consulting plan review stamps and a final letter recommending the County's approval of the documents will be submitted to the County of Napa's Building Department for review and approval or as otherwise directed. We will not directly contact the project applicant during the plan review process unless directed to do so by the County's representative.

MAXIMUM PROPOSED TURNAROUND TIME FOR PLAN CHECK

We consistently complete plan reviews within the timeframes listed below as our standard business practice. We work hard to accommodate any turn-around schedule desired by the County. Multi-disciplinary reviews are typically performed in our office but we are available for onsite work when required and whenever possible. We will furnish the following tiered turnaround times:

Project Type	Maximum Turn Around Time (Business Days)	
	Initial Submittal	Backcheck Reviews
Residential (Single Family)		
New Construction	10	5
Addition	10	5
Remodel	10	5
Fire victims	7	7
Non-Residential		
New Construction	10	5
Addition	10	5
Remodel, Tenant Improvement	10	5
Large, Complex Commercial or Residential Multi-Family Projects	15	10
Express Plan Reviews	5	5

BPR Consulting Group is also able to accommodate special project plan review needs such as expedited reviews. We establish specific turn-around goals and procedures with jurisdiction staff for these types of projects. For expedited or fast-track projects, we charge a premium of 150% of the standard plan review fee as noted in our fee information in Exhibit B.

COMMUNICATING PLAN REVIEW RESULTS

Plan review comments, when necessary, will be type written and refer to specific details, drawing or supporting document, and reference applicable code sections. BPR will provide a clear, concise, and thorough plan review letter itemized by specific discipline such as life safety, accessibility, structural, plumbing, mechanical, etc., that can be utilized by clients, designers, contractors, and owners to understand the noted deficiency and make necessary corrections to the project documents. At the completion of each plan review cycle, BPR Consulting Group will return a copy of the plan review comment list to the designated applicant and project representative. If requested, we will coordinate plan review re-checks directly with the designated project applicant. Upon completion of the plan review process, we will return completed plan review documents, in either hard copy or electronic format as needed, ready for final approval and permit issuance.

PLAN DELIVERY

BPR will arrange for pick-up and delivery of all plan review documents within one business day at no additional cost to the County. Pick up, delivery and approval of documents are included in our specified turn-around times.

SPECIAL PROJECTS

BPR is able to accommodate special project plan review needs such as expedited or multi-phased plan reviews. We establish project specific turn-around goals and procedures with the County's staff and applicants for these types of projects based on the complexity of the projects as well as the construction schedule.

BPR's staff of engineers and plans examiners will work with the County as well as with applicants and designers to resolve all plan review issues. As directed, our staff will deal directly with applicants and their designers during the plan review process to resolve all issues.

ELECTRONIC PLAN REVIEW

We understand the County is transitioning to the **DigEplan** electronic plan check system. Our staff is experienced using this platform, and we will work with the County to ensure we integrate seamlessly into your review processes. We also understand the County is using **Accela** for its permitting system. We've utilized Accela in a number of jurisdictions, and we will work with you to merge into your workflow carefully and efficiently.

Our goal is always to collaborate with and support the Development Services Department by providing thorough, accurate and timely plan reviews.

CODE INTERPRETATIONS

Code interpretations are subject to final review and approval by the Chief Building Official. BPR's engineers and plans examiners will provide unbiased recommendations and background information to help the Building Official make an informed decision. All plan review comments are subject to review and approval by the County.

PLAN CHECK RELATED MEETINGS

Our plans examiners and inspectors are available for pre-construction or pre-design meetings, field visits, meetings with the design team, construction team and project owners as needed at no cost to the County. With some reasonable limitations, pre-construction and pre-design meetings associated with projects that we will provide plan review services for are considered as part of our plan review services. Our team of plans examiners and inspectors are always willing to meet with applicants, designers, contractors and County staff as required to resolve plan review or construction-related issues. Our staff can be available for meetings with as little as 24-hour notice.

APPROVAL FOR ADDITIONAL FEES

For projects that cannot be approved after three reviews we understand that additional County approval is required for any charges proposed in addition to the percentage fee agreed to in the contract. We understand

that prior approval by the County will be required for all charges proposed for review of deferred submittals and revisions that may occur on projects. Any additional charges for projects must be approved in advance of providing services and communicated to the County of Napa prior to returning documents for permit issuance. Upon our approval of projects entailing additional charges the approved documents will be returned to the County along with a detailed invoice itemizing all related charges.

BUILDING INSPECTION SERVICES

BPR Consulting Group tailors inspection services to the particular needs of each client with special attention to providing competent, consistent service at all levels. All BPR inspectors are ICC certified with appropriate training and experience based on the County's specific needs. We handpick our candidates and identify skill levels required to best match the County's inspection goals and philosophy.

BPR's staff has performed inspection services on a wide variety of construction projects including custom homes, large residential developments, and commercial, institutional, and essential service buildings. We provide valuable experience gained through successful work with government clients throughout California. This clear understanding of the construction process enables our people to quickly identify and resolve problems both in the field and in the office.

Assigned staff will perform continuous or periodic construction inspections to verify that the work of construction is in conformance with the approved project plans as well as identifying issues of non-compliance with applicable building codes. Many of our inspector candidates can provide dual plan review and inspector services for our clients. When necessary for large or fast-track projects, multiple inspectors are available.

Inspection personnel assigned will be able to read, understand and interpret construction documents, truss drawings and calculations, prepare and maintain accurate records and reports, communicate effectively orally and in writing and to work effectively with contractors, the public and general staff. Inspectors will possess knowledge of approved and modern methods, materials, tools and safety used in building inspection and the most current building standards.

BPR will provide all materials and training required for our inspectors to perform their assigned duties. Many of our inspectors are also available to serve at the public counter when needed. Additionally, several of our inspectors can provide dual plan review and inspection services for our clients. All field inspection services shall be performed through the County of Napa Building Division and under the direction of County staff.

Projects under construction by permit from the County will be inspected for compliance with the State of California Building, Mechanical, Plumbing, Electrical, Energy, Green and Fire Codes, as amended by the County and as designated by the County. Projects will also be inspected for conformance with the accessibility, noise and energy conservation requirements as mandated by State of California Title 24 and all applicable ordinances. Inspectors are accessible and available to meet with the project design team and/or the client's representatives to work out problems and help resolve issues quickly and efficiently. Our inspection staff easily integrates into client organizations, consistently implementing policies and procedures and remaining transparent to the jurisdiction's applicants and customers.

We understand that personality and customer service is crucial to on-the-job success, therefore, we have selected inspectors who are well versed in customer service and skilled in dealing with people both at the public counter and in the field. All inspection personnel assigned will be ICC certified as required.

Staff assigned will contact the Building Official for interpretations, local ordinances, local preferences, alternate materials and exceptions/alternates to the model codes. They will report directly to the jurisdiction Building

Official or other person designated for all project-related work. Items, if any, which cannot be resolved between the project inspector(s) and contractor, will be forwarded to the Building Official for final resolution.

INTEGRATION WITH COUNTY STAFF AND DEPARTMENTS

As municipal consultants to many jurisdictions, BPR's staff is highly adaptive to all processes and procedures and quickly and seamlessly assimilates to your specialized requirements. All personnel are cross trained in municipal operations to successfully bridge across departments and are accustomed to partnering, assisting, and coordinating with Planning, Public Works, Code Enforcement and other vital County staff and departments.

TOOLS & EQUIPMENT

BPR Consulting Group provides cellular phones, and other portable equipment necessary for inspectors to carry out duties. It is our understanding that a County vehicle will not be provided for our inspectors use, therefore, mileage utilized while performing inspections will be charged at the current IRS rate for vehicle mileage.

BUILDING OFFICIAL SERVICES

Should the County of Napa require the services of a Building Official to augment City staff or to address the needs of a specific project, BPR will provide an experienced and qualified ICC certified Building Official who will act in accordance with the California Building Code, adopted building codes and ordinances as specified in Federal and State law, and will take responsibility for the daily administration of Building Department Service activities including:

- Issuing Certificates of Use and Occupancy for buildings and structures.
- Managing, coordinating, overseeing and quality-control of building permit, plan check, inspection, staffing, and counter services.
- Assisting in the maintenance, amendment, and development of ordinances and regulations necessary to the implement and enforce the latest editions of the California Building Code and all related Codes.
- Assisting in County efforts to modify and update fees and charges associated with Building Services.
- Make determinations on the approval and use of alternative materials and methods of construction.
- Make final interpretations concerning the application of building and safety codes.
- Preparing annual reports detailing the number of dwelling units permitted/constructed each calendar year, both net new and replacement.
- Performing all other administrative building and safety related duties, including developing and implementing office policies and procedures, and assuring that files and plans are secured, organized and kept up to date.
- Meeting with developers, homeowners, business owners, architects, engineers and the general public at the County, or in the field, as appropriate, to resolve grievances and/or respond to questions, including timely follow-up.
- Ensuring that all building-related activity is entered into the County's permit tracking system in an accurate, complete and timely manner.

- Assisting in the preliminary review of project development applications for general feasibility of construction as designed to aid in Planning staff's discretionary review prior to a determination subject to the County's regulatory documents, including comment and provision of "conditions of approval" for concept plans as part of the County's discretionary process.
- Providing support to staff related to building and safety code violation cases for submittal to the County Attorney's office when prosecution action is necessary.
- Providing technical assistance and support in Code Enforcement matters as needed.

PERMIT TECHNICIAN SERVICES

Permit / counter technician services are crucial to the success of the entire building and safety process and is the first impression the public gets of your building department. Contact with the public at this initial point sets the tone for any additional interaction through the life of a project whether engaging the homeowner, architect, developer or contractor or other community member. Delivery of excellent customer service, maintaining a smooth flow of documents and plans throughout departments, and tracking and reporting, are all key elements to furnishing first-rate, efficient and a memorable experience to the County's clients.

BPR Consulting Group will furnish qualified and customer service-oriented permit technicians to handle the counter, answer phone calls, and issue permits. BPR's permit technician will be familiar with the County's plan intake procedures, fee calculations, tracking systems, permit issuance and customer service expectations as required to provide seamless service to the County's clients. BPR will provide all materials, resources, tools and training necessary for our permit technicians to perform their assigned duties.

EXHIBIT B

BILLING RATES

COMPLETE PLAN REVIEW SERVICES

For complete plan review services for commercial and residential projects which are reviewed in BPR's office the plan review fixed fees shall be as follows:

- For construction projects with a construction valuation equal to or less than \$250,000 we propose a fee of 70% of the plan review fees charged by the County based on the County of Napa's adopted fee schedule.
- For construction projects with a construction valuation greater than \$250,000 we propose a fee of 65% of the plan review fees charged by the County based on the County of Napa's adopted fee schedule.

The above noted plan review fees will cover an initial plan review and two back checks of the submitted documents. Additional plan review services beyond the three reviews will be billed hourly using the Schedule of Hourly Billing Rates below.

PARTIAL PLAN REVIEW SERVICES

For partial plan reviews such as structural only, foundation only, mechanical only, electrical only, etc., or any combination of partial reviews, we propose to provide plan review services on an hourly basis using the Schedule of Hourly Billing Rates below.

PLAN REVIEW SERVICES FOR DEFERRED SUBMITTALS, CHANGES TO APPROVED PLANS OR CONSTRUCTION PHASE PLAN REVIEW

For the plan reviews of deferred submittals, revisions to previously approved documents, or any construction phase plan reviews, we propose to provide plan review services on an hourly basis using the Schedule of Hourly Billing Rates below.

EXPEDITED PLAN REVIEW FEES

For expedited or fast-track projects we propose a fee of 150% of the above noted plan review fees, with the review completed in half the proposed time frame for regular plan reviews.

INSPECTION SERVICES

Inspection services will be charged hourly per the Schedule of Hourly Billing Rates below. Mileage accrued within the jurisdiction while performing inspection services will be charged at the current IRS vehicle mileage rate. There will be a 8 hour minimum charge for each day inspection services are provided.

FIRE PLAN REVIEW AND INSPECTION SERVICES

Fire plan review and fire inspection services will be provided as requested on an hourly basis per the Schedule of Hourly Billing Rates below or as negotiated on a case-by-case basis.

BUILDING OFFICIAL SERVICES

Building Official services will be provided as requested on an hourly basis per the Schedule of Hourly Billing Rates below or as negotiated on a case-by-case basis.

PERMIT TECHNICIAN SERVICES

Permit technician services will be provided as requested on an hourly basis per the Schedule of Hourly Billing Rates below or as negotiated on a case-by-case basis.

SCHEDULE OF HOURLY BILLING RATES

CLASSIFICATION	HOURLY BILLING RATE
ICC Certified Building Official.....	\$140
Licensed Engineer Building Plans Examiner	135
ICC Certified Plans Examiner	120
ICC Fire Plans Examiner / Inspector	120
Certified Access Specialist, CASp	100
ICC Certified Building Inspector*	80 - 100
Permit Technician*	65 - 75

Note: * Rate varies based upon level of experience and qualifications of inspectors and permit technicians requested.

Mileage: Mileage for building inspection, fire inspection and Building Official services is to be charged the current IRS mileage rate while inspections or business on behalf of the County are being performed.

Overtime: Inspection, Building Official or permit technician services provided in excess of eight hours per day, nights and weekends will be charged at 125% of the noted rate.