



Legislation Text

File #: 21-1207, **Version:** 1

TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
REPORT BY: Leigh Sharp, Deputy Director of Public Works - General Services
SUBJECT: Amendment No.6 to Agreement No. 170577B with Colliers Parrish International, Inc.

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 6 to Agreement No. 170577B with Colliers Parrish International, Inc., extending the term of the agreement through June 30, 2022 with an automatic renewal for one (1) additional fiscal year, and amending the scope of work and compensation provisions to provide real estate broker services for purchases, sales and/or leases of real property and land.

EXECUTIVE SUMMARY

Colliers Parrish International, Inc. (Colliers) has been providing real estate broker services to Napa County since 2013 under Agreement No. 170577B, which has been amended five times. Staff issued a request for proposals (RFP) for real estate broker services but only received one response, which the County did not accept due to the insufficient number of responses received. Amendment No. 6 to Agreement 170577B will authorize an extension of the Agreement with Colliers through June 30, 2022 with an automatic one-year renewal so that the County continues to have real estate broker services. Amendment No. 6 also revises the scope of work and some of the compensation provisions.

Staff intends to release a RFP for real estate broker services in fiscal year 2022-23.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes

Where is it budgeted?	Sale and purchase commissions are paid from the property exchange receipts. Consulting services are budgeted in the Public Works subdivision (1220000).
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Approval of the amendment will ensure that the County continues to have real estate broker services available.
Is the general fund affected?	Yes
Future fiscal impact:	Commissions are paid upon sale of property which may occur in future fiscal years. Budget for real estate services not related to property sales will be budgeted annually.
Consequences if not approved:	The County will not have contracted services for real estate broker needs.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On November 1, 2013, the Board of Supervisors entered into an agreement with Colliers International following a competitive bid process. The County solicited proposals from firms to provide the County with all of the services, supervision, labor and equipment of a real estate broker/firm to assist in the purchases, sale and/or lease of real property and land required to meet the needs of the County for a period of three years. The agreement has been amended five times. Amendment 1 increased the scope to include locating property for County to purchase, Amendment 2 extended the term, Amendment 3 amended the scope of work to allow for more consultation services and revised both the commission and hourly compensation, Amendment 4 added tasks specific to Airport property, Amendment 5 extended the term and revised the commission structure to reduce the amount of commissions to be paid.

County staff conducted a request for proposals (RFP) process for real estate broker services and only one response to the RFP was received. Consistent with the rights reserved under the RFP as well as its authority under state law, the County decided not to award a contract from the RFP due the insufficient number of responses. Staff intends to reissue an RFP for real estate broker services in fiscal year 2022-23.

To maintain real estate broker services until the conclusion of a new RFP process, Amendment No. 6 to Agreement No. 170577B extends the term of the Agreement to June 30, 2022 with an automatic one-year renewal. Amendment No. 6 also updates the scope of work to remove tasks specific to Airport property; addresses compensation for sale or lease of County property when those properties are sold or leased at prices or rates that are significantly below market, allowing for an hourly consulting fee rather than a commission; and

modifies a term of the agreement which requires credit-back to County for circumstances when both hourly rates and a commission are paid in association with sale of County property.