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**Title:** Approve a consultant services agreement with The Solís Group for an amount not to exceed \$132,750 to provide Labor Compliance Monitoring Services for the Southeast Surface Water Treatment Facility project

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Solis Agreement.pdf

Date	Ver.	Action By	Action	Result
11/19/2015	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**November 19, 2015**

**FROM:** THOMAS C. ESQUEDA, Director  
Department of Public Utilities

**BY:** MICHAEL CARBAJAL, Division Manager  
Department of Public Utilities - Water Division

**SUBJECT**

Approve a consultant services agreement with The Solís Group for an amount not to exceed \$132,750 to provide Labor Compliance Monitoring Services for the Southeast Surface Water Treatment Facility project

**RECOMMENDATION**

Staff recommends that City Council:

1. Approve a consultant services agreement with The Solís Group for an amount not to exceed \$132,750 to provide Labor Compliance Monitoring Services for the Southeast Surface Water Treatment Facility project.
2. Authorize the Director of Public Utilities, or their designee, to sign the agreement on behalf of

the City of Fresno.

## **EXECUTIVE SUMMARY**

The Department of Public Utilities seeks Council approval for a professional consultant services agreement with The Solís Group to perform labor compliance monitoring services during the construction of the Southeast Surface Water Treatment Facility (SESWTF). Labor compliance monitoring services are necessary to ensure the SESWTF contractor complies with the Department of Industrial Relations performance standards. The Solís Group will support the City and enforce prevailing wage requirements for the SESWTF construction project, monitor compliance by obtaining and reviewing certified payroll reports, respond to public record act requests, investigate complaints and other suspected violations, and recommend appropriate enforcement action when violations occur. Construction of the SESWTF will begin during December 2015.

## **BACKGROUND**

The Water Division has developed the City's Metropolitan Water Resources Management Plan. The plan is comprised of multiple capital projects to provide a sustainable and reliable water supply for the community; repair and replace aging infrastructure; and eliminate the over drafting of the City's groundwater resources. A major component of the plan is to construct the SESWTF. Construction of the SESWTF is scheduled to begin December 2015; project completion is scheduled to occur August 2018.

Construction of the SESWTF will require labor compliance monitoring services for more than 250 persons. The Water Division does not have a labor compliance monitoring program, nor staff to successfully meet the requirements of Department of Industrial Relations. In accordance with Fresno Municipal Code Chapter 4, Article 1, and Administrative Order 6-19, the Department of Public Utilities conducted a competitive process to select consultants to provide professional labor compliance and monitoring services for the construction of the SESWTF. Announcements were published on July 17, 2015, in the Fresno Business Journal and posted to the City's PlanetBids Online site. The City received requests from 20 consulting firms and distributed RFQs to each. The RFQ requested that consultants provide a statement of qualifications (SOQ) by August 14, 2015 and the Water Division received 4 SOQs by the due date. The SOQs were evaluated by a selection committee consisting of representatives from the Water Division. Upon completion of the evaluation of qualifications submitted, and the scope and fee negotiation process, The Solís Group was selected as being best to meet the City's needs for this project.

The services required by this agreement will be completed in approximately 1005 consecutive calendar days from the authorization to proceed. The contract is for a not to exceed amount of \$132,750, paid on a time and materials basis.

A standardized consultant service agreement has been used in accordance with Administrative Order 4-4, and the consultant's Certificates of Insurance have been approved by the City's Risk Management Division. Upon approval by the City Council, the agreement will be executed by the Director of Public Utilities or designee, who has been delegated this authority by the City Manager.

## **ENVIRONMENTAL FINDINGS**

Approval of the consultant service agreement amendment is not a "project" within the meaning of Public Resources Code Section 21803 (CEQA Guidelines § 15378) because the organizational and

administrative activities as identified in the consultant agreement will not result in direct or indirect physical changes in the environment.

### **LOCAL PREFERENCE**

Local preference was not implemented because no local firms responded to the RFQ.

### **FISCAL IMPACT**

The agreement will not have any impact to the General Fund. Funds are included in Water Division's proposed Fiscal Year 2016 Capital Improvement Program budget within the Water Enterprise Fund (40101). The services for labor compliance monitoring was included in the water rate model used to create the five-year utility rate plan and subsequently adopted by City Council on February 26, 2015. No additional funding is required for this project.

Attachment:  
Consultant Services Agreement