



## Legislation Details (With Text)

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**Title:** Approve a consultant services agreement with JSA Inspections & Consulting in an amount not to exceed \$200,000, to provide professional inspection, testing, and consultant services for potentially hazardous materials (lead-based paint and asbestos containing materials) as well as supervision of removal of hazardous materials for demolitions of dangerous structures conducted by Code Enforcement

**Sponsors:** City Attorney's Office

**Indexes:**

**Code sections:**

**Attachments:** 1. Consultant Services Agreement (JSA Inspections & Consulting).pdf

Date	Ver.	Action By	Action	Result
2/9/2023	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

**February 9, 2023**

**FROM:** ANDREW JANZ, City Attorney  
Office of the City Attorney

**BY:** ERICA M. CAMARENA, Chief Assistant City Attorney  
Office of the City Attorney, Division of Code Enforcement

### SUBJECT

Approve a consultant services agreement with JSA Inspections & Consulting in an amount not to exceed \$200,000, to provide professional inspection, testing, and consultant services for potentially hazardous materials (lead-based paint and asbestos containing materials) as well as supervision of removal of hazardous materials for demolitions of dangerous structures conducted by Code Enforcement

### RECOMMENDATION

Staff recommends Council approve a consultant services agreement with JSA Inspections & Consulting; and authorize the City Attorney to sign the agreement on behalf of the City.

### EXECUTIVE SUMMARY

The agreement referenced above will allow Code Enforcement to continue to safely perform

demolitions of dangerous buildings in accordance with all applicable federal, state, and local government and agency requirements.

## **BACKGROUND**

When a private property owner is unable or unwilling to do so, the Code Enforcement Division of the City Attorney's Office is responsible for the demolition of severely damaged structures that pose a significant threat to health and safety as a result of dilapidation, fire, or other elements causing the structure to be uninhabitable and dangerous.

In many cases, a fire will occur after hours, in the middle of the night, or on a weekend; and Code Enforcement is called out to the scene to assess whether the structure is at risk of collapse. In instances where the structural integrity of the building is compromised, qualified Code Enforcement staff will make the decision to summarily demolish the structure. In other non-emergency demolition cases, authority to abate by demolition is obtained through the administrative hearing process. In both scenarios, it is necessary that the potentially hazardous materials be tested and properly handled throughout the demolition process in accordance with applicable laws.

On March 10, 2022, the City Council approved a consultant services agreement for these services on an emergency basis due to exigent circumstances as determined by the City Manager, and with the intention for Code Enforcement to then pursue the competitive Request for Qualifications (RFQ) process.

Through a competitive RFQ process, the Code Enforcement Division worked with the Purchasing Division to solicit Statements of Qualification from professional consulting service providers with the capability and experience necessary to provide the requisite inspection, testing, and supervision of removal of hazardous materials. The RFQ was properly advertised in The Business Journal and published on the City's Planet Bids website. Seven proposals were received in response to the RFQ. The qualifications of the respondents were evaluated and rated by a committee of four in accordance with the provisions of the RFQ. JSA Inspections & Consulting of Fresno, California was determined to be the most qualified respondent.

A standardized consultant services agreement has been used. Upon approval by the City Council, the consultant services agreement will be executed by the City Attorney.

## **ENVIRONMENTAL FINDINGS**

By definition provided in the California Environmental Quality Act Guidelines Section 15378, the award of this consultant services agreement does not qualify as a "project".

## **LOCAL PREFERENCE**

Local preference was taken into consideration and JSA Inspections & Consulting is a local business pursuant to Fresno Municipal Code 4-109(b).

## **FISCAL IMPACT**

The General Fund is not impacted by this expenditure, as the funding for this agreement is included in the City's FY23 adopted budget for demolitions.

Attachment:

Attachment 1 - Consultant Services Agreement with JSA Inspections & Consulting