

## REPORT TO CITY COUNCIL

**DATE: JUNE 22, 2022**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: NATHAN HAMBURGER, CITY MANAGER  
DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR**

**BY: LUKAS QUACH, PE, SE, BUILDING OFFICIAL**

**SUBJECT: REQUEST FOR APPROVAL OF A ONE-YEAR CONTRACT EXTENSION  
WITH BUREAU VERITAS AND M6 CONSULTING TO PROVIDE  
PROFESSIONAL PLAN REVIEW AND INSPECTION SERVICES**

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In August of 2019, the City of Agoura Hills entered into separate agreements with California Code Check (A Bureau Veritas Company) and M6 Consulting Inc. (M6) to provide plan check and inspection services for the City. The duration of the Agreements was set for three years, starting August 19, 2019, and ending August 18, 2022, with the option to extend the contract for an additional year, at the same price and conditions as set forth in the original contract. Staff would like to exercise the option to extend a one-year contract to these two firms.

Bureau Veritas (formerly California Code Check) and M6 Consulting are the two primary consultants that provide the City of Agoura Hills Building and Safety Division with plan review and inspection services. California Code Check has been providing plan review and inspection services for Agoura Hills since 1999 (with the exception of one year). Building and Safety staff as well as regular permit applicants are very familiar with their services and find them to be of high quality. Additionally, due to the proximity of their office to Agoura Hills, they are able to provide quick and valuable service to the community. At the time the original agreement was entered in 2019, California Code Check was in the process of being acquired by Bureau Veritas. Now it is fully integrated into and is officially a part of Bureau Veritas North America, Inc., and as such, the amended agreement reflects this update.

M6 Consulting, Inc. (M6), located in Westlake Village, is also a well-known local Building and Safety consulting firm in the Conejo Valley. M6 also provides technical support services to other jurisdictions in the area, such as Calabasas, Malibu, and Santa Barbara. In addition to the benefit of their availability due to the close vicinity of their office to Agoura Hills City Hall, M6 has also shown its commitment to the City by honoring the reduced fee that it charges for plan review for the City for the past several years. The reduced plan review fee of \$70 was set for the review of solar photovoltaics by the City Council in 2011 via the Energy Efficiency Incentive Program to encourage solar installation in the City. Since M6's fee is based on a percentage of the City fee, M6, thereby, has also been subsidizing the City Program because the time and efforts required to plan review far

exceed the fee they charge the City. However, due to the current economic environment with increased costs in personnel recruitment and retention as well as operation, M6 has requested an amendment with the agreement extension to change the fee structure to charge the City on an hourly basis in lieu of a percentage fee for the plan review of the photovoltaic panels. Although this may have an estimated fiscal impact of \$20,000 to \$30,000 on the City, Staff believes that it is a fair request.

In addition to the extension of the agreement with M6 to FY22-23 with the fee structure amendment outlined above, Staff is also seeking City Council's approval for increasing the limit by \$40,000 on the current FY21-22 Agreement with M6 from \$200,000 to \$240,000. The adjustment in the agreement is needed due to the unsuccessful recruitment of an in-house plan check examiner, whose anticipated tasks have been allocated to the Consultants. The fund has been accounted for and the reallocation of funds was performed by the Finance Department during the mid-year budget adjustment period.

The purpose of this report is to seek City Council approval for the City of Agoura Hills to continue to contract services with Bureau Veritas and M6 Consulting to provide professional plan review and inspection services. These reputable consultants have been providing plan review services for the City for a significant period of time. They are well-established in the Building and Safety arena and their close proximity to City Hall has been a benefit for our community, as they facilitate their handling of projects in a timely manner.

The fee structure of the plan review and inspection services for this contract extension remains the same as the latest contract that was approved by the City Council in August of 2019, with the exception of the requested amendment to the fee structure for solar PV plan review with M6 Consulting. These rates are competitive and are not anticipated to have negative impacts on the current FY 2021-22 budget or the proposed FY 2022-23 budget.

The proposed agreements with amendments have been reviewed by the City Attorney and approved as to form.

## **RECOMMENDATION**

Staff respectfully recommends the City Council approve the one-year contract extension with Bureau Veritas and M6 Consulting for the professional plan review and inspection services.

Attachments: First Amendment to Agreement Bureau Veritas  
First Amendment to Agreement M6 Consulting

**FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES  
WITH THE CITY OF AGOURA HILLS**

NAME OF CONSULTANT:	Bureau Veritas North America
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Craig Baptista
CONSULTANT'S ADDRESS:	180 Promenade Circle, Ste. 150 Sacramento, CA 95834
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Lukas Quach
COMMENCEMENT DATE:	August 19, 2019
TERMINATION DATE:	June 30, 2023
CONSIDERATION:	Amendment Amount: Not to Exceed: \$ \$200,000/yr  Total Contract Price Not to Exceed: \$ \$200,000/yr

**FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF AGOURA HILLS AND BUREAU VERITAS NORTH AMERICA, INC. (FORMERLY CALIFORNIA CODE CHECK, A BUREAU VERITAS COMPANY)**

THIS **FIRST AMENDMENT** is made and entered into as of **June 9, 2022**, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and Bureau Veritas North America, a Delaware Corporation (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On **August 19, 2019**, the City and Consultant entered into that certain Agreement entitled "**Agreement for Consultant Services Between The City of Agoura Hills and California Code Check (A Bureau Veritas Company)**", in the not to exceed amount of **One Hundred Thirty-One Thousand Four Hundred Dollars and Zero Cents (\$131,400.00)** for the initial year of the Agreement and not to exceed **Two Hundred Thousand Dollars and Zero Cents (\$200,000.00)** for each of the remaining two years of the agreement term.

b. Bureau Veritas North America, Inc. has acquired California Code Check.

c. The parties now desire to amend this Agreement to amend the name of Consultant from "California Code Check" to "Bureau Veritas North America, Inc.", increase the payment amount by \$200,000, and extend the term of the agreement to **June 30, 2023**, and to amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than **June 30, 2023**, unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 4 of the Agreement entitled "**PAYMENT**" at paragraph "a" is hereby amended to read as follows:

"The City agrees to pay Consultant monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The **FIRST** Amendment amount shall not exceed **Two Hundred Thousand Dollars and Zero Cents (\$200,000.00)** for **FY 22-23**."

4. All references to "California Code Check" in the Agreement are hereby amended to read "Bureau Veritas North America, Inc." The signature box of the Agreement shall remain the same, and all signatures shall remain valid and binding, except that the Consultant's name is hereby amended to "Bureau Veritas North America, Inc."

5. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this **FIRST** Amendment to Agreement to be executed the day and year first above written.

**CITY OF AGOURA HILLS**

\_\_\_\_\_  
Deborah Klein Lopez,  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly M. Rodrigues, MMC  
City Clerk  
Date Approved by City  
Council \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Candice K. Lee,  
City Attorney

**CONSULTANT**

Bureau Veritas North America, Inc.  
180 Promenade Circle, Ste. 150  
Sacramento, CA 95834

Attn: Craig Baptista  
(916) 514-4516

By:  \_\_\_\_\_

Print Name: Craig Baptista

Title: Vice President

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Signatures of Two Corporate Officers Required]

**FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES  
WITH THE CITY OF AGOURA HILLS**

NAME OF CONSULTANT:	M6 Consulting, Inc.
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Robert Woodward & Masoud Mahmoud
CONSULTANT'S ADDRESS:	4165 E. Thousand Oaks Blvd. Ste. #335 Westlake Village, CA 91362
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Lukas Quach
COMMENCEMENT DATE:	August 19, 2019
TERMINATION DATE:	June 30, 2023
CONSIDERATION:	Amendment Amount: \$280,000  Total Contract Price Not to Exceed: \$811,400

**FIRST AMENDMENT TO AGREEMENT BETWEEN  
CITY OF AGOURA HILLS AND M6 CONSULTING, INC**

THIS **FIRST AMENDMENT** is made and entered into as of **June 23, 2022**, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and M6 Consulting, Inc., (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On August 19, 2019, the City and Consultant entered into that certain Agreement entitled "Agreement for Consultant Services between the City of Agoura Hills and M6 Consulting, Inc.", in the amount of not to exceed One Hundred Thirty-One Thousand, Four Hundred Dollars and Zero Cents (\$131,400.00) for the initial year of the Agreement and not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) for each of the remaining two years of the Agreement term.

b. The parties now desire to: (1) extend the term of the Agreement to June 30, 2023; (2) increase the payment amount by Two Hundred Eighty Thousand Dollars and Zero Cents (\$280,000.00) for a total not to exceed amount of Eight Hundred Eleven Thousand Four Hundred Dollars and Zero Cents (\$811,400.00); (3) amend Exhibit A to add additional scope of work for solar photovoltaics plan review; and (4) amend Exhibit B to add a new fee for solar photovoltaics plan review to be charged on an hourly basis, and (6) amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than **June 30, 2023**, unless sooner terminated pursuant to the provisions of this Agreement."

3. Paragraph A of Section 4 of the Agreement entitled "**PAYMENT**" is hereby amended to read as follows:

"A. The City agrees to pay Consultant monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The **FIRST** Amendment amount shall not exceed \$280,000.00 (for a total Agreement amount **not to exceed Eight Hundred Eleven Thousand Fourth Hundred Dollars and Zero Cents (\$811,400.00)**).

4. Exhibit "**A**" (Tasks to be Performed/Scope of Work) and Exhibit "**B**" (Payment Rates and Schedule) to the Agreement are hereby amended by adding thereto

the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.

5. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this **FIRST** Amendment to Agreement to be executed the day and year first above written.

**CITY OF AGOURA HILLS**

\_\_\_\_\_  
Deborah Klein Lopez,  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly M. Rodrigues, MMC  
City Clerk  
Date Approved by City  
Council \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Candice K. Lee,  
City Attorney

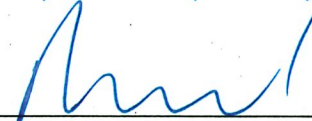
**CONSULTANT**

M6 Consulting, Inc.  
4165 E. Thousand Oaks Blvd. Ste. #335  
Westlake Village, CA 91362  
Robert Woodward  
Masoud Mahmoud  
(805) 379-1015

By: 

Print Name: MASOUD MAHMOUD

Title: PRINCIPAL / CFO

By: 

Print Name: ROBERT WOODWARD

Title: PRINCIPAL / CEO

[Signatures of Two Corporate Officers Required]



**ATTACHMENT A**

*Attached hereto and incorporated herein is the additional scope of work and associated cost as provided by the Consultant.*

Plan Check Services:	Hourly*
Solar Photovoltaics Plan Review Fee .....	\$130.00