



RESOLUTION No. 22-323

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING CONTRACT AMENDMENT 1 WITH 4LEAF, INC., TO PROVIDE ON-CALL PROFESSIONAL BUILDING INSPECTION AND PLAN REVIEW SERVICES, SETTING THE ANNUAL CONTRACT AMOUNT NOT TO EXCEED \$85,000 AND AUTHORIZING THE PURCHASING AGENT TO ENCUMBER THE CONTRACT

WHEREAS, the Nevada County Board Purchasing Officer approved PESP4281 approving a contract not to exceed \$40,000 with 4LEAF, Inc., for professional plan review and building inspection services; and

WHEREAS, in periods of high building activity, the Building Department has a need to utilize additional staffing resources to complete Plan Review and Inspections in a timely manner;

WHEREAS, services will only be utilized as needed and when sufficient revenue is received to fund the services; and

WHEREAS, the contract terms are from July 1, 2021, to June 30, 2022; and

WHEREAS, the parties desire to extend the contract terms to June 30, 2023; and

WHEREAS, the parties executed the original purchasing contract for \$40,000; and

WHEREAS, the parties desire to set the annual contract amount at an amount not to exceed \$85,000; and

WHEREAS, this contract amendment is contingent upon the adoption of the Fiscal Year 2022/23 County Budget; and

WHEREAS, this contract shall begin on July 1, 2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Approves Amendment 1 to the contract and authorizes the Chair of the Board of Supervisors to execute the Amendment between the County of Nevada and 4LEAF, Inc.
2. Authorizes the Purchasing Agent to encumber the contract:
1123-20602-322-1000 /521520 \$85,000

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of June, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Susan K. Hoek, Chair

6/28/2022 cc: Building*
AC*(hold)

7/6/2022 cc: Building*
AC*(release)

AMENDMENT NO.1 TO CONTRACT NO. PESP4281 WITH 4LEAF, INC.

THIS AMENDMENT is executed this 28th day of June, 2022, by and between 4LEAF, Inc. and COUNTY OF NEVADA. Said Amendment will amend the prior agreement between the parties entitled On-Call Professional Building Inspection & Plan Review Services executed on July 21, 2021, by Purchasing Contract PESP4281.

WHEREAS, the parties desire to amend their agreement to allow or provide for an annual not to exceed contract amount of Eighty-Five Thousand Dollars (\$85,000) for the period of July 1, 2022 – June 30, 2023; and

WHEREAS, the parties desire to amend the Exhibit B Fee Schedule for the period of July 1, 2022 – June 30, 2023; and

WHEREAS, the original contract was executed on June, 29, 2021 and executed by the Purchasing Agent in the amount not to exceed forty thousand (\$40,000).


NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of July 1, 2022.
2. The contract termination date is extended from June 30, 2022 to June 30, 2023.
3. This amendment shall set the annual contract amount at an amount not to exceed Eighty-Five Thousand Dollars (\$85,000).
4. Changes to Exhibit B Fee Schedule as attached.
5. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.


APPROVED AS TO FORM:
COUNTY COUNSEL

By: 
K.L. ELLIOTT, 2022 BY REP/ST


COUNTY OF NEVADA

By: 
Honorable Susan K. Hoek
Chair, of the Board of Supervisors

ATTEST:

By: 
Julie Patterson Hunter
Clerk of the Board of Supervisors

CONTRACTOR:

By: 
Kevin Duggan



Senior Planner	\$140/hour
Associate Planner	\$120/hour
Assistant Planner	\$105/hour
Planning Technician.....	\$90/hour
Off-Site Project Manager.....	\$189/hour
Principal-in-Charge	\$205/hour
Director.....	\$195/hour
Hourly overtime charge per inspector	1.5 x hourly rate
Mileage (for inspections performed within the County).....	IRS Rate + 20%

*Rates will be communicated with the County Management at time of request. Rates will vary based on the qualifications and experience of the personnel.

BASIS OF CHARGES

Rates are inclusive of "tools of the trade" such as forms, telephones, and consumables.

- All invoicing will be submitted monthly.
- Staff Augmentation work (excluding plan review) is subject to 4-hour minimum charges unless stated otherwise. Services billed in 4-hour increments.
- Most plan reviews will be done in 10 business days or less and 5 business days or less for re-checks. This is not inclusive of holidays or the day of the pick-up of plans.
- Expedited reviews will be billed:
 - *Scenario #1 (Applicant requested):* at 1.5x the plan review fee.
 - *Scenario #2 (County requested):* at no additional cost to the County when available.
- Plan review of deferred submittals & revisions will be billed at the hourly rates listed.
- All plan review services will be subject to a \$250.00 minimum fee if percentage-based fee or two (2) hour minimum charge if hourly rates apply.
- All plan review services are billed on a percentage basis and includes the initial review and two (2) rechecks.
 - Plan reviews will be billed on an hourly basis only after the initial review and two (2) rechecks unless otherwise agreed upon on a case-by-case basis.
 - Fire and Civil Reviews are billed on an hourly basis and are not included in our plan review percentage.
- 4LEAF assumes that these rates reflect the FY2022-2023 contract period. 3% escalation for FY2023-2024, and FY2024-2025 is negotiable per market conditions.
- Overtime and Premium time will be charged as follows:

- <i>Regular time (work begun after 5AM or before 4PM)</i>	<i>1x hourly rate</i>
- <i>Night Time (work begun after 4PM or before 5AM)</i>	<i>1.125x hourly rate</i>
- <i>Overtime (over 8-hour M-F or Saturdays)</i>	<i>1.5x hourly rate</i>
- <i>Overtime (over 8 hours Sat or 1st 8-hour Sun)</i>	<i>2x hourly rate</i>
- <i>Overtime (over 8 hours Sun or Holidays)</i>	<i>3x hourly rate</i>
- Overtime will only be billed with prior authorization of responsible designated County personnel.
- All work with less than 8 hours of rest between shifts will be charged the appropriate overtime rate.



- In accordance with California's Meal Break and Rest Break Law requirements, Client will be billed one (1) additional hour per day at the regular time rate for each missed meal or rest break due to Client- directed tasks or requirements. Client should allow 4LEAF's non-exempt, hourly employees the opportunity to take their entitled rest and meal breaks during each work shift.
- If 4LEAF is requested or otherwise required to conform to Client's alternative work week schedule ("AWW"), Client hereby agrees to compensate or reimburse 4LEAF for all overtime paid to its employees who work an AWW.
 - If 4LEAF's affected employment group approves an AWW election and the same is registered, the overtime compensation/reimbursement shall not be required.
- Mileage driven during the course of Inspections will be charged at cost plus 20%.
- Payment due on receipt. All payments over 30 days will be assessed a 1.5% interest charge.
- Client shall pay attorneys' fees, or other costs incurred in collecting delinquent amounts.
- Client agrees that 4LEAF's liability will be limited to the value of services provided.