



## Legislation Details (With Text)

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**Title:** CONSIDER APPROVAL OF A CONSULTANT RETAINER AGREEMENT WITH BARR & CLARK, INC., TO PROVIDE LEAD-BASED PAINT AND ASBESTOS TESTING AND CONSULTING SERVICES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT'S RESIDENTIAL REHABILITATION PROGRAMS (CITY COUNCIL)

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**Attachments:** 1. Barr & Clark draft contract, 2. Exhibit #2 LBPAsbestosBidRegister2019, 3. Exhibit #3 LBP\_Asbestos\_2019RFP\_UnitCosts

| Date | Ver. | Action By | Action | Result |
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## Report to Mayor and City Council

Tuesday, November 19, 2019

Consent

### SUBJECT:

**CONSIDER APPROVAL OF A CONSULTANT RETAINER AGREEMENT WITH BARR & CLARK, INC., TO PROVIDE LEAD-BASED PAINT AND ASBESTOS TESTING AND CONSULTING SERVICES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT'S RESIDENTIAL REHABILITATION PROGRAMS (CITY COUNCIL)**

### I. SUMMARY

Staff issued a Request for Proposals (RFP) for lead-based paint and asbestos testing and consulting services in connection with the City's residential rehabilitation programs, as the current contract for such services expires December 31, 2019. Staff reviewed the proposals received in response, and recommends selection of a consultant and approval of a consultant retainer agreement (Exhibit No. 1).

### II. RECOMMENDATION

TAKE the following actions:

1. APPROVE a consultant retainer agreement with Barr & Clark, Inc., for a period of three years, in an amount not to exceed \$15,000.00 per year (total amount not to exceed \$45,000.00), with the option to extend the agreement for an additional one-year period at the discretion of the City.
2. AUTHORIZE the Mayor to execute the agreement following approval as to form by the City Attorney.

### III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

### IV. BACKGROUND

Inspection, testing for, and abatement of lead-based paint (LBP) and asbestos has been an essential component of the residential rehabilitation programs of the Community Development Department. The negative health effects of LBP and asbestos, particularly on the development of young children, are well documented. As a result, inspections, testing, and abatement is required in the rehabilitation of all residential structures built before 1978, where such rehabilitation is performed using U. S. Department of Housing and Urban Development (HUD) funding (e. g., Community Development Block Grant and HOME Investment Partnership Program funds) under the provisions of Section 24 of the Code of Federal Regulations (CFR) Part 35. Enforcement of the provisions of 24 CFR 35 has become an area of emphasis in recent years for HUD.

Staff issued the RFP on September 19, 2019 and set a deadline for responses of October 8, 2019. The services to be performed can be summarized as follows:

#### Lead-Based Paint

- a. Conduct lead hazard inspection/evaluation. Consultant shall determine if lead-based paint hazards exist in the dwelling unit, and where, if any, such hazards exist.
- b. Conduct testing of all surfaces to be disturbed during the rehabilitation process. A certified lead-based paint inspector or risk assessor must conduct the testing.
- c. Provide the City with a report indicating the findings of the paint testing.
- d. For rehabilitation work in excess of \$5,000.00, a certified risk assessor must conduct and preparer a risk assessment of the entire unit.
- e. Conduct final clearance inspection to ensure the dwelling is safe for occupants. Final clearance shall ensure that all of the following have been completed:
  - All hazard reduction work covered in the work specifications is complete.
  - All areas where paint has been stabilized have been repainted with primer and finish coats of paint.
  - All causes of deteriorated paint have been repaired.
  - Encapsulants have been applied according to manufacturer's recommendations.
  - Friction and impact surfaces have been treated.
  - Surfaces that collect lead dust have been cleaned.

### Asbestos

- a. Conduct inspections of each dwelling unit to identify and assess the presence of accessible asbestos containing construction materials at each dwelling unit.
- b. Visually inspect suspect materials to assess their condition.
- c. Collect physical bulk samples of suspect materials from representative locations within the dwelling unit and submit such samples to an independent laboratory for analysis.
- d. Based on the results of the laboratory analysis of the suspected asbestos containing materials, prepare recommendations for the stabilization or abatement, as applicable, of any hazardous asbestos-related conditions the analysis reveals.
- e. Oversee the stabilization or abatement, as applicable, of the hazardous asbestos related conditions.
- f. Conduct asbestos containing materials clearance inspection after all asbestos-related activities have been completed. After the dwelling unit passes all air clearance testing, issue asbestos abatement clearance to reoccupy the abated areas.

This RFP was posted on the PlanetBids online portal as per current City practice. Five firms submitted responses to the RFP (Exhibit No. 2). A comparison of the five proposals (on a unit cost basis) is presented as Exhibit No. 3.

Over the past several years, the annual workload for the residential rehabilitation programs has fluctuated substantially based on demand as well as the availability of funding, making it difficult to predict. Over the past five program years, an average of 32 units have been rehabilitated per year, ranging from a low of 22 to a high of 44.

In addition to cost, other criteria on which the firms were evaluated included the level of experience the firms had in performing work of this nature (particularly in a municipal residential rehabilitation context), the qualifications and certifications of the personnel the firms proposed to assign to the work, and the proximity of the firms to Carson. After careful consideration of the proposals, submitted, staff recommends the award of a three-year agreement, with an option to renew the agreement for an additional year at the City's discretion, to Barr & Clark, Inc., of Huntington Beach, California, at an annual cost not to exceed \$15,000.00 (cost not to exceed \$45,000.00 for the three-year period). Barr & Clark has been providing these services to the City continuously since 2010, and City staff is satisfied with the firm's professionalism, price, and quality of work.

## **V. FISCAL IMPACT**

Funds for this proposed agreement have been included in the approved 2019-2020 Annual Action Plan under Capital Improvement Activities, and in FY 2019/20 CDBG budget in account number 215-70-729-964-6062. There is no General Fund impact.

## **VI. EXHIBITS**

1. Draft Consultant Retainer Agreement with Barr & Clark, Inc. (pgs. 4-30)
2. City of Carson Bid Register. (pg. 31)
3. Lead-Based Paint/Asbestos RFP Unit Costs. (pgs. 32-36)

Prepared by: Keith Bennett, Community Development Department