



Legislation Text

File #: 19-263, **Version:** 1

TO: Mayor Bien-Willner and Town Council Members

FROM: Jill B. Keimach, Town Manager
Dawn Marie Buckland, Deputy Town Manager
Jeremy Knapp, Community Development Director

DATE: June 13, 2019

DEPARTMENT: Community Development

AGENDA TITLE:

Authorize the Town Manager to Amend the Contract with Brown and Associates for Third Party Plan Review and Inspection Services Related to Construction Activities at the Five Star Development in an Amount Not to Exceed \$540,000

RECOMMENDATION:

Authorize the Town Manager to execute a contract with Brown and Associates.

SUMMARY STATEMENT:

In November 2018 the Town Council authorized the Town Manager to execute a contract with Brown and Associates in an amount not to exceed \$240,000 for plan review and inspection services related to the Five Star Development. This contract was necessary due to the inability of existing staff to provide the required services. This impact to town services was anticipated in the approved 2016 Development Agreement between the Town and Five Star Development Resort Communities. Particularly, Section 6.2 states:

6.2 Review Process. The Parties agree that it is desirable for Owner to proceed rapidly with the implementation of this Agreement and the redevelopment of the Property. The Town acknowledges the necessity for review by the Town of all plans and other materials submitted by the Owner to the Town hereunder or pursuant to any zoning procedure, permit procedure, or other governmental procedure pertaining to the development of the Property and agrees to use its reasonable but diligent efforts to review all plans and submittals. Upon the request of Owner, Town will select and retain third-party plan reviewers, inspectors, and other relevant professionals. These third-party contractors shall be funded by the Owner to the extent such costs and expenses are approved in advance, in writing, by Owner. Such third-party contractors shall work for the Town and report to the Town.

This process has been working well in the opinion of town staff and Five Star Development and both wish to extend the contract amount an additional \$300,000 to continue utilizing Brown and Associates for plan review and inspections. The Town will continue to contract with Brown and Associates for

their services and receive and process invoices. Subsequently, the Town will then bill Five Star for reimbursement for services related to the Five Star Development.

BUDGETARY IMPACT:

The existing contract with Brown and Associates is for an amount not to exceed \$240,000. Approval of this contract amendment will cost the Town up to an additional \$300,000, bringing the total contract amount to \$540,000. The Building Division and Engineering Divisions have budgeted for this expenditure in the current FY2019 Budget and future FY2020 Budget. This contract and the associated Development Agreement with Five Star requires Five Star to reimburse the town for these costs, up to \$500,000.

ATTACHMENT(S):

Attachment A - Existing Contract with Brown and Associates

Attachment B - Contract Amendment with Brown and Associates

Attachment C - PowerPoint Presentation