



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Robert Fisher, Acting City Manager

PREPARED BY: David Newell, Community Development Director

MEETING DATE: March 11, 2025

SUBJECT: Consideration of Resolution 2025-34, Approving a Sole Source Agreement for Professional Services with Willdan Engineering, Inc. for (1) Building and Safety Services in an Amount Not to Exceed \$426,000 for Six Months and (2) Planning Services in an Amount Not to Exceed \$151,000 for Nine Months.

RECOMMENDATION:

Adopt Resolution 2025-34.

BACKGROUND:

The Community Development Department, which includes the Building & Safety, Fire Prevention and Planning Services Divisions, manages the land use entitlement and construction permitting process for development projects in the City, including new projects and improvements to existing developments. For the last five years, the City has augmented its services with contractual staff in this Department to support the demand for new development and growth, as demonstrated by the rise in population during the same time.

Building & Safety Services:

In 2019, after a request for proposals and procurement (RFP) process, the City contracted with Willdan Engineering, Inc. (Willdan) to provide staffing and support services for the Building and Safety Division (C00608). The services provided by Willdan include building permit processing, all building and landscape plan check reviews, building and landscaping inspections, and other staffing services as needed for this Division. Based on current needs, Willdan provides the three on-site, fulltime staff (building official, permit technician and building inspector) and has increased or decreased the on-site staffing based on the City's staffing fluctuations. Currently, the Building & Safety Division has three fulltime employees (Building Inspector and (2) Permit Technicians) and there have been challenges filling the other two allocated positions (Building Official and Senior Building Inspector).

The Willdan contract was approved by City Council with subsequent amendments as follows:

- 9/24/19 - City Council adopted Resolution 2019-122 approving the agreement for three years and for a total amount not to exceed \$1,470,960
- 1/25/22 - City Council adopted Resolution 2022-09, amending the agreement and increasing the contract sum to \$2,185,862.50 for the three year term
- 2/28/23 - City Council adopted Resolution 2023-44, amending the agreement to extend contract through 6/30/24 and increase the contract sum to \$2,797,862.50
- 2/27/24 - City Council adopted Resolution 2024-37, amending the agreement to extend contract through 9/23/24 and increase the contract sum to \$3,267,862.50

- 6/25/24 - City Council adopted Resolution 2024-104, amending the agreement to extend the contract through 3/31/25 and increase the contract sum to \$4,167,862.50

The contract with Willdan is set to expire on March 31, 2025, unless the proposed amendment is approved for the requested 6-month period.

Planning Services:

In 2020, the City contracted with Romo Planning Group, Inc. (RPG) to provide planning services and augment staffing in the Planning Division. These services were to assist with managing several land use entitlement applications and the day-to-day functions of the Planning Division, including zoning and project review, environmental analysis, and other typical functions that were needed to manage the large amount of work that is required of the Planning Division. On August 8, 2020, the City Council adopted Resolution 2020-106 and authorized the contract for a five year period for an amount not to exceed \$510,000. Subsequent amendments were approved, authorizing the contract to ultimately extend through August 25, 2025 and not exceed \$1,155,000. While the City hasn't utilized the services authorized under this agreement in recent months, staff reached out to RPG in January to seek staff support services and was notified the company would no longer be available to provide services to the City.

The Planning Division currently has three full-time staff members (Associate Planner, Project Coordinator and a recently hired Assistant Planner). The Planning Manager recently resigned to take a promotional opportunity with another City, so there is a need to augment services in the Planning Division and provide project management of land use applications and the general plan update, conduct planning and zoning reviews and inspections, and support other functions of the Division.

Due to its current relationship with Willdan, Staff requested a proposal from Willdan's Planning Services team to augment its Planning Services and they provided a proposal to provide this support immediately.

To minimize service disruptions beyond March, the Community Development Department is proposing a sole source agreement with Willdan to provide both Building and Safety and Planning Services. The sole source agreement would provide these services for six to nine months which would allow additional time for City staff to issue an RFP and solicit services to respond to the City's continued demand for Planning and Building and Safety Services.

JUSTIFICATION:

It is common practice for jurisdictions to contract with third party contractors to provide plan check review services to provide timely and efficient services and ensure the necessary expertise is utilized for applying applicable codes for the varying types of projects that are constructed in a City or County. The fees for these services generally are paid by application review fees.

The additional on-site staffing ensure the Department provides responsive and efficient service to the business and development community and can generally be covered by application fees, although Community Development Departments generally require subsidy from the General Fund due to application fee subsidies that are often made as a policy decision during the adoption of the fee schedule. The City is currently undergoing a fee study and will be presenting the results of this study in the coming months to the City Council.

Willdan has demonstrated to provide competent and professional services and has the capacity to assist the City with its current needs.

FISCAL IMPACT:

The requested services were budgeted as part of the 2024/2025 budget and will not exceed previously budgeted amounts. The estimated costs for the contract term are as follows: Building and Safety Services not to exceed \$426,000 and for Planning Services not to exceed \$151,000.

The Building and Safety Division services will be paid out of the Division's Contract SVC-Professional / Professional Services Account (GL 001-2700-442.33-11) which has a balance of \$510,299.25. This account is current on invoice payments through January 2025 and is estimated to have a remaining balance of \$368,299.25 (when assuming \$71,000 monthly invoices - a safe estimate based on prior invoices that have been lower - from Willdan for February and March).

The Planning Division services will be paid out of the Division's Contractual SVC-Professional / Planning Services Account (GL 001-2800-441.33.41), which has a balance of \$152,946. There are no outstanding invoices payable from this account.

ALTERNATIVES:

Provide alternative direction to staff.

BUDGETED?:

Yes

CONTRACT/AGREEMENT:

Yes

ATTACHMENTS:

1. [Resolution 2025-34, Willdan Sole Source.docx](#)
2. [C01133 - Willdan - Staff Augmentation Building & Safety and Planning.pdf](#)
3. [2019 Agreement \(C00608\) with WILLDAN ENGINEERING](#)
4. [Willdan FY 24-25 Rate Increase](#)
5. [Willdan Sole Source.pdf](#)