



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Chris Bazar
Agency Director

Agenda Item _____ July 14, 2020

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June 30, 2020

Honorable Board of Supervisors
Administration Building
Oakland, California 94612

Dear Board Members:

SUBJECT: APPROVE AMENDMENT NO. 3 TO PROCUREMENT CONTRACT NO. 14034 WITH OAKS ENVIRONMENTAL TESTING, INC. FOR LEAD EVALUATION SERVICES

RECOMMENDATION:

Approve Amendment No. 3 to the contract (Procurement Contract No. 14034) with Oaks Environmental Testing, Inc. (Principal: Maribel Robles; Location: Oakland) for lead evaluation services in Alameda County, extending the current term of 8/1/16 - 7/31/20 by 11 months until 6/30/21, and increasing the current contract amount of \$220,000 to \$245,000 (\$25,000 increase)

DISCUSSION/SUMMARY:

On August 2, 2016 (Item No. 37), your Board authorized three contracts with lead evaluation consultants, Oaks Environmental Testing, Inc.; Titan Environmental Solutions, Inc.; and, Professional Service Industries, Inc., for lead evaluations under two Lead Hazard Control Programs in Alameda County funded by the U.S. Department of Housing and Urban Development (HUD).

On March 27, 2018 (Item No. 16) and June 4, 2019, (Item No. 62) your Board approved amendments to the contract with Oaks Environmental Testing, Inc., to evaluate additional units and increase the number of lead evaluation services increasing the amount of the funding to \$220,000.

On November 19, 2019 (Item No. 24), your Board approved acceptance of a new 42-month HUD-funded lead hazard control grant. Under the HUD Lead Hazard Control Programs, pre-1978 units are assessed for lead hazards before and after lead hazard control work by State-certified assessors. These services are required to complete deliverables for this program for lead hazard control in pre-1978 housing for low-income families with a priority for units occupied by children under six years of age.

The Community Development Agency (CDA) Healthy Homes Department (HHD) requests a third amendment to this agreement extending the contract term and increasing the contract amount in order to complete lead projects in a timely matter and to meet projected HUD benchmarks while a Request for Proposal (RFP) process is completed. Due to the current health concerns, HHD projects that the RFP process will

be completed by June 30, 2021 and anticipates working with both current and new contractors after the RFP process is complete.

SELECTION CRITERIA AND PROCESS:

A Request for Proposal (RFP) based on Alameda County specifications was issued in May 2016. Titan Environmental Solutions Inc., Oaks Environmental Testing, Inc., and Professional Service Industries, Inc., were selected to provide these services. All the consultants have performed work under these contracts. Oaks Environmental Testing, Inc., provides the overall lowest cost of service. The CDA Healthy Homes Department will continue to use Titan Environmental Solutions, and Professional Service Industries, Inc., and will request contract term extensions and, where appropriate, increase in contract amounts for these contractors.

CDA received Federal Grant Fund Small Local Emerging Business (SLEB) Waiver #F954-1A; #F954-1B and #954-1C was reapproved for Oaks Environmental Testing, Inc., by the Auditor-Controller Agency, Office of Contract Compliance valid through June 30, 2021.

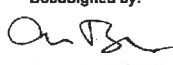
FINANCING:

Funding for this contract amendment is included in CDA's approved FY 2020-2021 Budget. There will be no Net County Cost as a result of this action.

VISION 2026:

Lead testing identifies lead hazards and confirms the safe completion of lead hazard control. This protects children and others in our community from lead poisoning and meets the 10X goal pathway of **Healthcare for All** in support of our shared visions of **Safe and Livable Communities** and a **Healthy Environment**.

Very truly yours,

DocuSigned by:

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Chris Bazar, Director
Community Development Agency

cc: Susan S. Muranishi, County Administrator
Donna R. Ziegler, County Counsel
Melissa Wilk, Auditor-Controller
Jennifer Schulz, County Administrator's Office
Andrew J. Massey, Office of the County Counsel
Sandra Rivera, Community Development Agency

THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement (“Third Amendment”) is made by the County of Alameda (“County”) and Oaks Environmental Testing, Inc., (“Contractor”) with respect to that certain agreement entered by them on August 1, 2016 and that certain Second Amendment to Contract, (collectively referred to herein as the “Contract”) pursuant to which Contractor provides Lead Evaluation services to County.

County and Contractor, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:


1. Except as otherwise stated in this Third Amendment, the terms and provisions of this Amendment will be effective as of the date this Third Amendment is executed by the County (“Effective Date”).
2. The term of the Agreement is currently scheduled to expire on July 31, 2020. As of the Effective Date, the term of the Agreement is extended through June 30, 2021.
3. In consideration for Contractor’s additional services, the County shall pay Contractor in an additional amount not to exceed Twenty Five Thousand dollars (\$25,000). As a result of these additional services the not to exceed amount has increased from Two Hundred Twenty Thousand dollars (\$ 220,000) to Two Hundred Forty Five Thousand dollars (\$245,000) over the term of the Agreement and any amendments.
4. Item 20 of the Standard Services Agreement is being amended as follows:
Services shall not exceed \$245,000 payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment.


5. A Revised Exhibit B, Payment Terms, is attached to this Amendment.
6. Attached here to (*Exhibit D*), is a current Debarment and Suspension Certificate executed by Contractor.
7. Except as expressly modified by this Third Amendment, all of the terms and conditions of the Contract are and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

COUNTY OF ALAMEDA

OAKS ENVIRONMENTAL TESTING, INC.

By: 
Signature

By: 
Signature

Name: RICHARD VALLE
(Printed)

Name: Maribel Robles
(Printed)

Title: President of the Board of Supervisors

Title: Owner

Date: 7/27/2020

Date: 6/29/2020

Approved as to Form:

Donna R. Ziegler, County Counsel

By: 
Andrew J. Massey, Deputy County Counsel

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

**REVISED EXHIBIT B
PAYMENT TERMS**

1. County will use its best efforts to make payment to Contractor upon successful completion and acceptance of the following services listed within thirty (30) days upon receipt and approval of invoice.

Description	SFR unit cost	2-4 Units unit cost	5+ units unit cost
Lead Inspection Risk Assessment	\$575.00	\$525.00	\$475.00
Clearance	\$275.00	\$225.00	\$200.00
Cost per hour for additional work			\$95.00
Cost per report for translation into Spanish using ACHHD supplied template.			\$85.00
Cost per sample for dust lead analysis with 120 hour turn-around			\$10.00

2. Invoices will be reviewed for approval by the County, Healthy Homes Department Director or Designee.
3. Total payment under the terms of this Agreement will not exceed the total amount of \$245,000. Contractor will invoice no more often than every two weeks and no less than monthly. This cost includes all taxes and all other charges.
4. Services will be performed in a timely manner on an as needed basis.

EXHIBIT D

**COUNTY OF ALAMEDA
DEBARMENT AND SUSPENSION CERTIFICATION**

The Contractor, under penalty of perjury, certifies that, except as noted below, contractor, its principals, and any named or unnamed subcontractor:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Check if continued on attached page. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Check if continued on attached page.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Amendment to the Standard Services Agreement. Signing the Amendment to Standard Services Agreement on the signature portion thereof shall also constitute signature of this Certification.

CONTRACTOR: OAKS ENVIRONMENTAL TESTING, INC.

PRINCIPAL: Maribel Robles TITLE: Owner

SIGNATURE:  DATE: 6/29/2020
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