

Building Department Professional Services Agreement Contract History

1. On July 1, 2009, the City entered into a Professional Services Agreement with Calvin Giordano & Associates, Inc. (CGA) for an initial five (5) year period, commencing July 1, 2009 and expiring June 30, 2014, with subsequent one (1) year renewals.
2. On April 27, 2011, the Parties executed the First Amendment to the Original Agreement to update the provision for Public Records, and to include Article 10, entitled "Legal Obligations" for the payment of taxes, and Article 11, entitled "Special Conditions" for conflicts of interest.
3. On July 17, 2014, the Parties executed the Second Amendment to the Original Agreement, as amended, for the first, one (1) year renewal term, which expired on June 30, 2015.
4. On July 1, 2015, the Parties executed the Third Amendment to the Original Agreement, as amended, for the second, one (1) year renewal term, which expired on June 30, 2016.
5. On April 6, 2016, the Parties executed the Fourth Amendment to the Original Agreement, as amended, to enter into a third, one (1) year renewal term, which expired on June 30, 2017.
6. On June 22, 2017, the Parties executed the Fifth Amendment to the Original Agreement, as amended, to enter into a fourth, one (1) year renewal term, which expired on June 30, 2018.
7. On April 9, 2018, the Parties executed the Sixth Amendment to the Original Agreement, as amended, to enter into a fifth, one (1) year renewal term, which expired on June 30, 2019.
8. On November 20, 2018, the Parties executed the Seventh Amendment to the Original Agreement, as amended, to enter into a sixth, one (1) year renewal term, which expired on June 30, 2020.
9. On June 3, 2020, the City Commission approved the eighth Amendment for a one (1) year renewal term commencing July 1, 2020, and ending June 30, 2021, as allowed by the agreement.
10. On June 3, 2020, the City Commission also gave direction to the City Manager to negotiate better terms in an effort to generate additional revenues for the City.
11. On October 7, 2020, at the direction of the City Commission, City Administration presented a re-negotiated Amendment to the agreement included the following changes:

- a. City would retain 11.5% of all building permit revenues, beginning from the first dollar received in building permit fees. No sales tax would be charged on the City's retention of building permit fees.
- b. City would continue to charge CGA both the contractual Administrative Fee and Rental Fee per the existing contract. Including applicable sales tax for the rental fee.
- c. City will be responsible for their check and credit card processing fees associated with the intake of the permit fees, planning and zoning fees, engineering fees, fire fees, CO fees and impact fees.
- d. The contract renewal shall be for an initial five (5) year period with two additional (3) year renewals; as revised and recommended by Administration.
- e. All remaining terms of the contract would remain in-tact, such as waiving 100% of City project permit fees.

12. As a result of these negotiated changes, the City will receive additional revenues of approximately \$270,000 to \$290,000 per year. This is also more beneficial to the City, in that we will start earning additional revenues beginning with the first dollar, rather than depending on revenues to reach \$4 Million.

13. On October 21, 2020, City Administration provided the Commission with a "White Paper" as requested, that was to address the value of the five year contract and the benefits of long-term contracting.. Administration also provided the cost of bringing the services in-house.

14. On November 2, 2020, a Workshop was held to discuss the CGA contract and the information previously mentioned. At that workshop, Commission requested additional information; such as a comparison with other Cities and a comparison of the permit fees charged by other Cities.. The conclusion is such that it is very difficult to have an "apples to apples' comparison between the cities as their structure, fees, and contracts are very different.

15. Additionally at the November 2, 2020 workshop, the City Attorney also provided clarification in the verbatim minutes regarding the requirement for bidding.

16. On December 16, 2020, the City Commission voted to defer the item until the Commission could get a risk management report from the Commission Auditor regarding Calvin Giordano and Associates, Inc.

17. During time pending the Commission Auditors' Report, the agreement expired on June 30, 2021. Pursuant to CITY Code of Ordinances §35.29(C) the Parties executed the Ninth Amendment to the Original Agreement, as amended, to extend the term for 180 days to December 28, 2021.
18. On November 17, 2021, the City Commission approved the tenth amendment to the contract with the following amendment:
 - That the City propose an offer to CGA for a three (3) year contract with a one (1) year renewal option, and that at the end of the second year there would be a performance evaluation to meet the standards the City was looking for with an evaluation at the end of the second year to determine if the City would go into the third year.
19. On January 7, 2024, the City Commission approved the eleventh amendment to the contract term of the Original Agreement, as amended, is renewed for a one (1) year period which shall commence on January 1, 2025, and shall naturally expire on December 31, 2025.
20. On December 11, 2025, the City Manager approved the twelfth amendment to the agreement, authorizing a 180 day extension through June 30, 2026.