



CITY COUNCIL AGENDA REPORT

MEETING DATE: October 4, 2004

ITEM NUMBER:

SUBJECT: Workplace Safety Consulting Services

DATE: September 23, 2004

FROM: Administrative Services Department, Risk Management Division

PRESENTATION BY: Jim Thyden, Risk Management Analyst

FOR FURTHER INFORMATION CONTACT: Jim Thyden, Risk Management Analyst 714-754-5228

RECOMMENDED ACTION:

Approve a three-year contract for technical workplace safety consulting services with Environmental Health & Safety Resources at an annual fee of \$36,000 per year.

BACKGROUND:

Environmental Health & Safety Resources (EH&S) provides technical consulting for the City's workplace safety program. EH&S has been the City's safety consultant since 1998. When their contract expired in 2003, the City conducted a Request for Proposal (RFP) process. EH&S was the top candidate and they were subsequently awarded a one-year contract to continue as the City's consultant at the same annual contract amount as previously.

The original contract in 1998 provided 312 hours per year at \$80 per hour, for an annual contract price of \$25,000. Over the last several years, as the consultant's hourly rate increased, the annual contract fees remained at approximately \$25,000, but the number of service hours gradually reduced to the current amount of 250.

Staff is requesting an increase in the annual contract fees to bring the number of hours to the level necessary to meet current program needs and ensure the City is in compliance with all State and Federal safety regulations.

ANALYSIS:

Over the past six years the City has made progress in its workplace safety program and succeeded in bringing the City into compliance in a number of areas. However, there are still many specific work areas within the City that need assessment of workplace exposures and determination of further work necessary for State and Federal regulatory compliance. A multi-year plan has been developed in Attachment 1 that will address priority needs, ensure the City meets state and federal OSHA standards and can maintain a safe and healthy work environment. The projects will entail 1,062 contract hours to complete. The proposed three-year contract provides for a total of 1,080 hours.

Attachment #2 is a report from EH&S that elaborates on what has been accomplished in the workplace safety program over the past six years and provides more detail of the work plan for the proposed contract.

Ensuring safety compliance is important to the City because of changes in the law that took place in 2003. Prior to January 2003, government agencies were exempt from monetary fines levied by CalOSHA. Public employers are now subject to the same fines as private employers for violations of safety regulations.

ALTERNATIVES CONSIDERED

The City could decline to increase the number of contracted service hours purchased, which would decrease the number of projects that can be accomplished over the next three years. This may result in reduced worker safety, more injuries, higher workers' compensation claim costs, as well as the possibility of monetary fines assessed by CalOSHA for any areas of non-compliance.

FISCAL REVIEW:

\$36,000 has been budgeted for workplace safety consulting fees in the adopted FY 2004-05 Operating Budget. Therefore, sufficient funding is available to fund the proposed contract costs of \$36,000.

CONCLUSION:

Staff recommends that the City Council approve the three-year contract with Environmental Health & Safety Resources for \$36,000 per year, effective October 1, 2004 to keep pace with safety program demands.

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Risk Management Analyst

HOWARD PERKINS
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Acting City Attorney

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Finance Director

DISTRIBUTION: City Manager
City Attorney
City Clerk
Department Directors

ATTACHMENTS: 1 [Workplace Safety Plan for 2004-05 through 2006-07](#)
2 [EH&S Memorandum of Program Accomplishments, Status and Plan](#)
3 [Professional Services Agreement](#)