

RESOLUTION 2017-203

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE EMERGENCY PROCUREMENT OF HVAC EQUIPMENT; (2) AWARDED THE BID TO MARINA MECHANICAL, INC. FOR THE PURCHASE OF A 20-TON "CARRIER" ROOFTOP COOLING UNIT, TO INCLUDE EQUIPMENT, HARDWARE, ANCILLARY INSTALLATION AND A ONE (1) YEAR WARRANTY, AT THE POLICE DEPARTMENT IN THE AMOUNT OF \$58,424 INCLUDING A 15% CONTINGENCY FOR \$67,188 USING EXISTING BUDGET RESOURCES FROM THE FY 2017/18 POLICE DEPARTMENT PROFESSIONAL SERVICES LINE ITEM (100-2110-43600); AND (3) AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARINA MECHANICAL

WHEREAS, provision of HVAC services falls generally under the *Infrastructure policy area; Building Maintenance* category of the FY 2015/17 City Council Priority Workplan, effective October 1, 2016;

WHEREAS, this proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA), under CEQA Guidelines section 15302 for the replacement or reconstruction of existing facilities and section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

WHEREAS, the Police Department has two 20-ton air conditioning units which were manufactured and installed in 1996 (21 years ago). Each unit controls the air conditioning for one-half of the building. In July 2017, the unit controlling air conditioning for the Administration, Investigations, Record's Section, and the Temporary Holding Facility stopped producing cool air. The failing unit caused a significant heat increase in the aforementioned areas of the Police Station;

WHEREAS, In addition to providing an appropriately ventilated work environment for Department staff, Departmental Policy #900 (Temporary Custody of Adults) Section 900.5.2 Subsection (h) 1 (I) (Temporary Custody Requirements) dictates the on-duty supervisor should ensure that an adult arrestee being held in the temporary holding facility has adequate shelter, heat, light, and ventilation without compromising security or enabling escape. Due to the air conditioner's failure to produce cool air, the requirement to provide adequate ventilation to adult prisoners while in custody in the temporary holding facility has been compromised particularly due to the high temperatures during the past two months;

WHEREAS, in order to temporarily cool down work areas within the department several portable fans were purchased at a cost of \$605;

WHEREAS, SH Mechanical conducted an evaluation of the unit and diagnosed the unit had multiple leaks in the refrigerant cycle causing the unit to underperform. SH Mechanical recommended the unit be replaced as the unit is no longer cost effective due to continued major repairs and inefficiency;

WHEREAS, the air conditioning unit's underperformance is not providing adequate ventilation of the Temporary Holding Facility and in work areas within the Department. The issue has become even more challenging with the air quality issues due to the North California fires this past week. The immediate procurement of one 20-ton "Carrier" rooftop cooling unit is essential to protect the health and welfare of adult arrestees and the employees of the Police Department;

WHEREAS, City of San Pablo Municipal Code 3.16.110 (Exceptions to Bid Policy) Subsection (D)(3) (Emergency) dictates: *When an emergency requires the immediate procurement of supplies, equipment or services, such procurements are exempted from the formal and informal bid requirements of this chapter. For the purposes of this section, an emergency shall be deemed to exist only if:*

There is a breakdown in machinery or an essential service which requires the immediate procurement of supplies and equipment to protect the public health, welfare or safety;

WHEREAS, although the project includes installation services done by a licensed contractor, the majority of the cost of the project is simply the procurement of the replacement air conditioning unit.

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WHEREAS, in order to procure the best service and equipment, staff informally invited bids for the purchase of equipment, hardware, and installation of a 20-ton "Carrier" rooftop cooling unit. The Police Department received three informal bids as follows:

Company	Bid Order	Total Bid
Massone Mechanical	1	\$53,915.31
Marina Mechanical	2	\$58,424.00
SH Mechanical	3	\$63,644.08

WHEREAS, all three companies have valid State of California contractor licenses and are registered with the California Department of Industry Relations and are compliant with certified payroll in regards to paying prevailing wages to employees working on public works projects;

WHEREAS, the Police Department's HVAC system consists of two air conditioning only units and a hot water boiler system for heat. These systems work in conjunction to regulate the temperature inside the Police Department;

WHEREAS, after the initial request for informal bids, it was determined that a different model of the air conditioning unit would work better with the building's hot water boiler system. The low bidder, Massone Mechanical, refused to bid on the substitute air conditioning unit; and

WHEREAS, staff recommends the City Council award the project to Marina Mechanical in the amount of \$58,424 ("Contract Amount") for the purchase and installation of a 20-ton "Carrier rooftop cooling unit, due to the fact that Marina Mechanical is the only company that is certified to preform work on hot water boiler heating and air conditioning systems;

WHEREAS, staff recommends the City Council award the project to the second lowest bidder for the initial air conditioning unit and the low bidder for the substitute unit, Marina Mechanical, in the amount of \$58,424 ("Contract Amount") for the purchase and installation of a 20-ton "Carrier rooftop cooling unit. In addition, Marina Mechanical is the only company that is certified to perform work on hot water boiler heating and air conditioning systems;

WHEREAS, the cost of the equipment and work would be paid using existing budget resources from the FY 2017/18 Police Department Professional Services line item (100-2110-43600).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo:

1) Authorizes the emergency procurement of one (1) 20-ton "Carrier" rooftop cooling unit, to include equipment, hardware, ancillary installation labor and a one-year warranty from Marina Mechanical under the authority of City of San Pablo Municipal Code 3.16.110 (Exceptions to Bid Policy) Subsection (D)(3) for Emergency procurement of supplies for the reasons set forth above;

2) Awards the contract to Marina Mechanical in the amount of \$58,424 for the purchase and installation of a 20-ton "Carrier rooftop cooling unit, as the lowest responsible bidder due to Marina Mechanical's certifications to perform work on hot water boiler heating and air conditioning systems and ability to provide the substitute equipment best suited for the Police Department's HVAC system;

3) Authorizes the City Manager to enter into an agreement with Marina Mechanical; and

4) Authorizes a total project budget in the amount of \$58,424 with a 15% contingency for a total authorization of \$67,188 using existing budget resources from the FY 17/18 Police Department Professional Services line-item (100-2110-46300) and gives the City Manager the authority to make modifications to the equipment and services described above, if needed, as long as within the authorized budget for the project.

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ADOPTED this 16th day of October, 2017, by the following vote:

AYES:	COUNCILMEMBERS:	Cruz, Kinney, Morris, Calloway and Valdez
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Elizabeth Pabon-Alvarado
Elizabeth Pabon-Alvarado, City Clerk

/s/ Cecilia Valdez
Cecilia Valdez, Mayor