

*Before the Board of Supervisors  
County of Monterey, State of California*

**Resolution No.: 22-464**

Authorize and direct the Auditor- Controller to amend the )  
Fiscal Year (FY) 2022-23 Adopted Budget, General Fund, )  
Fund 001, Facility Services, Unit 8552, Appropriation Unit )  
PFP054, to increase appropriations by \$59,157, to pay the )  
vendor cancellation fee for a cancelled generator and automatic )  
transfer switch for a project planned at the Government Center, )  
168 W. Alisal, Salinas, financed by a decrease in appropriations )  
of \$59,157 from General Fund Contingencies, Fund 001, Unit )  
8034, Appropriation Unit CAO020 (4/5the vote required). )

**WHEREAS**, In November 2020, the Monterey County Office of Emergency Services (OES) accepted a grant award from the State of California’s CalOES, for Public Safety Power Shutoff (PSPS)/Community Power Resiliency Program funding,

**WHEREAS**, In December 2020, Public Works, Parks and Facilities (PWFP) commenced design and then facilitated the completion of four (4) projects to install ‘generator ready’ infrastructure at OES specified sites around the County, to assist vulnerable communities in providing air-conditioned spaces (cooling centers) the event of a power outage,

**WHEREAS**, Concurrently, OES earmarked \$438,012 from the awarded grant funding to upgrade the existing 200kW limited capacity generator at the Government Center, 168 W. Alisal, Salinas (MCGC) to include a larger capacity emergency generator, a new automatic transfer switch (ATS) and supporting equipment, to allow the continuation of government services in the event of a power outage/emergency,

**WHEREAS**, In October 2021, due to the ongoing volatile nature of materials pricing and supply chain challenges, and to qualify the equipment purchase for the PSPS grant fund within the deadline, OES and PWFP sought direct purchase of the generator and AST, utilizing Sourcewell Cooperative Agreement, to instead of having a contractor furnish them,

**WHEREAS**, In March 2022, upon the completion of the construction drawings, PWFP sought a Job Order Contract (JOC) pricing for the installation of the equipment on order and the supporting infrastructure. The original project estimate was \$438,012, based on staff’s best understanding of the efforts to retrofit the existing electrical panels to accommodate a full capacity generator. However, the contractor’s proposal cost was \$1,510,280, an increase of \$1,072,268,

**WHEREAS**, Value engineering efforts were made to simplify the design but did not sufficiently reduce the scope and pricing to be within the project budget. In July 2022, OES, CAO and PWFP determined that the project would not advance and to cancel the generator and ATS,

**WHEREAS**, Without a current or future need for the custom-built equipment on order, staff promptly cancelled the equipment order, with the knowledge that County was subject to cancellation

fees per the executed contract with the vendor. Vendor invoiced County with cancellation fees in the amount of \$69,596 on July 20, 2022.

**WHEREAS**, The cancellation fee is not an eligible cost for PSPS grant reimbursement.

**WHEREAS**, The fund request was supported by the Budget Committee on October 27, 2022.

**WHEREAS**, On November 1, 2022, the vendor, approved a 15% invoice credit of \$10,439. The current cancellation fee amount is therefore \$59,157.

**WHEREAS**, Staff identified the General Fund Contingencies, with a balance of \$615,417, as an appropriate funding source for the project. The cost of the project would reduce the available balance to \$556,260.

**NOW THEREFORE BE IT RESOLVED**, by the Monterey County Board of Supervisors that said Board does hereby:

Authorize and direct the Auditor- Controller to amend the Fiscal Year (FY) 2022-23 Adopted Budget, General Fund, Fund 001, Facility Services, Unit 8552, Appropriation Unit PFP054, to increase appropriations by \$59,157, to pay the vendor cancellation fee for a cancelled generator and automatic transfer switch for a project planned at the Government Center, 168 W. Alisal, Salinas, financed by a decrease in appropriations of \$59,157 from General Fund Contingencies, Fund 001, Unit 8034, Appropriation Unit CAO020 (4/5th the vote required).

**PASSED AND ADOPTED** on this 22<sup>nd</sup> day of November 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew, and Adams

NOES: None

ABSENT: None

(Government Code 54953)


I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on November 22, 2022.

Dated: November 23, 2022

File ID: RES 22-206

Agenda Item No. 45

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Emmanuel H. Santos, Deputy