



## Board Report

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**File #:** 15-0945, **Version:** 1

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- a. Approve and authorize the Contracts/Purchasing Officer or his designee to execute Amendment No.1 to the Professional Services Agreement by and between County of Monterey and Honeywell International, Incorporated to provide preventative maintenance and on call emergency services to the heating, ventilation, air conditioning and controls in the Public Safety Building and the Monterey County Jail, increasing the amount of the contract from \$357,920 to \$422,140;
- b. Authorize a modification of the County standard liability language as recommended by the Sheriff/Coroner; and
- c. Approve and authorize the Contracts/Purchasing Officer or his designee to approve one (1) future amendment to this Agreement where future amendment does not add more than \$75,000 to the Agreement, bringing the total not to exceed cost of the agreement to \$497,140; and which does not significantly change the scope of work.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or his designee to execute Amendment #1 to the Professional Services Agreement by and between County of Monterey and Honeywell International, Incorporated to provide preventative maintenance and on call emergency services to the heating, ventilation, air conditioning and controls in the Public Safety Building and the Monterey County Jail, increasing the amount of the contract from \$357,920 to \$422,140; and
- b. Authorize a modification of the County standard liability language as recommended by the Sheriff/Coroner; and
- c. Approve and authorize the Contracts/Purchasing Officer or his designee to approve one (1) future amendment to this Agreement where future amendment does not add more than \$75,000 to the Agreement, bringing the total not to exceed cost of the agreement to \$497,140; and which does not significantly change the scope of work.

### SUMMARY/DISCUSSION:

The County Jail was erected in 1971 and was modified in 1978. The Public Safety Building (Sheriff's Office) was constructed in 1987. The heating and ventilation systems in both buildings are nearing the end of or have past their useful life span, therefore creating energy inefficiencies and are prone to an enormous amount of breakage and downtime creating health and safety issues within the facilities. In October of 2011, the County conducted an energy audit of fourteen county owned facilities and identified a need to replace the equipment in question to reduce greenhouse gas emissions, lower energy costs and improve overall system performance and efficiencies. Phase I of this project involved selected retrofits, equipment upgrades and sub metering at selected facilities.

Phase II of the project begins in Fiscal Year 2015-16, and includes procurement of engineering and architectural services to specify the scope of work of the replacement project and securing a contractor to perform the work via the County Job Order Contracting System. The Fiscal Year 2015-16 Capital Projects Adopted Budget includes \$1,000,000 funding for this project. The project will be managed by the Resource Management Agency.

Both the Jail and Public Safety Building must be able to continue to function and operate in a normal and efficient manner while the new project is being designed. The purpose of this maintenance contract is to provide the Sheriff's Office the necessary contract in order to address the needed ongoing maintenance of the facilities' current equipment and to be able to respond efficiently and effectively to breakages occurring within the existing equipment. There are two parts to the contract amendment. The annual maintenance cost for the systems is \$54,219.20 and there is also a \$10,000 allowance for emergency repairs that are not covered under the preventative maintenance portion of the contract. The department is asking for one (1) future amendment to be authorized only in the event of delays in replacement of the existing equipment, as outlined above.

A copy of this agreement is on file with the Clerk of the Board.

**OTHER AGENCY INVOLVEMENT:**

County Counsel, Contracts/ Purchasing, and Auditor-Controller have reviewed and approved as to legal and fiscal provisions respectively. The Resource Management Agency has worked with the department on the current operation of the system and reviewed this report.

The original contract contained negotiated changes requested by the vendor to contract language and indemnification, and added a mutual waiver of consequential damages. Risk Management has reviewed the agreement cannot recommend the modification to the standard indemnification, and therefore, declined to sign the original agreement and this amendment. This vendor does carry insurance in excess of the county's required limits and the department has few options to maintain its aging system. As the other insurance requirements have been met by the contractor, and there are compelling health and safety reasons for execution of this agreement, the Sheriff/Coroner recommends that the Board approve this exception to standard insurance requirements.

**FINANCING:**

There is no increase in the General Fund Contribution as a result of this recommendation. The estimated annual contract amount was included in the Sheriff's Office Fiscal Year 2015-16 approved budget.

Prepared by: Nina Ryan, Management Specialist ext. 3708

Approved by: Stephen Bernal, Sheriff/Coroner ext. 3725

**Attachments:**

Amendment #1 to Professional Services Agreement by and between the County of Monterey and Honeywell International, Incorporated