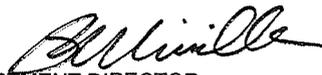


AGENDA ITEM NO.	1 D
COUNCIL MEETING	05/02/13
APPROVED BY	
	
DEPARTMENT DIRECTOR	
	
CITY MANAGER	

May 2, 2013

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

THROUGH: EFREN BAÑUELOS, Public Works Assistant Director 
Department of Public Work, Capital Management Division

BY: MARK M. JOHNSON, Interim Facilities Manager/Sr. Project Manager
Public Works Department, Facilities Management Division

SUBJECT:

ADOPT A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR DESIGNEE TO SPECIFY JOHNSON CONTROL SYSTEM, WITHOUT SUBSTITUTION, FOR THE CITY HALL FACILITIES THAT REQUIRE A DIRECT DIGITAL CONTROLS/ENERGY MANAGEMENT SYSTEM (DDC/EMS) UNDER THE SOLE SOURCE EXCEPTION WITHOUT AN OR EQUAL LANGUAGE IN THE SPECIFICATIONS

ADOPT FINDING OF CATEGORICAL EXEMPTION, PURSUANT TO ARTICLE 19, SECTION 15300/CLASS 1 (EXISTING FACILITY) OF THE CEQA GUIDELINES, FOR THE CONSTRUCTION OF THE FRESNO CITY HALL HEATING, VENTILATION AND AIR CONDITIONING (H.V.A.C.) CONTROLS UPGRADE PROJECT

AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$350,204 INCLUDING THE BASE BID PLUS ADD ALTERNATE 2 TO EMCOR / MESA ENERGY SYSTEMS OF FRESNO, CALIFORNIA, FOR THE CONSTRUCTION OF THE FRESNO CITY HALL H.V.A.C. CONTROLS UPGRADE PROJECT (COUNCIL DISTRICT NO. 3) BID FILE NO. 3180

RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution authorizing the Director of Public Works or designee to specify Johnson Control System, without substitution, for the City Hall facilities that require a Direct Digital Controls/Energy Management System (DDC/EMS) under the Sole Source Exception without an or equal language in the specifications.

Staff recommends that the City Council Adopt Finding of Categorical Exemption, Pursuant to Article 19, Section 15300/Class 1 (Existing Facility), of the CEQA Guidelines, for the Construction of the Fresno City Hall H.V.A.C. Controls Upgrade Project.

Staff recommends that the City Council award a Construction Contract in the Amount of \$350,204 including the Base Bid plus Add Alternate 2 to Emcor / Mesa Energy Systems of Fresno, California, for the Construction of the Fresno City Hall H.V.A.C. Controls Upgrade Project, hereinafter referred to as the "Project," and authorize the Public Works Director or his designee to sign the contract on behalf of the City.

REPORT TO THE CITY COUNCIL

Fresno City Hall H.V.A.C. Controls Upgrade Project Bid File No. 3180

May 2, 2013

Page 2

EXECUTIVE SUMMARY

Most facilities owned and operated by the City of Fresno (City) that have a Direct Digital Controls/Energy Management System (DDC/EMS) use a Johnson Control System, either Johnson Metasys or Johnson Facility Explorer. Having the same system for the City Hall controls system operation and maintenance will be easier and more cost effective to maintain and operate.

Construction plans and specifications for the Project were prepared and advertised on December 3, 2012. On January 10, 2013 two (2) sealed bids were received and opened in a public forum. The bids ranged in amount from \$666,463 to \$1,538,400 for the Base Bid and all Add Alternates. Based on evaluation of the bids, Emcor / Mesa Energy Systems were determined to be the lowest responsive and responsible bidder. The lowest bid was determined by the lowest responsive and responsible bid for the total amount of the Base Bid plus Add Alternates 1, 2, 3, and 4, whether or not the Add Alternates were included in the award, subject to the right to reject any and all bids, pursuant to the Fresno Municipal Code, Section 4-103(c)(2). Add Alternates 1, 3, and 4 are not being recommended for award due to budget constraints. This new Energy Management System (EMS) will replace the existing pneumatic control system that was installed when the City Hall was constructed in 1991 with a digital control system.

ENVIRONMENTAL FINDING

Pursuant to the requirements of CEQA, staff has performed a preliminary environmental assessment of this Project and has determined that it falls within the Class 1 Categorical Exemption set forth in CEQA Guidelines, Sections 15300/Class1 (Existing Facility) as this contract is for the replacement and installation of the existing main Energy Management System controller at the existing City Hall, with no expansion of use beyond the existing use, on the existing sites, and for existing purposes. Furthermore, use of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.1, applies to this project.

BACKGROUND

On July 30, 2009 Council awarded the contract to install a new chiller system at City Hall that included the Johnson Metasys DDC/EMS. The Johnson Metasys Control System was provided through the competitive bid process.

The City is in need of a standardized control system for improved maintenance associated with diagnostics, repair and replacement of equipment, hardware and software, for system efficiency and reliability. Table 1 below represents the major City facilities and their associated DDC/EMS system at each facility.

Table 1

Facility Name	DDC/EMS Controller
City Hall New Chiller System	Johnson Metasys
Saroyan Theatre	Johnson Metasys
Valdez Hall	Johnson Metasys
Selland Arena	Johnson Metasys
Met Building	Johnson Facility Explorer
Police Headquarters	Johnson Facility Explorer
Wastewater Treatment Plant Admin Bldg	Johnson Metasys
Wastewater Treatment Plant Laboratory	Johnson Metasys
Police Department Training Center	Johnson Metasys

REPORT TO THE CITY COUNCIL

Fresno City Hall H.V.A.C. Controls Upgrade Project Bid File No. 3180

May 2, 2013

Page 3

Santa Fe Depot	Johnson Metasys
New Exhibit Hall	Honeywell XL500
Dickey Youth Center	Johnson Facility Explorer
AAA Stadium (HVAC & Lighting)	Johnson Metasys

With the exception of the New Exhibit Hall, all of our City facilities with DDC/EMS systems have a Johnson Control System. The Johnson software program currently installed on the server at City Hall allows Facility Management staff the ability to view and control the City Hall chiller system. Recently, the system has also been setup/programmed to access the Saroyan Theatre, Valdez Hall and Selland Arena DDC/EMS systems since they are also Johnson systems. As funding becomes available, it is Facilities' long term goal to continue to migrate the ability to view and control most of the facilities listed in Table 1 above. This will allow Facilities the ability to view the systems for scheduling, maintenance and diagnostics from a single centralized system.

The Johnson Control Company manufactures two DDC/EMS systems: Metasys and Facility Explorer. The Johnson Metasys controllers and the Johnson Facility Explorer controllers are completely interchangeable and compatible with field devices, such as: sensors, switches, actuators, valves, etc., which would not require change out of field components. Therefore, minimizing the spares on-hand needed due to full interchangeability within City Hall and outlying facilities.

The Johnson Control Company has been in existence for 125 years. Specifying their DDC/EMS as sole source to match the installed chiller system DDC/EMS will insure the availability of support for the installed DDC/EMS system. The City Attorney's Office has reviewed and approved the resolution to form.

The existing Energy Management System (EMS) for City Hall is an antiquated pneumatic control system. The manufacturer no longer supports the system; parts are difficult to acquire and servicing the system is problematic. The new EMS will provide a cost saving to the City by PG&E on energy usage allowing the City to provide better energy management. This new EMS control system will replace the existing system that was installed when the City Hall was constructed in 1991.

Lawrence, Nye, Andersen Associates, Consulting Mechanical Engineers Inc. of Fresno, California, prepared construction contract documents for the construction of the Project. The Project is proposing to replace the existing main DDC/EMS controller, the existing main air handler controls, and the existing heating boiler controls. Add Alternate 2 will replace controls on the existing Variable Air Volume (VAV) and fan terminal boxes and other fan coils controls on the second floor- of City Hall. Conduits shall be provided for the future expansion to replace the controls on the existing VAV and fan terminal boxes, and other fan coils controls on the first, third and fourth floors of City Hall as funding becomes available. Add Alternates 1, 3 and 4 are not being recommended for award due to budget constraints.

The Notice Inviting Bids was published in the Business Journal on December 3, 2012, posted on the City's website, and faxed to ten (10) building exchanges. The specifications and plans were distributed to eleven (11) prospective bidders. Two (2) sealed bid proposals were received and opened in a public bid opening on January 10, 2013 with the bids ranging from \$666,463 to \$1,538,400 for the Base Bid and all Add Alternates. Emcor / Mesa Energy Systems of Fresno, California, submitted the lowest Base Bid price in the amount of \$350,204 and is considered the lowest responsive and responsible bidder. Other bidders were contacted to determine why they did not submit a bid. The reasons given ranged from they had more pressing commitments and decided not to submit a bid for this Project and they were short staffed due to employees taking time off due to the holidays.

REPORT TO THE CITY COUNCIL

Fresno City Hall H.V.A.C. Controls Upgrade Project Bid File No. 3180

May 2, 2013

Page 4

Funding for this Project is included in the FY13 budget. The Project is funded from the City Hall Chiller Bond. No General Fund monies will be used on this Project.

Staff is recommending awarding a contract for the Base Bid plus Add Alternate 2 in the amount of \$350,204 to Emcor / Mesa Energy Systems, to construct the Project. The bids received expire within sixty-four (64) days of bid opening, i.e., as of March 15, 2013. The contractor's were contacted and agreed to extend their bid proposals till May 23, 2013. The Project will be completed within 144 working days from the date of the Notice to Proceed.

FISCAL IMPACT

There is no impact to the General Fund. Funding for the Project is provided by City Hall Chiller Bond. The project is located in Council District 3.

Attachments:

- Resolution Approving Sole Source Award
- Bid Evaluation Proposal
- Fiscal Impact Statement

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA TO AUTHORIZE SPECIFICATION OF A "JOHNSON CONTROL SYSTEM", WITHOUT SUBSTITUTION, FOR CITY HALL FACILITIES THAT REQUIRE A DIRECT DIGITAL CONTROLS/ENERGY MANAGEMENT SYSTEM (DDC/EMS)

WHEREAS, the City of Fresno is in need of a standardized Direct Digital Control/Energy Management System (DDC/EMS) for improved maintenance associated with diagnostics, repair and replacement of equipment, hardware and software, for system efficiency and reliability of its heating and cooling systems (HVAC system) at City Hall; and

WHEREAS, twelve of the thirteen City owned buildings that currently use a DDC/EMS system utilize a "Johnson Control System"; and

WHEREAS, other manufacturer's DDC/EMS systems are not compatible with the Johnson server or supervisory controls without the use of a 3rd party gateway translator; and

WHEREAS, 3rd party gateway translators, are technically limited and would prevent utilization of our remote accessibility for full programming capabilities to assist in repair and troubleshooting. Even with replacement of the SQL server software and supervisory controllers similar technical limitations would exist; and

WHEREAS, the Johnson Metasys controllers and the Johnson Facility Explorer controllers are completely interchangeable and compatible with field devices, such as: sensors, switches, actuators, valves, etc., which would not require change out of field components. Therefore, minimizing the spare parts needed on-hand due to full interchangeability within City Hall and outlying facilities; and

WHEREAS, an internal review by staff has determined that the Johnson Control System meets all the requirements for the Facilities & Major Projects' Division application; and

WHEREAS, the Johnson Control system is manufactured solely by Johnson Corporation it is available to and through various manufacturer's representatives and distributors to many contractors who will be potential competitive bidders on this project; and

WHEREAS, the Charter Section 1208 requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$123,000, unless Council determines the goods to be supplied can only be provided by one source and the purchase is authorized by resolution of the Council containing a declaration of the facts constituting the sole source; and

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:



Resolution Authorizing Johnson Control System for City Hall Facilities
Resolution No. _____

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

- a. The Council has received and considered the report and recommendations of City staff.
- b. The unique features of the Johnson Control System are required for the continued efficient and economic maintenance of the DDC/EMS controls of the various City owned buildings from one location.
- c. Control systems from other manufacturers would require a third party gateway translator or replacement of the existing Johnson controllers and server software, and could cause significant downtime of all currently connected DDC/EMS systems to convert.
- d. This Johnson Control System is only available from a single source manufacturer, Johnson Corporation, although it is available through many contractors who will be eligible to participate in the competitive bidding process for this project
- e. It is proper to specify sole use of the Johnson Control System under the sole source exception to the advertised competitive requirement for this project.

The Director of Public Works or designee shall specify Johnson Control Systems WITHOUT SUBSTITUTION, shall be installed for City Hall requiring direct digital controls/energy management HVAC systems.

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CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____, 2013.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2013
Mayor Approval/No Return: _____, 2013
Mayor Veto: _____, 2013
Council Override Vote: _____, 2013

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

By: _____
Robert C. Abrams Date
Deputy City Attorney

RA:elb [6101 1elb/rca] Reso

EVALUATION OF BID PROPOSALS

FOR: FRESNO CITY HALL H.V.A.C CONTROLS UPGRADE PROJECT

Bid File No. 3180-11646
Bid Opening: 1/10/13

BIDDER'S	TOTAL NET BID AMOUNT	
1. EMCOR/ MESA ENERGY SYSTEMS 4668 N. SONORA AVE. #102 FRESNO, CA. 93722	Base Bid	\$190,748.00
	Add Alternate 1	\$119,536.00
	Add Alternate 2	\$159,456.00
	Add Alternate 3	\$95,251.00
	Add Alternate 4	\$101,472.00
	Base Bid Plus Add Alternates 1, 2, 3 & 4	\$666,463.00
2. STRATEGIC MECHANICAL, INC. 4661 E. COMMERCE AVENUE FRESNO, CA. 93725	Base Bid	\$547,300.00
	Add Alternate 1	\$281,000.00
	Add Alternate 2	\$346,650.00
	Add Alternate 3	\$181,650.00
	Add Alternate 4	\$181,800.00
	Base Bid Plus Add Alternates 1, 2, 3 & 4	\$1,538,400.00

Each bidder has agreed to allow the City sixty-four (64) days from date bids are opened to accept or reject their bid proposal. Purchasing requests that you complete the following sections and return this bid evaluation to the Purchasing Division at the latest by Wednesday, February 6, 2013, 5:00 P.M.

The Engineers Estimate for this expenditure is \$885,400. The contract price is 24.7% below the Engineer's Estimate. If the overage is greater than 10% or only one bid was received, give explanation:

BACKGROUND OF PROJECT (To be completed by Evaluating Department/ Division. Explain need for project/equipment): The scope of work includes, but is not limited to replacing the existing main Direct Digital Control and Energy Management System (DDC/EMS) controller, the existing main air handler controls, the existing heating boiler controls, the controls of the two fan coils serving the Tele/Comm. rooms, connection to the new chiller system controls, and connection to the new computer room cooling system controls. Conduits shall be provided for the future expansion of the DDC/EMS to replace the existing Variable Air Volume (VAV) and fan terminal boxes controls, and other fan coils controls.

EVALUATION OF BID PROPOSALS

FOR: FRESNO CITY HALL H.V.A.C CONTROLS UPGRADE PROJECT

Bid File No. 3180-11646

Bid Opening: 1/10/13

DEPARTMENT CONCLUSIONS AND RECOMMENDATION:

Award a contract in the amount of \$350,204.00, including the Base Bid plus Add Alternates 2, to Emcor/Mesa Energy Systems (Fresno), as the lowest responsive and responsible bidder.

Remarks: Add Alternate 1, 3 and 4 are not being awarded.

Reject all bids. Reason:

Department Head Approval

Eden Daniels

Title Assistant Public Works Director

Date 2/26/13

Approve Dept. Recommendation

Approve Finance/Purchasing Recommendation

Disapprove

Disapprove

See Attachment

FINANCE DEPARTMENT

CITY MANAGER

Jason McDonald
Purchasing Manager 2/26/13
Date

[Signature]
City Manager or Designee Date

Jason Bradley
Assistant Controller 2/26/2013
Date

FISCAL IMPACT STATEMENT

PROGRAM:

<u>RECOMMENDATION</u>	<u>TOTAL OR CURRENT</u>	<u>ANNUALIZED COST</u>
Direct Cost	<u>\$350,204.00</u>	_____
Indirect Cost	<u>\$92,000.00</u>	_____
TOTAL COST	_____	_____
Additional Revenue or Savings Generated	_____	_____
 Net City Cost	 <u>\$442,204.00</u>	 _____
 Amount Budgeted (If none budgeted, identify source)	 <u>\$442,204.00</u>	 _____

***Indirect Costs:**

Project Management	\$15,000
Construction Management & Inspection	\$50,000
Building Permits	\$3,000
Purchasing	\$4,000
Contingency & Change Orders	\$20,000
Total	\$92,000