

REPORT OF GENERAL MANAGER

NO. 15-042

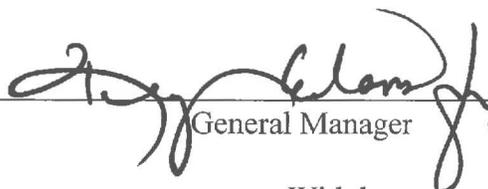
DATE March 04, 2015

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED HEATING, VENTILATION AND AIR CONDITIONING (HVAC) CONSTRUCTION, RETROFIT, MAINTENANCE AND/OR REPAIR – AWARD OF CONTRACTS

R. Adams	_____	V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	*N. Williams	<u>Now</u>

  
 \_\_\_\_\_  
 General Manager

**APR 01 2015**

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Find, in accordance with Charter Section 1022, on file in the Board Office, that the Department of Recreation and Parks (Department) does not have, available in its employ, personnel with sufficient time or necessary expertise to undertake Heating, Ventilation And Air Conditioning (HVAC) construction, retrofit, maintenance and/or repair projects in a timely manner, and it is more economical and it is also in the Department’s best interest, to secure these services by contract with several contractors to perform this work as-needed and on an occasional, but frequent basis, without engaging in a new competitive bidding process for each individual project to be performed. Charter Section 1022 determination report was performed by the City’s Personnel Department and based on this report and the outreach performed by Department Staff, it was concluded that no other City Department can provide staff to perform Heating, Ventilation And Air Conditioning (HVAC) construction, retrofit, maintenance and/or repair projects;
2. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), the Department finds Contracts, as determined by the contracting authority, for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which the contracting authority finds that competitive bidding is not practicable or advantageous because it is necessary for the Department to be able to call on contractors to perform this work as-needed and on an occasional, but frequent, basis without engaging in a new competitive process for each

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individual project to be performed; however, from among as-needed contractors each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;

3. Find, in accordance with Charter Section 372 and Los Angeles Administrative Code Section 10.17, that the use of competitive bidding would be undesirable, impractical or impossible or otherwise excused by the common law because, unlike the purchase of a specified product, there is no single criterion such as price comparison, that will determine which proposer can best provide the services required by the Department to provide HVAC Construction Retrofit, Maintenance and or Repair Services;
4. Find, in accordance with Charter Section 372 and Los Angeles Administrative Code Section 10.17, that obtaining competitive proposals or bids for each individual project for which work may be performed pursuant to this agreement is not reasonably practicable or compatible with the Department's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price, and expertise, and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by the Department to perform services;
5. Approve the selection process for the selection of qualified firms;
6. Approve a proposed Personal Services Contract (Contract), substantially in the form on file in the Board Office, between the Department and two (2) firms for As-Needed HVAC Construction, Retrofit, Maintenance and/or Repairs Services for a three (3) year contract, specifying the terms and conditions, subject to approval of the Mayor and the City Attorney as to form;

Contractors:

- 1)      AP Construction Group, Inc.  
         15537 Cabrito Road  
         Van Nuys, California 91406
- 2)      South Coast Mechanical, Inc.  
         2283 East Via Burton  
         Anaheim, California 92806

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7. Direct the Board Secretary to transmit the Contracts to the Mayor in accordance with Executive Directive No. 3 and concurrently, to the City Attorney for review and approval as to form; and,
8. Authorize the Board President and Secretary to execute the Contracts upon receipt of the necessary approvals.

SUMMARY:

The Department is in need of HVAC Construction, Retrofit, Maintenance and/or Repair Services contracts in order to perform current and future construction projects, which current staffing can only provide on a limited basis. Therefore, one (1) or more HVAC construction contracts are required. With over four hundred twenty (420) park locations under the jurisdiction of the Department, HVAC construction services contracts are critical to maintaining and expanding our current park facility infrastructures.

This contract will provide the Department with an additional resource to perform HVAC construction services to help supplement current City forces. In addition, these contracts will provide the Department's Planning, Construction and Maintenance Branch a tool to meet current and future HVAC construction projects.

On January 22, 2014, the Board approved a Request for Qualifications (RFQ) for HVAC Construction, Retrofit, Maintenance and/or Repairs (Report No. 14-007), which was released February 11, 2014. On April 22, 2014, the Department received five (5) proposals in response to the RFQ. The responders were:

- 1) Acco Engineering Systems, Inc.
- 2) AP Construction Group, Inc.
- 3) Applied Air Conditioning, Inc.
- 4) South Coast Mechanical, Inc.
- 5) FM Thomas Air Conditioning, Inc.

The various HVAC construction, retrofit, maintenance and/or repair services will include, but are not limited to the design, engineer, permitting, installation of HVAC equipment, sheet metal ductwork, registers, platforms, electrical and plumbing with weather tight penetrations of roofs and walls. All work under this contract will also install complete, fully functional control and energy management systems and startup commissioning with fully completed documentation of all manufacturers' startup sheets and inclusive of Operation and Maintenance (O & M) manuals. Install new or retrofit and/or repair boilers and cooling towers. Incidental related work to HVAC maintenance and installations may include roofing, framing, carpentry, electrical, drywall and painting.

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The responders were required to provide evidence of their qualifications by meeting the following requirements:

*\* Responders must have provided a minimum of twenty (20) new HVAC installations performed by their company within the County of Los Angeles within the last ten (10) years. All projects must have been performed from May 2004 to present. All projects submitted must have been permitted within the County of Los Angeles. Responders must provide the following types/size of HVAC systems:*

<u>Quantity Required</u>	<u>System Type</u>	<u>Tons</u>	<u>Installation Design/Type</u>
3	Package Unit/ Gas/Electric	5-20	2-downshot and/or 3 side discharge
2	Package Unit/ Heat Pump	5-20	2-downshot and/or 3 side discharge
3	Package Unit/ Gas/ Electric	10-50	2-downshot and/or 3 side discharge
2	Package Unit/ Heat Pump	10-50	2-downshot and/or 3 side discharge
3	Split Systems (Remote Condenser)/ Mini Split	1-5	For Small Server Room or Office Space
4	Split Systems (Remote Condenser)	5-20	Office Space
3	Split Systems (Remote Condenser)	20-50	For Auditoriums, Gymnasiums and Pools

*Responders MUST have included a minimum five (5) energy management systems and/or built up controls system in larger split systems.*

Only two (2) of the five (5) responders submitted a responsive submittal to this RFQ. Three (3) responders failed to submit a complete submittal and/or failed to qualify, and thus were disqualified from any further review process. The following responders were disqualified because they submitted an incomplete RFQ package submittal response, specific details for the disqualifications can be found in Exhibit A.

- 1) Acco Engineered Systems, Inc.  
6265 San Fernando Road  
Glendale, California 91201
- 2) Applied Air Conditioning, Inc.  
4250 Artesia Ave, Suite B  
Fullerton, California 92833

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- 3)      FM Thomas Air Conditioning, Inc.  
         231 Gemini Avenue  
         Brea, California 92821

The following responders met the minimum requirements for the RFQ for HVAC Construction, Retrofit, Maintenance and/or Repairs as specified above:

- 1)      AP Construction Group, Inc.  
         15537 Cabrito Road  
         Van Nuys, California 91406
- 2)      South Coast Mechanical, Inc.  
         2283 East Via Burton  
         Anaheim, California 92806

RFQ responses were evaluated solely for the minimum qualifications (as stated in RFQ Document). The minimum qualifications as set forth determined the responder's knowledge and experience to perform the terms and specifications of this Contract. It was found through review and verification by Department staff that the above-listed responder met and/or exceeded the minimum qualifications as set forth in the RFQ.

Once it was determined that the responders had met all of the minimum qualifications, the staff verified with the references provided by the respondents. Questions were posed regarding respondent's ability to produce a quality product that met all necessary standards, in a timely manner. They were also asked whether the respondent was timely and effective in their correspondence with governing agencies. All of the references for the respondents who met our minimum qualifications responded favorably to these questions and highly recommended the respective respondent. It was then determined that the above listed Respondents should be selected as a pre-qualified HVAC Construction, Retrofit, Maintenance and/or Repair contractor and eligible to bid on future Department projects.

The responders who submitted and qualified, performed and passed the City's Business Inclusion Program (BIP) outreach.

The Department is seeking authorization for the Board President and Secretary to execute a contract with the two (2) qualified responders, subject to City Attorney and Mayor's approval. The selected pre-qualified contractors are recommended to the Board for up to a three (3) year contracts, in an amount not-to-exceed an annual expenditure of \$7,000,000 per contract, per contractor. The contract amount is an estimate, and the Department does not guarantee that the contract maximum amount will be reached. The construction services that the Department is requesting shall be on an as-

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needed basis; the Department, in entering into an agreement, guarantees no minimum amount of business or compensation. Contracts awarded through this RFQ shall be subject to funding availability and early termination by Department, as provided in the Standard Provisions for City Contracts. (Ref. 03/09)

Funding for projects will be provided from various funding sources including to but not limited to Proposition K, Quimby, and Proposition 40.

FISCAL IMPACT STATEMENT:

Executing these as-needed contracts has no impact to the Department's General Fund.

This report was prepared by Jim Newsom, Management Analyst II, Finance Division.

# EXHIBIT A

## REQUEST FOR QUALIFICATION

### HVAC CONSTRUCTION, RETROFIT, MAINTENANCE AND/OR REPAIRS

<b>"NON RESPONSIVE" RESPONDERS</b>	<b>REASONS FOR 'NON-RESPONSIVENESS'</b>
Acco Engineering Systems	<ol style="list-style-type: none"><li>1) Responder did not answer Question #9 of the Contractor Responsibility Ordinance (CRO), Page 67 of RFQ document,</li><li>2) Responder did not answer Question # 14 of CRO, Page 68.</li></ol>
Applied Air Conditioning, Inc.	<ol style="list-style-type: none"><li>1) Responder did not sign the CRO on page 70 of RFQ document.</li></ol>
FM Thomas	<ol style="list-style-type: none"><li>1) Responder did not sign the Child Care Declaration Statement on Page 83 of RFQ document.</li></ol>

## PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Recreation and Parks

2. Contacts:

Department: Jimmy Newsom Phone No. 818-679-1453

CAO: Jay Shin Phone No. 213-473-7559

3. Work to be performed:

Recreation and Parks is seeking one or more contractors to perform electrical construction, retrofit, maintenance, and/or repairs to various facilities on an as-needed basis. The work includes: power and lighting design/construction/retrofit installation; design/construction/retrofit of outdoor sports field lighting which includes installation of light towers up to 70 feet high; design/construction/retrofit of outdoor solar lighting systems; maintenance and/or repairs of baseball, football, soccer and other field lighting installations up to a maximum height of 70 feet; maintenance and/or repairs of basketball, tennis, volleyball courts and other outdoor sports field lighting infrastructure; maintenance and/or repairs of all department facilities and/or other City facilities (power and lighting); and maintenance and/or repairs of all solar system installations.

Is this a contract renewal? Yes  No

4. Proposed length of contract: 3 years Start Date: Unknown (as soon as possible)

6. Proposed cost of contract (if known): Up to \$10 million (annual ceiling per contractor, per contract)

7. Name of proposed contractor: To be determined

8. Unique or special qualifications required to perform the work:

The contractors must possess a California Contractor's License "C-10" (Electrical Contractor). The contractors must meet a minimum of one of two qualification requirements: 1) They must have a minimum of 10 years of installation experience for baseball, football, soccer and other field lighting. They must have performed lighting tower installations 70 feet high. All sports field lighting installation must have been performed 100% by the contractor. They must provide a list of 10 baseball, football and/or soccer sports field lighting installations over the last 5 years in California. 2) The contractors must provide evidence of the following qualifications: two indoor gymnasium lighting installations with a minimum of 12 fixture replacements, over the last 5 years; and 5 outdoor lighting projects over the last 5 years. All projects must include the installation of at least 10 concrete bases for each project, 10 lighting poles 25 feet high or less, and electrical power race ways. The contractors must have performed 100% of the gymnasium lighting and park lighting installations. For both qualification requirements, all projects must have been performed from August 2009 to the present. The contractors must be and have been in good standing with the California Contractor's License Board for the last 5 years.

9. Are there City employees that can perform the work being proposed for contracting?

Yes  No

<b>Classification</b>	<b>Department(s)</b>	<b>List Expires</b>
Electrician, 3863	Airports, DWP, GSD, Harbor, Police, PW-San, PW-St Svcs, Rec & Parks, Zoo	No list
Electrician Supervisor, 3865	Airports, GSD, Harbor, PW-San, PW-St Svcs, Rec & Parks	9/25/15
Electrical Craft Helper, 3799	Airports, DWP, Harbor, Police, PW-San, PW-St Ltq, PW-St Svcs, Rec & Parks, DOT	Indefinite

Construction and Maintenance Supervisor, 3127	Airports, DWP, Harbor, PW-San, PW-St Svcs, Rec & Parks, Zoo	11/15/14
Maintenance & Construction Helper, 3115	Various	3/19/15

If yes,

- a. Which class(es) and Department(s): See above.
- b. Is there sufficient Department staff available to perform the work? Yes  No
- c. Is there a current eligible list for the class(es)? Yes  No  Expiration Date See above.
- d. Estimated time to fill position(s) through CSC process? Unknown due to hiring freeze.
- e. Can the requesting department continue to employ staff hired for the project after project completion?  
Yes  No
- f. Are there City employees currently performing the work? Yes  No

10. Findings

- City employees DO NOT have the expertise to perform the work
- City employees DO have the expertise to perform work. (Please see summary below.)

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

**SUMMARY:**

Recreation and Parks is seeking one or more contractors to perform various electrical construction, retrofitting, maintenance and/or repairs to Department facilities. The projects that may be performed under the proposed contract(s) will be short-term in duration (1-3 months). There are City classifications that can perform the work as noted above. The Department indicated that its staff is currently performing these tasks, but that it is severely understaffed and these contracts will be used only if Department staff cannot do the work.

  
 Submitted by  
 Elizabeth A. Terry  
 Sr. Personnel Analyst I

Reviewed by  
 Don Harrahill  
 Sr. Personnel Analyst II

  
 Approved by  
 Raul Lemus  
 Chief Personnel Analyst

  
 Date