

23. Approve amendment to agreement with ACCO Engineering Systems, increasing the contract amount by \$32,260.16 for the 90 Rountree Rooftop Air Handling Unit Removal & Replacement Project, accept the project as completed, and take related actions ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: General Services Department

Subject: Approve NOC and additional contract amount for Rountree AHU Project

Meeting Date: March 11, 2025

Formal Title: Approve amendment to agreement with ACCO Engineering Systems, increasing the contract amount by \$32,260.16 for the 90 Rountree Rooftop Air Handling Unit Removal & Replacement Project, accept the project as completed, and take related actions

Recommended Actions

1. By a 4/5 vote, approve amendment to agreement No. 23C4612 with ACCO Engineered Systems to increase the contract amount by \$32,260.16 for a new not-to-exceed amount of \$219,357.16, for mechanical construction services for the 90 Rountree Rooftop Air Handling Unit Removal & Replacement Project;
2. Find that the nature of the work contemplated in the change order was such that soliciting competitive proposals to perform that work would be unavailing or would not produce an advantage, and the advertisement for competitive bid would thus be undesirable, impractical, or impossible;
3. Accept the completed 90 Rountree Rooftop Air Handling Units Removal & Replacement Project and approve the final cost of \$219,357.16, for the 90 Rountree Air Handling Unit Replacement in Watsonville, California;
4. Authorize General Services to file the Notice of Completion;
5. Request General Services to return the original Notice of Completion to the Clerk of the Board; and
6. Authorize the Director of General Services to sign the amendment on behalf of the County.

Executive Summary

The 90 Rountree Rooftop Air Handling Units Removal & Replacement Project was completed on June 24, 2024. Acceptance of the project will allow for recordation of the Notice of Completion and release of all funds held in retention. The additional funds for mechanical construction services are the result of changes to the project during the construction phase.

Discussion

On June 6, 2022, the General Services Department entered into Contract No. 23C4612 with ACCO Engineered Systems, Inc. to complete the removal and replacement of the Air Handling Units (AHUs) at the 90 Rountree Correctional Facility located in Watsonville.

The scope of work included the removal and replacement of the rooftop AHUs according to plans prepared by Axiom Engineers, dated November 19, 2021. The removal and replacement of the units was completed on June 24, 2024, and the Notice of Completion can be filed to close the contract and return retention funds. The 90 Rountree Rooftop Air Handling Units Removal & Replacement Project was an urgent project, as the rooftop units were no longer functioning properly and providing the proper heating and cooling output. As such, the County decided to purchase the units separately in November 2021 under an emergency purchase order #R3-0171, due to the long lead time of the units. The construction contract was advertised separately and awarded to ACCO engineering. As construction progressed, the site conditions and equipment procured by the County varied from the contract plans and specifications.

Upon arrival of the separately procured rooftop units, Change Order #1 was required due to the incorrect measurements of the roof curbing in the design specifications, resulting in additional work to properly mount the units to the roof.

Additional changes orders were required throughout the project including:

- Change Order # 2 for an upgraded electrical panel needed to handle the new units.
- Change Order #3 for additional piping and construction of a rooftop doghouse, to meet code requirements.
- Change Order #4 was the result of the manufacturer specifications not clearly stating that the ordered units would not be delivered with an attached economizer.

Since the prime contractor was already on site and the project was near completion, the additional work was contracted through the prime contractor to procure and install the required mechanical, electrical and structural additions, there would have been no value added by competitively bidding this work because the cost to administer a competitive bidding process would have exceeded the cost of the extra work by at least \$50,000 and delayed the project by an additional 6 months. The prime contractor was able to procure and install the required economizers directly through the vendor, reducing delay and allowing for the completion of the HVAC upgrades needed to the correctional facility.

The additional contract amount recommended for 23C4612 is needed to revise the scope of work to additional work needed to complete the project including curb adapters, changes to the electrical panel selections, roof work, and installation of economizers.

Financial Impact

Sufficient funding for the project, including an additional \$32,260.16 to increase the total contract amount for contract 23C4612 to \$219,357.16, is supported by revenue bonds issued in 2015 and appropriated in the Facilities Capital Fund (GL 191145) in FY2022.

Strategic Initiatives

Equity Framework - County Facilities & Infrastructure

Operational Plan - Operational Excellence

Climate Action - Energy

Submitted By:

Michael Beaton, General Services Director

Recommended By:

Carlos J. Palacios, County Administrative Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

AMENDMENT NO. 1 INDEPENDENT CONTRACTOR AGREEMENT
NO. 23C4612

This Amendment No. 1 (“**Amendment**”) shall serve to modify the existing Contract No. 23C4612 (“**Contract**”) between the County of Santa Cruz (“**County**”) and ACCO Engineered Systems, Inc. DBA Geo H. Wilson Mechanical Contractors (“**Contractor**”). County and Contractor may sometimes be referred to in this Amendment collectively as “**Parties**” or individually as “**Party**.”

I. Background.

- a. The Parties entered into the Contract effective June 6, 2022.
- b. The term of the Contract is June 6, 2022 through October 7, 2022, or project completion.
- c. Due to unforeseen circumstances, the project required four change orders and work was not completed until June 24, 2024.
- d. The purpose of this Amendment is to add the four change orders to the Duties of the Contractor and increase the total compensation payable under the Contract to an amount sufficient to include the cost of the four change orders.

II. Effective Date of Amendment.

- a. This Amendment shall be effective as of the date fully executed by all Parties.

III. Changes to Contract.

- a. By executing this Amendment, the Parties agree that the Contract shall be changed in the following manner.

1. Section 1, “DUTIES”, is deleted in its entirety and replaced by the following:

“CONTRACTOR agrees to exercise special skill to accomplish the following results: Removal of existing AHU’s, and disconnecting of existing supply and return air ducts at the equipment on both POD’s R&S Units, and replacement with more efficient AHU’s and Delta Controls for the County of Santa Cruz General Services Department. CONTRACTOR shall also complete the work described in the Attachments B and C (hereinafter “the project”).”

2. Section 2 “COMPENSATION” is deleted in its entirety and replaced by the following:

“In consideration for CONTRACTOR accomplishing said result, COUNTY agrees to pay CONTRACTOR as follows: Payment not to exceed \$219,357.16 processed for payment after receipt and project manager approval of monthly invoices based upon the amount of actual progress achieved during the preceding month. If this Contract is for the creation, construction, alteration, repair or improvement of any public structure, building, road or other improvement of any kind and the total compensation payable under this Contract will exceed \$5000, five percent (5%) retention shall be withheld from progress payments and released as provided by Public Contract Code sections 9203 and 7107.””

- Section 13, "ATTACHMENTS" is deleted in its entirety and replaced by the following:

"13. ATTACHMENTS. Should a conflict arise between language in the body of this Contract and any attachment to this Contract, the language in the body of this Contract controls. This Contract includes the following attachments:

Attachment A – Notice to Contractors

Attachment B – CUPCAA Supporting Documents Packet (Plans & Specs, scope of work, etc.)

Attachment C – Change Orders 1-4"

- All other existing provisions of the Contract not specifically addressed by this Amendment shall remain unchanged and in full force and effect. In the event of a conflict between the language of this Amendment and the Contract or any previous amendment of the Contract, the language of this Amendment shall control.

In Witness Whereof, the Parties have executed this Agreement by their duly authorized officers or representatives.

<p>ACCO ENGINEERED SYSTEMS, INC. DBA GEO H. WILSON MECHANICAL CONTRACTORS ("Contractor")</p>	<p>COUNTY OF SANTA CRUZ ("County")</p>
<p>_____</p> <p style="text-align: right;">Date</p> <p>2</p>	<p>MICHAEL BEATON</p> <p>Director of General Services</p> <p>_____</p> <p style="text-align: right;">Date</p> <p>4</p>
	<p>Approved as to Form:</p> <p>Signed by: <i>Arthur G. Wille</i> 1/29/2025</p> <p>_____ Office of County Counsel Date</p> <p>1</p>
<p>DISTRIBUTION: Contractor General Services</p>	<p>Approved as to Insurance:</p> <p>Signed by: <i>Gina Occhipinti Borasi</i> 1/29/2025</p> <p>_____ Risk Management Date</p> <p>3</p>



COUNTY OF SANTA CRUZ
DEPARTMENT OF GENERAL SERVICES

PROJECT #	21TI-036
CHANGE ORDER #	1 through 4
PURCHASE ORDER / CONTRACT	23C4612

NAME OF PROJECT: 21TI-036 AHUs Replacement 90 Rountree

CONTRACTOR: Geo H. Wilson Contractors

The parties hereto agree and contractor is hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract as shown in the following items:

Change Order	CHANGE (PROPOSALS ATTACHED)	\$ INCREASE IN CONTRACT	\$ DECREASE IN CONTRACT
1	Furnish and Install 2 Curb Adapters	\$ 20,868.20	
2	Additional material cost related to changing electrical panel selections	\$ 1,867.27	
3	Piping dog house for roof	\$ 995.69	
4	Installation of Economizers	\$ 12,529.00	

TOTAL \$ \$ 36,260.16 \$0.00

Net Increase (Decrease) in Contract Cost is : \$ 36,260.16

Original Contract Price: \$ 183,097.00

Revised contract price: \$ 219,357.16

DocuSigned by:
Kristine Conley 1/13/2025
7B5D03176D63451...
Project Manager, General Services

Signed by:
Hugh Palmer 1/14/2025
BA9F6A8538E6417...
Representative, ACCO Engineered Systems

DocuSigned by:
Michael Beaton 1/14/2025
4A18A36100C8457...
Director, General Services

Extra Work Proposal Labor and Material Breakdown



Job # : 70510620

Date : 9/29/2022

Job Name : 90 Rountree RTUs

Extra Work Proposal # : 1

Description of work:

Furnish 2 curb adapters

Pricing Breakdown:

Equipment		\$	17,024.00
Sales Tax	9.25%	\$	1,574.72
Warranty Reserve (Direct Cost + Subs)	2.00%	\$	371.97
TOTAL COST		\$	18,970.69
+ Overhead Material	10%	\$	1,897.07
Total Extra Work Proposal Price		\$	20,868.20

Time extension required because of labor added by this change is 0.0 workdays

This proposal includes - straight time field hours, - overtime field hours,
- double time field hours, & - shift work field hours.

ACCO is:

Proceeding with this work: X Waiting for authorization: _____

This price does not include any cutting or patching of drywall, electrical, painting, or other general construction. The cost of this change includes only those direct costs which can be identified at this time. There are no impact or ripple costs and no delay costs included in this proposal. Should it be determined at a later date that we are experiencing impact cost because of multiple changes, delays, or causes beyond our control, we will submit those costs at that time.

Extra Work Proposal Labor and Material Breakdown



Job # : 70510620

Date : 10/20/2022

Job Name : 90 Rountree RTUs

Extra Work Proposal # : 2

Description of work:

Additional material cost related to changing electrical panel selections

Pricing Breakdown:

Project Support		\$	24.63
Subcontracts		\$	1,800.00
Warranty Reserve (Direct Cost + Subs)	2.00%	\$	36.49
TOTAL COST		\$	1,861.12
+ Overhead Labor		\$.00
+ Overhead	10%	\$	6.11
Total Extra Work Proposal Price		\$	1,867.27

Time extension required because of labor added by this change is 0.0 workdays

This proposal includes - straight time field hours, - overtime field hours,
- double time field hours, & - shift work field hours.

ACCO is:

Proceeding with this work: X Waiting for authorization: _____

This price does not include any cutting or patching of drywall, electrical, painting, or other general construction. The cost of this change includes only those direct costs which can be identified at this time. There are no impact or ripple costs and no delay costs included in this proposal. Should it be determined at a later date that we are experiencing impact cost because of multiple changes, delays, or causes beyond our control, we will submit those costs at that time.

Extra Work Proposal Labor and Material Breakdown



Job # : 70510620

Date : 4/14/2023

Job Name : 90 Rountree RTUs

Extra Work Proposal # : 3

Description of work:

Piping dog house for roof

Pricing Breakdown:

Sheet Metal-Shop		\$	730.81
Project Support		\$	98.50
Sales Tax	9.25%	\$	15.84
Warranty Reserve (Direct Cost + Subs)	2.00%	\$	16.90
TOTAL COST		\$	862.05
+ Overhead	10%	\$	86.21
+ Fee	5%	\$	47.41
Total Extra Work Proposal Price		\$	995.69

Time extension required because of labor added by this change is 0.0 workdays

This proposal includes - straight time field hours, - overtime field hours,
- double time field hours, & - shift work field hours.

ACCO is:

Proceeding with this work: _____ Waiting for authorization: X

This price does not include any cutting or patching of drywall, electrical, painting, or other general construction. The cost of this change includes only those direct costs which can be identified at this time. There are no impact or ripple costs and no delay costs included in this proposal. Should it be determined at a later date that we are experiencing impact cost because of multiple changes, delays, or causes beyond our control, we will submit those costs at that time.

Extra Work Proposal Labor and Material Breakdown



Job # : 70510620

Date : 4/14/2023

Job Name : 90 Rountree RTUs

Extra Work Proposal # : 4

Description of work:

Furnish and install (2) new 1107-ECV-CDE-R Economizers with gorilla coating per direction from Axiom Engineers dated 6/12/2023

Pricing Breakdown:

Equipment		\$	4,350.00
Sheet Metal-Field		\$	3,104.00
Systems Operations		\$	1,293.52
Project Support		\$	1,470.72
Sales Tax	9.25%	\$	416.46
Warranty Reserve (Direct Cost + Subs)	2.00%	\$	212.69
TOTAL COST		\$	10,847.39
+ Overhead	10%	\$	1,084.74
+ Fee	5%	\$	596.61
Total Extra Work Proposal Price		\$	12,529.00

Time extension required because of labor added by this change is _____ workdays

This proposal includes _____ - straight time field hours, _____ - overtime field hours,
 _____ - double time field hours, & _____ - shift work field hours.

ACCO is:

Proceeding with this work: _____ Waiting for authorization: _____ X

This price does not include any cutting or patching of drywall, electrical, painting, or other general construction. The cost of this change includes only those direct costs which can be identified at this time. There are no impact or ripple costs and no delay costs included in this proposal. Should it be determined at a later date that we are experiencing impact cost because of multiple changes, delays, or causes beyond our control, we will submit those costs at that time.

Certificate Of Completion

Envelope Id: 1FE8A539-B271-4BD9-AF1B-C9EC92ACB9DA
 Subject: Complete with Docusign: 23C4612 - Amendment 1 - FINAL.pdf
 Source Envelope:
 Document Pages: 7
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed
 Envelope Originator:
 Luna Harter
 701 Ocean Street
 Santa Cruz, CA 95060
 Luna.Harter@santacruzcountyca.gov
 IP Address: 63.194.190.100

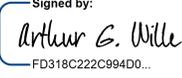
Record Tracking

Status: Original 1/28/2025 11:15:59 AM	Holder: Luna Harter Luna.Harter@santacruzcountyca.gov	Location: DocuSign
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: DocuSign

Signer Events

Arthur G. Wille
 Arthur.Wille@santacruzcountyca.gov
 County of Santa Cruz
 Assistant County Counsel
 Security Level: Email, Account Authentication (None)

Signature

Signed by:

 FD318C222C994D0...
 Signature Adoption: Pre-selected Style
 Using IP Address: 75.221.94.150

Timestamp

Sent: 1/28/2025 11:16:59 AM
 Viewed: 1/29/2025 9:27:44 AM
 Signed: 1/29/2025 9:30:22 AM

Electronic Record and Signature Disclosure:

Accepted: 1/29/2025 9:27:44 AM
 ID: 64414643-5eba-46db-9000-239852add656

Gina Occhipinti Borasi
 Gina.Borasi@santacruzcountyca.gov
 Risk Manager
 County of Santa Cruz
 Security Level: Email, Account Authentication (None)

Signed by:

 E4EADC5BA53B4DB...
 Signature Adoption: Pre-selected Style
 Using IP Address: 63.194.190.100

Sent: 1/29/2025 9:30:23 AM
 Viewed: 1/29/2025 12:40:24 PM
 Signed: 1/29/2025 12:40:42 PM

Electronic Record and Signature Disclosure:

Accepted: 12/18/2023 9:38:58 AM
 ID: 5f1392e5-7eb7-47e8-b6a6-baa8d5c3b8c6

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/28/2025 11:17:00 AM
Certified Delivered	Security Checked	1/29/2025 12:40:24 PM
Signing Complete	Security Checked	1/29/2025 12:40:42 PM
Completed	Security Checked	1/29/2025 12:40:42 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

RECORDED AT THE REQUEST OF:
GENERAL SERVICES DEPARTMENT

WHEN RECORDED MAIL TO:
COUNTY OF SANTA CRUZ
CLERK OF THE BOARD
701 OCEAN STREET, ROOM 520

Free or Complimentary Recording
Per Government Code 27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the County of Santa Cruz, owner of the property hereinafter described, whose address is 701 Ocean Street, Santa Cruz, California, has caused a work of improvement more particularly described as follows:

ROUNTREE AIR HANDLING UNIT REPLACEMENT

To be constructed on property more particularly described as follows:

90 ROUNTREE LANE, WATSONVILLE, CA

The work of improvement was completed by ACCO Engineered Systems, Inc. whose address is 1133 Aladdin Avenue, San Leandro, CA 94577.

The work of improvement was completed on the 24th day of June 2024 and accepted by the Board of Supervisors of said County on the 11th day of March 2025.

DATED: March 11, 2025

Michael Beaton
Director of General Services
County of Santa Cruz

The undersigned states: That he is the Director of General Services of the County of Santa Cruz, owner of the property referred to in this Notice of Completion; that the Board of Supervisors of said County on the 11th day of March 2025, accepted said work of improvement and directed the filing of the Notice of Completion; that he has read the Notice of Completion and knows the contents thereof; and that the facts stated therein are true.

I declare under penalty of perjury that the foregoing is true and correct. Executed

by me this 11th day of March 2025, at Santa Cruz, California.

Michael Beaton
Director of General Services
County of Santa Cruz

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GENERAL SERVICES DEPARTMENT

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DATED: ~~February~~March 11, 2025

Michael Beaton
Director of General Services
County of Santa Cruz

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