

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AUTHORIZING THE PURCHASE AND REPLACEMENT OF HVAC AT ROSEWOOD PARK, BANDINI PARK, AND CIVIC CENTER THROUGH BUYBOARD NATIONAL PURCHASING COOPERATIVE AGREEMENT, AUTHORIZING UP TO 15% FOR CONTINGENCIES AND PROJECT MANAGEMENT, AUTHORIZING ACTING CITY MANAGER TO SIGN THE PROCUREMENT DOCUMENTS AND ALLOCATING MEASURE AA FUNDS

WHEREAS, HVAC units at Rosewood Park, Bandini Park, and City Hall are old and beyond their useful life, inefficient and recommended for replacement to improve health, safety, and energy efficiency; and

WHEREAS, one of the efficient methods for purchase and installation of new units is to procure new HVAC units through a national purchasing cooperative system to eliminate the need for public bidding; and

WHEREAS, California law allows for the use of cooperative contracts as an alternative to a competitive bidding process provided the applicable requirements in Chapter 5 Joint Exercise of Powers are satisfied; and

WHEREAS, the BuyBoard National Purchasing Cooperative (BuyBoard) is a public agency created in accordance with Maryland state statutes, MD. Code Ann., State Fin. & Proc. §13-110 (West 2009) in which the City of Commerce is a cooperative member; and

WHEREAS, proposals from Carrier through BuyBoard Contract No 720-23 for procurement and replacement of 3 HVAC units at Rosewood Park, 6 HVAC units at Bandini Park, and 28 HVAC units at City Hall were obtained for total cost of \$1,259,009; and

WHEREAS, staff is recommending approval of the purchase and installation of 3 HVAC units at Rosewood Park, 6 HVAC units at Bandini Park, and 28 HVAC units at City Hall for total of \$1,259,009 through BuyBoard and authorizing up to 15% for contingencies and project management and further authorizing the Acting City Manager to execute the purchasing documents; and

WHEREAS, the total estimated cost of purchasing and replacing the HVACs including 15% for contingencies and project management is \$1,447,860.; and

WHEREAS, Council previously approved \$1,000,000 in Measure AA funds as a Capital Improvement Project in the current fiscal year and staff recommends allocating

an additional \$447,860 in Measure AA funds to cover the project cost shortfall; and

WHEREAS, the total estimated cost of purchasing and replacement of the HVACs including 15% for contingencies and project management is \$1,447,860 of which \$1,000,000 will be covered through approved Measure AA funds Account No. 41-5180-57010.14744. Additional Funds in the amount of \$447,860 are required to cover the project cost shortfall.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct and incorporates them herein as findings and as a substantive part of this Resolution.

Section 2. Approves the purchase and installation of 3 HVAC units at Rosewood Park, 6 HVAC units at Bandini Park, and 28 HVAC units at City Hall for a total of \$1,259,009 through BuyBoard and the City Manager to execute the purchasing documents.

Section 3. Authorizes construction contingencies and project management for up to \$188,851.35 (15% of construction contract) for unforeseen conditions.

Section 4. Authorizes Transtech Engineers, Inc. to proceed with Construction Management and Inspection pursuant to their existing on-call agreement for consultant services.

Section 5. Allocate \$447,860 in Measure AA funds to account No. 41-5180-57010.14744 to cover the difference of funds budgeted and total cost.

Section 6. Authorizes the Mayor to execute this Resolution for and on behalf of the City of Commerce.

Section 7. This Resolution shall take full force and effect immediately upon adoption by the City Council.

PASSED, APPROVED and ADOPTED this 9th day of Jlye 2024.

Hugo A. Argumedo, Mayor

ATTEST:

Lena Shumway, City Clerk