



24-5530

DATE: May 7, 2024 (Item No. {{item.number}})

TO: Board of Supervisors

FROM: Matthew Hada, Director of Procurement
Jeff Draper, Director, Facilities and Fleet Department

SUBJECT: Second Amendment to the Agreement with Johnson Controls Fire Protection LP

RECOMMENDED ACTION

Approve Second Amendment to Agreement with Johnson Controls Fire Protection LP, relating to providing Fire Alarm Panel System Maintenance, Repair and Operations Services, Parts and Accessories, increasing the maximum contract amount by \$6,500,000 from \$5,000,000 to \$11,500,000, and extending the Agreement for a 12-month period through September 30, 2025, that has been reviewed and approved by County Counsel as to form and legality. (LA-1)

FISCAL IMPLICATIONS

There is no additional fiscal impact to the County General Fund as a result of this action. Agencies and departments will utilize funds from their approved budgets for these purchases.

CONTRACT HISTORY

County agencies and departments, including the Facilities and Fleet Department (FAF), have an ongoing need for fire alarm panel system maintenance and fire suppression systems inspections to support their operations and comply with safety requirements. These services ensure safety and compliance of County facilities and provide as-needed repairs and service to address any malfunctions that may impact the system.

Agreement and Amendments

On September 29, 2022, the Chief Procurement Officer approved and executed Agreement No. CW2247529 with Johnson Controls Fire Protection LP (Johnson Controls) under Board Policy 5.6.5.1 (E) based on accessing the competitively solicited Sourcewell Contract #030421-JHN. Sourcewell is a cooperative purchasing organization created for government and education entities to harness their purchasing power for better pricing. The Agreement was established for an amount not to exceed \$4,000,000 for period October 1, 2022, through September 30, 2024, with the County's sole discretion to renew for one additional one-year period contingent upon Sourcewell's successful renewal of the contract with Johnson Controls.

On January 27, 2024, the Director of Procurement approved and executed the First Amendment to increase the maximum contract amount by \$1,000,000 from \$4,000,000 to \$5,000,000 and to update the scope of work and corresponding rates.

REASONS FOR RECOMMENDATION AND BACKGROUND

Reason(s) for approval of amendment

The Agreement with Johnson Controls includes fire alarm panel system maintenance and fire suppression systems inspections for buildings managed by FAF. Work includes scheduled preventative maintenance services, including inspections, adjustments, tests, provision of parts and component replacements to keep all equipment compliant with applicable codes and operating at their established capacity and efficiency. The inclusion of kitchen hood testing and cleaning services with the First Amendment provides necessary testing of the equipment and ensure it operates as designed.

The current contract value is \$5,000,000 and an additional \$6,500,000 is needed for the remainder of the term which, if approved, will end on September 30, 2025. As of March 2023, the County spend has exhausted 94.7% of the not to exceed contract total value.

The initial anticipated spend for the Agreement was projected to be around \$2,045,783 annually. The rolling 12-month average spend has substantially increased since the initial Agreement execution due to higher than anticipated necessary sprinkler inspections at FAF managed facilities as well as the mandatory repairs for existing County sprinkler systems with Countywide spend totaling \$3,514,364 over that time period.

The additional funding would cover the anticipated spend for all County sites and address any outstanding invoices, scheduled ongoing services, and unanticipated system malfunctions.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve the recommended action would significantly decrease FAF's and other Departments' ability to provide and utilize fire protection system maintenance, inspection, and repair services. County Departments use the contracted services to protect County facilities, staff, clients, and visitors. If the amendment with Johnson Controls is not approved, County Departments would have to secure a different vendor or create and add positions to support fire protection systems throughout the County. In addition to protecting facilities and personnel, Johnson Controls helps the County remain compliant with various maintenance and inspection requirements.

STEPS FOLLOWING APPROVAL

Upon completion of expedited processing, please send a copy of the executed Amendment and approved Legislative File to David Noriega, Samuel Hirsch, and Taylor Tran in the Procurement Department.

ATTACHMENTS:

- CW2247529 Johnson Controls Fire Protection LP AM02
- Levine Act Contractor Form – Identification of Subcontractors and Agents JCFP
- Levine Act Subcontractor Form - Identification of Agents JCFP
- CW2247529 Johnson Controls Fire Protection LP
- CW2247529 Johnson Controls Fire Protection LP AM01