

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: General Services Agency

BOARD AGENDA: 5.B.4  
AGENDA DATE: August 21, 2018

**SUBJECT:**

Approval to Execute Amendment No.1 to the Agreement with Elevator Industries, Inc.  
for Elevator Modernization at the Men's Jail

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2018-0413**

On motion of Supervisor Olsen, Seconded by Supervisor Withrow  
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

**MOTION:**

ATTEST:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: General Services Agency

BOARD AGENDA:5.B.4  
AGENDA DATE: August 21, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Approval to Execute Amendment No.1 to the Agreement with Elevator Industries, Inc. for Elevator Modernization at the Men's Jail

**STAFF RECOMMENDATION:**

1. Approve Amendment No. 1 to the Agreement with Elevator Industries, Inc. for elevator modernization at the Men's Jail located at 1115 H Street, Modesto, to adjust the not-to-exceed contract amount from \$116,698 to \$122,255.
2. Authorize the Purchasing Agent to execute Amendment No. 1 to the Agreement with Elevator Industries, Inc., sign any necessary documents, and execute any subsequent amendments on behalf of the County.

**DISCUSSION:**

The Men's Jail located at 1115 H Street in Modesto was built in 1957, with three above-ground floors and one basement floor. The building is served by a single traction-type passenger elevator manufactured by Montgomery, which is original to the building. This elevator has required non-routine repairs with increasing frequency due to wear and age, making it an ideal candidate for modernization. Elevator modernization is a time- and cost-effective repair process that upgrades critical components with newer technology to improve both safety and performance. These critical components typically include the controller equipment, hoist machines and motors, electrical wiring and buttons, and doors. Although the Men's Jail population was transferred to the Public Safety Center in Winter 2018, the Men's Jail building is continuing to be utilized as a court holding facility. As such, the elevator retrofit work needs to be completed for continued safe operation of the elevator.

The General Services Agency (GSA) posted Request for Bids (Bid) No. 17-22-BD for Elevator Modernization at the Men's Jail on March 6, 2017, which set forth the scope of work. The Bid notice was sent to 179 companies, and 30 downloaded the Bid documents. Two contractors attended the non-mandatory pre-bid meeting held on-site March 22, 2017. When the Bid closed April 19, 2017, GSA had received responses from two contractors, with Elevator Industries Inc. providing the lowest-priced responsive and responsible bid at \$111,141. On January 9, 2018, the Board approved the award of a contract to Elevator Industries (Contractor) by Resolution 2018-0030, in the amount of \$116,698, which included the base bid amount plus a 5% contingency amount of \$5,557 for unforeseen repairs. Funding for this deferred maintenance project was included in

the Chief Executive Office Plant Acquisition, Deferred Maintenance Fiscal Year 2017-2018 Adopted Budget.

Work began on February 5, 2018, and on May 2, 2018 GSA approved Change Order Number 1 for \$5,554 to supply and install a controller interface in the Sherriff's control room to allow deputies to override the elevators actions remotely.

As work progressed, the Contractor identified another \$5,557 in unforeseen safety needs, including electrical wiring repairs, replacement of the rusted elevator car floor, and miscellaneous small repairs to ensure the project passes mandatory State inspections. State of California Public Contracting Code (PCC) allows for up to 10% of the contract value to cover contingency repairs. Increasing the existing contract amount by \$5,557 will allow the project to be completed while remaining within the maximum permissible 10% contingency limit.

If approved, Amendment No. 1 to the Agreement with Elevator Industries, Inc. for elevator modernization at the Men's Jail located at 1115 H Street in Modesto would adjust the contract amount from \$116,698 to \$122,255.

**POLICY ISSUE:**

The County's purchasing policy requires Board of Supervisors approval for contracts exceeding \$100,000. This requirement is based upon California Government Codes § 25212, et seq, and § 25502.5, et seq, which establish the powers of the Board of Supervisors and the Purchasing Agent.

**FISCAL IMPACT:**

The proposed Amendment No. 1 to the Agreement with Elevator Industries, Inc. for elevator modernization at the Men's Jail located at 1115 H Street, Modesto, would adjust the contract amount from \$116,698 to \$122,255. There is sufficient funding is included in the Chief Executive Office Plant Acquisition, Deferred Maintenance Fiscal Year 2018-2019 Adopted Proposed Budget.

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended actions are consistent with the Boards' priority of *Delivering Efficient Public Services* by providing cost-efficient contracted elevator modernization services to the affected County department.

**STAFFING IMPACT:**

Existing GSA staff will continue to manage the contract for the elevator modernization services.

**CONTACT PERSON:**

Keith D. Boggs, GSA Agency Director/Purchasing Agent  
Brad Diemer, Purchasing Manager

(209) 652-1514  
(209) 525-6319

**ATTACHMENT(S):**

1. Amendment No. 1 to Elevator Industries Agreement

**AMENDMENT NO. 1  
TO  
AGREEMENT FOR PUBLIC WORKS OF IMPROVEMENT**

This Amendment No.1 to the Agreement for Public Works of Improvement by and between the County of Stanislaus ("County") and Elevator Industries, Inc., ("Contractor") is entered into on August 21, 2018.

WHEREAS, the County and Contractor entered into an Agreement for Public Works of Improvement dated January 9, 2018, (the "Agreement"); and

WHEREAS, Paragraph 2.38 of the Agreement provides for the Agreement to be amended, modified, changed, added or subtracted from in writing by mutual consent of both parties; and

WHEREAS, the Parties have mutually agreed that additional unforeseen work is necessary and relevant to the project; and

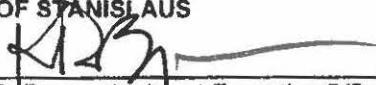
WHEREAS, the County has a need to increase the not to exceed amount to pay the Contractor for such additional unforeseen work;

NOW THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. The parties hereto acknowledge the maximum amount to be paid by the County for services provided hereunder shall not exceed \$122,255.00 including, without limitation, the cost of any subcontractors, consultants, experts or investigators retained by the Contractor to perform or to assist in the performance of its work under this Agreement.
2. All other terms and conditions of the Agreement shall remain in full force and effect.


IN WITNESS WHEREOF, the parties have executed this First Amendment effective as of the 21<sup>st</sup> day of August, 2018.

COUNTY OF STANISLAUS

By:   
Keith D. Boggs, Assistant Executive Officer,  
GSA Director/Purchasing Agent

"County"

ELEVATOR INDUSTRIES, INC.

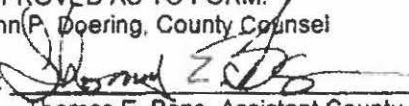
By:   
Guy Buckman, General Manager

"Contractor"

APPROVED AS TO CONTENT:  
General Services Agency

By:   
Mike Herzog, Business Services Supervisor

APPROVED AS TO FORM:  
John P. Doering, County Counsel

By:   
Thomas E. Boze, Assistant County Counsel