



## Legislation Details (With Text)

**File #:** 17-361      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 4/3/2017      **In control:** City Commission

**On agenda:** 4/18/2017      **Final action:** 4/18/2017

**Title:** BEST INTEREST RESOLUTION NO. 30-17 AND WAIVER OF THE CITY CODE OF ORDINANCES, CHAPTER 36, SECTION 36.02(C)(7) AND AWARD OF AN AGREEMENT TO TRANE US INC. FOR REPLACEMENT OF THE HVAC SYSTEM AT OLD SCHOOL SQUARE FIELDHOUSE IN A NOT-TO-EXCEED MAXIMUM AMOUNT OF \$24,240.

**Sponsors:** Environmental Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. CRA Funding Commitment - OSS HVAC Fieldhouse, 2. 04-13-17 - Amendment No. 2 to ILA with City - CIP Projects FY 2016-17.pdf, 3. (OSS HVAC) Amendment #2 ILA Funding Construction Professional Services FY 2016-17\_partially exe.pdf, 4. Amendment #2 ILA Funding Construction Professional Services FY 2016-17\_tracked.docm, 5. City of Delray - Old School Square - Carrier Unit repairs DX 25 ton - Updated after visit (002).pdf, 6. Best Interest Resolution 30-17.pdf, 7. ITB Trane.pdf, 8. Trane Addendum 1, 9. Trane Addendum 2, 10. Trane Addendum 3, 11. Trane Agreement Gov Contract, 12. Trane Posting, 13. US Communities Master Intergovernmental Cooperative Agreement

Date	Ver.	Action By	Action	Result
4/18/2017	1	City Commission	approved	Pass

**TO:** Mayor and Commissioners  
**FROM:** John Morgan, Environmental Services Director  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** April 18, 2017

BEST INTEREST RESOLUTION NO. 30-17 AND WAIVER OF THE CITY CODE OF ORDINANCES, CHAPTER 36, SECTION 36.02(C)(7) AND AWARD OF AN AGREEMENT TO TRANE US INC. FOR REPLACEMENT OF THE HVAC SYSTEM AT OLD SCHOOL SQUARE FIELDHOUSE IN A NOT-TO-EXCEED MAXIMUM AMOUNT OF \$24,240.

### **Recommended Action:**

Motion to Approve Best Interest Resolution No. 30-17 for waiver of the City Code of Ordinances, Chapter 36, Section 36.02(C)(7) and to award an agreement to Trane U.S., Inc. utilizing the U.S. Communities Governmental Purchasing Alliance Cooperative Contract 15-JLP-023 for the replacement of the HVAC System at the Old School Square (OSS) Fieldhouse in a not-to-exceed maximum amount of \$24,240. This request is to allow and, declaring by a four-fifths affirmative vote, that use of the sealed competitive method or written quotations method by any governmental entity within the State of Florida or the United States government for the purchase is not in the best interest of the City.

### **Background:**

On September 29, 2015 the Board of Education of Harford County Maryland awarded a three-year contract to Trane U.S. Inc., effective from October 1, 2015 through September 30, 2018 with renewal options for two, one-year periods (RFP 15-JLP-023). The solicitation was conducted by the Board of Education of Hartford County as the lead agency for the U.S. Communities Government Purchasing Alliance. The City of Delray Beach is currently registered as a Participating Public Agency with the U.S. Communities Governmental Purchasing Alliance. Cost savings and other benefits the City will realize by utilizing the U.S. Communities Governmental Purchasing Alliance Cooperative Contract with Trane include:

1. Trane will include the request for minority and SBE participation.
2. Trane provides the bonds so qualified local contractors who normally would not be able to meet bonding requirements can bid, increasing competition to obtain the best pricing for services.
3. There is no mark-up by the contractor on the materials provided by Trane.
4. There will be one source, Trane, for labor, materials, responsibility, liability and warranty.

The 25-ton DX unit at the OSS Fieldhouse is at the end of its useful lifespan and is in danger of imminent failure. The Fieldhouse is a popular venue for public activities from weddings to public meetings. It is an integral component of the OSS business plan and, thus, it is imperative that the City takes action to prevent any interruptions in service to this facility. Currently, the City is designing a full HVAC system replacement, which is expected to be installed in September or October of this year. This repair will help to ensure that HVAC service continues uninterrupted until that project can be completed.

Trane U.S. Inc. evaluated the 25-ton DX unit and provided an estimated guaranteed not-to-exceed maximum price of \$24,240 to resolve current problems with HVAC equipment and remedy the causes for failure of the current system. Resolution of these issues calls for replacement of the condenser coil and associated parts. This price is based on Trane's Engineers Opinion of Probable Cost (EOPC). If approved by Commission, Trane will solicit bids from HVAC mechanical contractors within South Florida. Should the bids exceed Trane's EOPC, the difference is absorbed by Trane at no additional cost to the City.

Additionally, Trane utilizes local OEM factory trained technicians and support teams for the services provided. Where applicable, Trane works with approved local subcontractors and has a dedicated Account Management Team and Support Team available locally for evaluating, developing and fulfilling projects.

This recommendation complies with the City Code of Ordinances, Chapter 36, Section 36.02 (C) (11), "*Best Interest Acquisitions*".

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

Funding will be available from account number 001-3431-519.46-20 (General Fund: Equipment Maintenance) after budget transfer and pending the mid-year budget amendment. Funding will be

made available through the Delray Community Redevelopment Agency (CRA), which will amend the current Interlocal Agreement (ILA) to include this amount.

**Timing of Request:**

Immediate repair of the HVAC unit at OSS Fieldhouse is needed to ensure the uninterrupted provision of services at this facility.