



## Legislation Text

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File #: 17-187, Version: 1

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**TO: Mayor and Commissioners**  
**FROM: John Morgan, Environmental Services Director**  
**THROUGH: Chief Neal de Jesus, Interim City Manager**  
**DATE: March 1, 2017**

BEST INTEREST RESOLUTION NO. 09-17 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 FIRE STATION 114 IN A NOT-TO-EXCEED MAXIMUM AMOUNT OF \$205,000.

### **Recommended Action:**

Motion to approve Best Interest Resolution No. 09-17 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 Fire Station 114 in a not-to-exceed maximum amount of \$205,000. 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 with 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 that 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.

Fire Station 114 HVAC units currently are at the end of their useful lifespan. The 10-ton unit on site is being repaired frequently to keep the common areas of the Fire Station habitable for on-duty fire fighters and the public. Continuing problems with moisture inside the smaller unit that services the bunk rooms at the Fire Station have caused a problem with mold growing inside duct work, creating

unhealthy living conditions. Fire station personnel were moved into a temporary bunk room on October 21, 2016 and continue to sleep in the temporary quarters while remedies to the HVAC system and resulting mold issues inside the Fire House are implemented. Replacement of the entire HVAC system and some duct work is the recommended action to ensure that issues will not recur in a short timeframe as has happened in the past.

Trane U.S. Inc. evaluated the HVAC system for Fire Station 114 and provided an estimated guaranteed not-to-exceed maximum price of \$205,000 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 entire HVAC system. 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 motion is in accordance with the 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 to be made available through City Manager.

**Timing of Request:**

Immediate replacement of the HVAC system at Fire Station 114 is needed in order to provide an acceptable and safe indoor environment for staff and the public.