

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AMENDMENT NO. 2 WITH COUNTYWIDE MECHANICAL SYSTEMS, INC., FOR FULL-SERVICE HVAC SYSTEM MAINTENANCE AND REPAIR SERVICES AT DISTRICT FACILITIES FROM JANUARY 1, 2023, to JUNE 30, 2026, IN AN AMOUNT NOT TO EXCEED \$1,640,000. FUNDS FOR FISCAL YEAR 2025 HAVE BEEN BUDGETED IN THE AMOUNT OF \$230,261. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1; and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

WHEREAS, the District contracts for full-service heating, ventilation, and air conditioning (HVAC) maintenance and repair services at District facilities; and

WHEREAS, pursuant to BPC Policy No. 110, the current agreement for HVAC services at District facilities with Countywide Mechanical Systems, Inc (Countywide) was awarded through RFP No. 20-24JR and approved by the BPC on October 11, 2022, which agreement is on file with the Office of the District Clerk as Document No. 74589 (Agreement); and

WHEREAS, the term of the Agreement commenced on January 1, 2023, and expires on June 30, 2026; and

WHEREAS, in accordance with BPC Policy No. 110, Amendment No. 1 to the Agreement, which Amendment No. 1 is on file in the Office of the District Clerk as Document No. 76435, was later administratively executed to increase the maximum expenditure permitted under the Agreement from \$800,000 to \$1,040,000 and used to address over \$320,000 in HVAC maintenance and repair issues at the District Administration and Annex Buildings; and

WHEREAS, the maximum expenditure permitted under the Agreement requires an additional increase to account for future HVAC preventative

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maintenance and any additional unplanned maintenance and repair requirements at District facilities; and

WHEREAS, the proposed Amendment No. 2 attached as Attachment A to the agenda sheet to which this Resolution relates will increase the maximum expenditure under the Agreement by \$600,000 from \$1,040,000 to \$1,640,000; and

WHEREAS, such an increase of the maximum expenditure under the Agreement requires BPC approval under Section 2.7 of BPC Policy No. 110; and

WHEREAS, proposed Amendment No. 2 to the Agreement will help ensure sufficient funding is available for preventative, scheduled, and unscheduled HVAC maintenance through the remainder of the Agreement; and

WHEREAS, staff requests BPC authorization to execute Amendment No. 2 to the Agreement with Countywide for HVAC maintenance and repair services, increasing the maximum amount payable by \$600,000 for a new total Agreement maximum expenditure of \$1,640,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. The Executive Director or their designee is hereby authorized to enter into Amendment No. 2 to the Agreement with Countywide for HVAC maintenance and repair services to increase the maximum amount payable by \$600,000 for a new total Agreement maximum expenditure of \$1,640,000.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy General Counsel

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 13th day of August 2024, by the following vote: