RESOLUTION - ACTION REQUESTED 2020-150

MEETING: March 24, 2020

TO: The Board of Supervisors

FROM: Chevon Kothari, Health and Human Services Director

RE: Second Amendment-Agreement with Patton Air Conditioning to Provide Maintenance and Repair Services

RECOMMENDATION AND JUSTIFICATION:
Approve the Second Amendment to Agreement with Patton Air Conditioning (Patton) to provide maintenance and repair services for Mariposa County Health and Human Services Agency (HHSA), increasing the amount by $50,000 for an new amount not to exceed $110,000; and authorize the Board of Supervisors Chair to sign the amendment.

The repair work exceeds the amount allowed under Mariposa Code section 3.12.050, which normally would require following informal bidding procedures. However, in this case, staff recommends amending the agreement because the repair work already has been done by the contractor and invoiced to the county. The cost overrun was caused by unanticipated repair work at the HHSA buildings coupled with additional services requested by the Department of Public Works at other county buildings. The lack of coordination between the departments was compounded by the contractor’s billings which confused county end-user addressees. The recommended amount also includes an additional $10,000 to cover any additional work for the remainder of the fiscal year.

Separate agreements for both maintenance and repair services will be created for future fiscal years to reduce the likelihood of confusion, along with clarifying documentation to clearly identify HHSA from other County departments.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board of Supervisors approved the First Amendment on November 19, 2019 through Resolution No. 2019-656.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If this agreement is not approved, HHSA will be unable to compensate the vendor for work already performed, and delaying the necessary maintenance of the HVAC may adversely affect the HHSA office environment.

FINANCIAL IMPACT:
There is no impact to the County General Fund.
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ATTACHMENTS:
Patton Agreement - 2020 Wsignatures  (PDF)
1st Amendment - Patton Agreement 2020 Wsignatures (PDF)
2nd Amendment - Patton Air Conditioning Agreement 2020 W-csignature  (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
SECOND AMENDMENT TO AGREEMENT FOR MAINTENANCE AND REPAIR SERVICES

THIS SECOND AMENDMENT TO AGREEMENT FOR MAINTENANCE AND REPAIR SERVICES is made and entered into this 24th day of March 2020, by and between the County of Mariposa, a political subdivision of the State of California hereinafter referred to as “County,” and Patton Air Conditioning, hereinafter referred to as “Contractor.”

WHEREAS, County and Contractor have heretofore entered into an Agreement dated July 9, 2019, wherein Contractor agreed to provide maintenance and repair services; and

WHEREAS, County and Contractor have heretofore entered into a First Amendment dated November 19, 2019, wherein compensation was increased from $50,000 to $60,000; and

WHEREAS, County and Contractor desire to amend said Agreement to change the compensation to be provided to Contractor;

NOW THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 3, “COMPENSATION”, is hereby amended to provide that an additional $50,000 will be added to the amended amount of $60,000, making the total compensation paid to Contractor the not to exceed amount of $110,000.

2. Except as herein amended, the Agreement dated July 9, 2019, together with the First Amendment dated November 19, 2019, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPOSA:

Kevin Cann, Chair
Mariposa County Board of Supervisors

RENE LAROCHE
Clerk of the Board

CONTRACTOR:

DAN REYES
Patton Air Conditioning

APPROVED AS TO FORM:

STEVEN W. DAHLEM
County Counsel

LAST UPDATED 3/7/19