

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.18
(ID # 16764)**

MEETING DATE:

Tuesday, September 14, 2021

FROM : FACILITIES MANAGEMENT AND RIVERSIDE UNIVERSITY HEALTH SYSTEM :

SUBJECT: FACILITIES MANAGEMENT (FM) AND RIVERSIDE UNIVERSITY HEALTH SYSTEM (RUHS): Riverside University Health System Medical Center - Emergency Fire Damper Inspection Project - California Environmental Quality Act Exempt, Approval of In-Principle and Total Cost, District 5. [Total Cost \$123,20, 100% RUHS Enterprise Fund 40050]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Riverside University Health System Medical Center Emergency Fire Damper Inspection (RUHS-MC Fire Damper Inspection) Project for inclusion in the Capital Improvement Program (CIP);
2. Find the RUHS-MC Fire Damper Inspection Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1 Existing Facilities Exemption, and Section 15061 (b)(3) "Common Sense" Exemption;

Continued on Page 2

ACTION:Policy, CIP

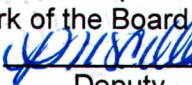

Rose Salgado, Director of Facilities Management 8/18/2021


Jennifer Crulshank, Chief Executive Officer - Health System 8/19/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 14, 2021
xc: FM, RUHS

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

RECOMMENDED MOTION: That the Board of Supervisors:

3. Approve in-principle the emergency declared RUHS-MC Fire Damper Inspection Project located in Moreno Valley, California; in order to comply with current fire and life safety standards;
4. Authorize the use of RUHS Enterprise Fund 40050 in the amount of \$123,200, for the Department requested budget to be validated, for emergency work, including reimbursement to Facilities Management (FM) for incurred emergency project related expenses;
5. Ratify, receive and file the attached emergency procurement (Purchase Order MCARC-293608) with Prevent Life Safety Services, Inc. (Prevent Life Safety) of Livermore, California, for fire damper inspection services in the amount of \$123,200, and authorize the Chair of the Board to execute the contract on behalf of the County pursuant to Board Policy B-11 emergency authority and Resolution No. 2003-23;
6. Authorize the Director of Facilities Management, or her designee, to administer all necessary agreements in accordance with applicable Board policies;
7. Delegate project management authority for the Project to the Director of Facilities Management in accordance with applicable Board policies, including the authority to utilize consultants on the approved pre-qualified list for services in connection with the Project, and are within the approved project budget; and
8. Authorize the Purchasing Agent to execute pre-qualified consultant service agreements not to exceed \$100,000 per pre-qualified consultant, per fiscal year, in accordance with applicable Board policies for the Project, and the sum of all project contracts shall not exceed \$123,200.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 123,200	\$ 0	\$ 123,200	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: RUHS Enterprise Fund 40050 – 100%			Budget Adjustment: No	
			For Fiscal Year: 2021/22	

C.E.O. RECOMMENDATION: Approve

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary

In compliance with the National Fire Protection Association (NFPA) Sections 80 and 105, Healthcare facilities are required to have fire dampers inspected and tested every six years. Dampers used in fire protection assemblies in air conditioning and ventilation ductwork, as well as all life safety components, must meet current operational standards and be maintained within healthcare facilities.

The RUHS Medical Center fire damper inspection, which was due in September 2020, could not be completed due to the COVID-19 pandemic surge. The scope of work for the Project includes but is not limited to: the identification, cleaning, inspection and testing of approximately 2,200 fire and/or smoke dampers throughout the facility. The Project has been deemed an emergency by Riverside University Health System.

On April 12, 2021, Facilities Management (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board), allowing Facilities Management (FM) to take immediate action to procure contracts to provide emergency work without competitive bidding. Failure to take immediate action necessary to remedy the compliance issue would pose a health and safety risk to RUHS patients and jeopardize the facility licensure.

Facilities Management recommends the Board approve in-principle the RUHS-MC Fire Damper Inspection Project and the emergency procurement contract with Prevent Life Safety in the amount of \$123,200 to ensure operational safety of the dampers throughout the facility. RUHS will utilize the findings from the inspection report to conduct a formal public works bid to repair or replace the dampers identified.

(Continued)

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary (Continued)

With certainty, there is no possibility that the Project may have a significant effect on the environment. The Project is limited to the inspection of fire dampers throughout the medical center and is necessary to comply with public health and safety requirements. The work is limited to inspection of existing equipment and would not result in physical changes to the environment. Therefore, the RUHS-MC Fire Damper Inspection Project is exempt as the Project meets the scope and intent of the Common Sense Exemption identified in Section 15061 (b)(3); and Class 1 Existing Facilities Categorical Exemption identified in Section 15301. A Notice of Exemption will be filed by FM staff with the County Clerk within five days of Board approval.

Impact on Residents and Businesses

The RUHS-MC Fire Damper Inspection Project will ensure the health and safety of patients, health care workers, and the public by providing timely inspections.

Contract History and Price Reasonableness

RUHS Plant Operations sought informal quotations from three vendors: Prevent Life Safety, Johnson Controls, and Siemens Industry, Inc. (Siemens) for the hospital fire damper inspection. Siemens declined to provide a quote. Prevent Life Safety was the least expensive and was able to commence inspection immediately. This comprehensive inspection will document the current number and types of dampers throughout the facility and identify any replacement or repairs required to ensure the dampers are functioning properly.

Additional Fiscal Information

All costs associated with this Board action will be expended in FY 2021/22 and are 100% funded through RUHS Enterprise Fund 40050.

Attachment:

- P.O. MCARC-293608 with Prevent Life Safety Services, Inc.

RS:SP:SC;mg MT Item #16764
G:\Project Management Office\FORM 11'S\In Process\16764_D4 - RUHS Emerg Fire Damper Inspection Proj - In-Princ,
Emerg Procuremnt for Prevent_091421.doc

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Tina Grande, Director of Purchasing and Fleet Services 8/11/2021


Meghan Hahn, Administrative Analyst 9/3/2021


Gregory V. Priamos, Director County Counsel 8/24/2021



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
2980 Washington St
Riverside, CA 92504
Phone: (951) 955-4937
Fax: (951) 955-3730

Page: 1 of 5

PURCHASE ORDER

Vendor Instructions

1. Packaging Slip showing P.O. number and contents must accompany each shipment.
2. No charge for packaging or drayage will be allowed except when specified in order.
3. No partial billings except when specified in the order.
4. THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF THIS ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUYER.
5. MAIL INVOICE TO THE ADDRESS SHOWN BELOW. SHOW PURCHASE ORDER NUMBER AND ORDERING DEPARTMENT.
6. Out of state vendors MUST show CA Board of Equilization Permit Number. Otherwise, sales tax will be deducted.
7. IMPORTANT: Seller shall provide material safety data sheets for each product containing hazardous substances as listed by CA Dir. Ind. Rel. in CA Adm. Code, Title 8, Section 5194 and labor codes
8. If work is to be carried out on county property, vendor shall call purchasing and ascertain amounts and types of insurance required and provide proof of insurance before beginning work

RCRMC

RCRMC
RCRMC
26520 Cactus Ave
Moreno Valley CA 92555
United States

Dispatch Via Email		
Purchase Order	Date	Revision
MCARC-0000293608	2021-04-12	
Payment Terms	Freight Terms	Ship Via
Net 30	FOB Destination, Freight Paid	BEST WAY
Buyer	Phone	Currency
Karen Leite		USD

Vendor: 0000088938
Prevent
Life Safety Services Inc
448 Commerce Way Ste B
Livermore CA 94551
United States

Ship To: 4125-84000
RCRMC
Materials Management
26520 Cactus Ave
Moreno Valley CA
92555
United States

Attention: Not Specified

Bill To: RCRMC
Fiscal Services
26520 Cactus Ave
Moreno Valley CA 92555
United States

Tax Exempt? N		Tax Exempt ID:		Replenishment Option: Standard				
Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date	
1 - 1	Fire Damper Inspection of approximately 2200 units		123200.0 0	EA	1.00	123200.00	04/19/2021	

Schedule Total 123200.00

Item Total 93609 123200.00

Quote dated 4/12/21

The Contractor shall furnish all labor, materials, parts, equipment, tools, supervision, services, transportation, waste disposal, facilities and other required items necessary to complete the following work in strict accordance with all of the Contract Documents.

PREVAILING WAGES AND LABOR CODE REQUIREMENTS

This is a public works project and may be subject to compliance monitoring and enforcement by the California Department of Industrial Relations. The awarded bidder shall comply with all applicable provisions of the California State Labor Code regarding prevailing wages, Department of Industrial Relations Division of Apprenticeship Standards Labor and other requirements, including but not limited to Labor Code Sections 1771.4, 1773.1, 1774, 1775, 1776, 1777.5, 1813 and 1815. It is the Contractors responsibility to upload their eCPR under the project ID noted below.

Note: per Per DIR Newsline #2017-52 Small Project Exemptions will be effective July 1, 2017. This exemption is from DIR contractor registration and PWC-100 project registration by the Awarding Body. It does not exempt the Contractor from the payment of prevailing wage rates.

Project Description and location: Fire Damper Inspection

DIR PROJECT ID: #341867 for Certified Payroll Records (CPR) reporting (not

Authorized Signature

Karen Leite



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
2980 Washington St
Riverside, CA 92504
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Tax Exempt? N

Tax Exempt ID:

Replenishment Option: Standard

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
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needed if exempt)
Contractor's DIR Registration: 1000016030
Contractor's License: 850208 C61 & D64
PWC-100 filed: YES
Project Name: Fire Damper Inspection
Project #: 367311
Contract #: NA
County Project Manager: Gabriel Gonzalez, 951-840-8708
Contractor Project Manager:

****EXECUTED PAYMENT AND PERFORMANCE BONDS MUST BE RECEIVED BY THE COUNTY PURCHASING DEPARTMENT PRIOR TO PAYMENT TO VENDOR****

Email executed Payment and Performance Bonds to Karen Leite,
k.leite@ruhealth.org.

Terms and Conditions: Unless otherwise stated in bid request documents and/or contract documents, terms and conditions for informal public works projects are in accordance with the following: 116-220 General Conditions Public Works under \$25k or 116-222 General Conditions-Public Works over \$25k. T&C's can be found on the Purchasing and Fleet Services website at
<http://www.purchasing.co.riverside.ca.us/Terms.aspx>

The County shall not be liable for any claim based upon the exercise or performance, or the failure to exercise or perform, a discretionary function or duty on the part of the County or any employee of the County in carrying out the provisions of the California Emergency Services Act (California Government Code Sections 8550 et seq.).

CONTRACTOR shall indemnify and hold harmless the County of Riverside, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives (individually and collectively hereinafter referred to as Indemnitees) from any liability whatsoever, based or asserted upon any services

Authorized Signature

Karen Leite



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
2980 Washington St
Riverside, CA 92504
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of CONTRACTOR, its officers, employees, subcontractors, agents or representatives arising out of or in any way relating to this Agreement, including but not limited to property damage, bodily injury, or death or any other element of any kind or nature whatsoever arising from the performance of CONTRACTOR, its officers, employees, subcontractors, agents or representatives Indemnitors from this Agreement. CONTRACTOR shall defend, at its sole expense, all costs and fees including, but not limited, to attorney fees, cost of investigation, defense and settlements or awards, the Indemnitees in any claim or action based upon such alleged acts or omissions.

With respect to any action or claim subject to indemnification herein by CONTRACTOR, CONTRACTOR shall, at their sole cost, have the right to use counsel of their own choice and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of COUNTY; provided, however, that any such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes CONTRACTOR'S indemnification to Indemnitees as set forth herein.

CONTRACTOR'S obligation hereunder shall be satisfied when CONTRACTOR has provided to COUNTY the appropriate form of dismissal relieving COUNTY from any liability for the action or claim involved.

The specified insurance limits required in this Agreement shall in no way limit or circumscribe CONTRACTOR'S obligations to indemnify and hold harmless the Indemnitees herein from third party claims.

In the event there is conflict between this clause and California Civil Code Section 2782, this clause shall be interpreted to comply with Civil Code 2782. Such interpretation shall not relieve the CONTRACTOR from indemnifying the Indemnitees to the fullest extent allowed by law.

Insurance Requirements: Without limiting or diminishing the CONTRACTOR'S obligation to indemnify or hold the COUNTY harmless, CONTRACTOR shall procure and maintain or cause to be maintained, at its sole cost and expense, the following insurance coverages during the term of this Agreement. As respects to the insurance section only, the COUNTY herein refers to the County of Riverside,

Authorized Signature

Karen Leite



COUNTY OF RIVERSIDE

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Dispatch Via Email		
Purchase Order MCARC-0000293608	Date 2021-04-12	Revision
Payment Terms Net 30	Freight Terms FOB Destination, Freight Paid	Ship Via BEST WAY
Buyer Karen Leite	Phone	Currency USD

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its Agencies, Districts, Special Districts, and Departments, their respective directors, officers, Board of Supervisors, employees, elected or appointed officials, agents or representatives as Additional Insureds. In regards to Worker's Compensation, the policy shall be endorsed to waive subrogation in favor of The County of Riverside.

Insurance requirements and limits can be found on the Risk Management website at: <http://riskmgmt.rc-hr.com/ContractLanguage/StandardContractLanguage.aspx>

Notice of Completion shall be finalized by the County Project Manager and provided to the Contractor and Purchasing. (Civil Code 9204)
B11 Approval Attached

Due to flooring type, condition, and infectious disease concerns, immediate action is required to replace the hospital flooring. Failure to do so immediately will promote imminent health safety and welfare concerns for hospital staff and general public in

the form of; trip and fall, spread of infectious disease, non-regulatory compliance, health issues with potential for illness / loss of life, with the associated county risk and liabilities.

In the event of contradiction, between the County's and the Seller's conditions, the County's Terms and Conditions shall prevail.

Invoices can be emailed to AP@ruhealth.org

Please refer to <http://www.purchasing.co.riverside.ca.us/> to view/print County Terms and Conditions

*116-200 General Terms

*116-210 General Conditions - Materials and/or Services

PAYMENT TERMS - For calculating due dates for payment terms, the County will use either the date that the invoice is received by the County or the date the goods/services are received, whichever is later. Net 30. FOB Destination; price

Authorized Signature

Karen Leite



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
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Riverside, CA 92504
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Fax: (951) 955-3730

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Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
	includes shipping and handling.						

Karen Leite, Procurement Contract Specialist

Riverside County Purchasing and Fleet Services
Healthcare Liaison for RUHS
Ph: 951-486-5503
k.leite@ruhealth.org

Total PO Amount 123200.00

FORM APPROVED COUNTY COUNSEL
BY KRISTINE BELL-VALDEZ DATE

Authorized Signature

Karen Leite

COPY

Riverside County
Facilities Management
3133 Mission Inn Avenue, Riverside, CA 92507

NOTICE OF EXEMPTION

August 9, 2021

Project Name: Riverside University Health System Medical Center (RUHS-MC) Fire Damper Inspection and Testing

Project Number: FM16764

Project Location: 26520 Cactus Avenue, west of Nason Street, Moreno Valley, County of Riverside, California; Assessor's Parcel Number (APN): 486-280-037

Description of Project: In compliance with the National Fire Protection Association (NFPA) Sections 80 and 105, Healthcare facilities are required to have fire dampers inspected and tested every six years. Dampers (used in fire protection assemblies in air conditioning and ventilation ductwork), as well as all life safety components, must meet current operational standards and be maintained within healthcare facilities.

The RUHS Medical Center fire damper inspection, which was due in September 2020, could not be completed due to the COVID-19 pandemic surge. The scope of work for the Project includes, but is not limited to, the identification, cleaning, inspection and testing of approximately 2,200 fire and/or smoke dampers throughout the facility. RUHS will utilize the findings from the inspection report to conduct a formal public works bid to repair or replace the dampers identified. The inspection and testing and any subsequent replacement of the Fire Dampers at the RUHS MC is identified as the proposed project under the California Environmental Quality Act (CEQA). The operation of the facility will continue to provide public services and will not result in a change or expansion of existing use. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: Riverside County Facilities Management

Name of Person or Agency Carrying Out Project: Riverside County Facilities Management

Exempt Status: State California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities Exemption; 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061, and 15301.

Reasons Why Project is Exempt: The proposed project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project include unusual circumstances which could have the possibility of having a significant effect on the environment. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the inspection and testing of the Fire Dampers at the RUHS MC.

SEP 14 2021 3.18

- **Section 15301 (b)–Existing Facilities:** This Class 1 categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The project, as proposed, is limited to the inspection and testing of the Fire Dampers at the RUHS MC. The activity is a maintenance activity which is required ever six years. The use of the facilities would continue to provide public services and would not result in a significant increase in capacity or intensity of use. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid.* This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed inspection and testing of the Fire Dampers at the RUHS MC will not result in any direct or indirect physical environmental impacts. The improvements would occur within existing facility, would not alter the footprint and is being completed to create a compliant and safe health facility. The use of the facility for public health services would remain unchanged. Any subsequent replacement of the Fire Dampers required by the inspection and testing would also be exempt as it would entail the replacement of existing equipment. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Facilities Management hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____

Date: 8-9-2021

Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management