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



ITEM: 3.24 (ID # 20066) **MEETING DATE:** Tuesday, January 24, 2023

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT: Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project – California Environmental Quality Act Exempt, Ratify and Approve Emergency Procurement Purchase Order FMARC-0000104874 with ACCO Engineered Systems, Inc. without Seeking Competitive Bids, District 1. [\$212,758 – 100% Facilities Management Real Estate Fund 47220]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Approve the Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project for inclusion in the Capital Improvement Program (CIP);
- Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1 Existing Facilities Categorical Exemption, Section 15302 Replacement or Reconstruction Exemption, and Section 15061 (b)(3) "Common Sense" Exemption;

Continued on Page 2

ACTION:Policy, CIP

Rose Salgado, Director of Facilities Management

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:Jeffries, Spiegel, Washington, Perez, and GutierrezNays:NoneAbsent:NoneDate:January 24, 2023xc:FM

Kimberly Rector Clerk Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

- 3. Find that an emergency, as defined by Section 1102 of the Public Contract Code, existed at the Riverside Centre building that did not permit a delay resulting from a competitive solicitation for bids, and Ratify and Approve the actions taken by the Director of Facilities Management (FM) that were necessary to respond to the emergency;
- 4. Authorize the use of Facilities Management Real Estate Fund 47220 in the not to exceed amount of \$212,758 for the Project, including reimbursement to FM for incurred emergency related project expenses;
- 5. Ratify and Approve the emergency procurement Purchase Order FMARC-0000104874 with ACCO Engineered Systems, Inc. (ACCO) of Pasadena, California, for emergency services, without seeking competitive bids, in the amount of \$129,134, and authorize the Chairman of the Board (Chairman) to execute the Purchase Order on behalf of the County pursuant to Board Policy B-11 emergency authority and Resolution No. 2003-23; and
- 6. Ratify and Authorize the Director of Facilities Management, or her designee, to order any emergency action and enter into and administer all necessary agreements and documents related to the Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project in accordance with applicable Board policies.

FINANCIAL DATA	Current Fiscal Year:		Next Fiscal Year:		т	otal Cost:	Ongoing Cost	
COST	\$	212,758	\$	0	\$	212,758	\$	0
NET COUNTY COST	\$	0	\$	0	\$	0	\$	0
SOURCE OF FUNDS	S: Faci	lities Manage	ment		Budge	et Adjustment	t: No	
Real Estate Fund 47220	0 - 100	%			For Fig	scal Year: 20	22/2023	

C.E.O. RECOMMENDATION: Approve

BACKGROUND: Summary

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On September 6, 2022, smoke was observed from Riverside Centre building that required local fire authorities to respond and investigate its cause. It was determined to be the result of a failure to mechanical compressor No. 3. The mechanical failure caused an immediate response from the Facilities Management Maintenance Division, along with county awarded vendors.

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

Facilities Maintenance (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board) to take immediate action so a mechanical company could be procured to provide emergency mechanical services to replace the damaged mechanical compressor unit. Failure to immediately address this health safety and welfare event due to building mechanical failure would pose imminent risk and loss of county services due inadequate environmental hazards. The response team worked around the clock to get the emergency under control and some tenants returned to the building.

Facilities Management recommends the Board approve the Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project and the emergency procurement Purchase Order with ACCO in the not to exceed amount of \$129,134; enabling FM to complete the project documentation and ensure that the mechanical system within the Riverside Centre building is restored to normal operational and safety from health and environmental hazards.

With certainty, there is no possibility that the Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project may have a significant effect on the environment. The Project is limited to an emergency response to provide maintenance and repairs associated with a building mechanical equipment failure on the roof of the existing Riverside Centre.

The repairs to the existing public facility are required to maintain essential public services and keep the facility operating in a safe and efficient manner. Therefore, the Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project is exempt as the project meets the scope and intent of the Common Sense Exemption identified in Section 15061 (b)(3), Class 1 Existing Facilities Exemption identified in Section 15301, and Class 2 Replacement or Reconstruction Exemption identified in Section 15302. 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 Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project will ensure that the tenants within the Riverside Centre building are maintained and hazard free, thus providing a safe environment for both visitors and businesses that occupy this office facility.

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

Additional Fiscal Information

The approximate allocation of the preliminary project budget is as follows:

BUDGET LINE ITEMS	BUDGET AMOUNT
DESIGN PROFESSIONAL OF RECORD	20,000
SPECIALTY CONSULTANTS	0
REGULATORY PERMITTING	2,500
CONSTRUCTION CONTRACT	129,134
OTHER CONSTRUCTION CATEGORIES	35,000
COUNTY ADMINISTRATION	6,782
PROJECT CONTINGENCY	19,342
PRELIMINARY PROJECT BUDGET	\$ 212,758

All costs associated with this Board action will be expended in FY 2022/23 and are 100% funded through the Facilities Management Real Estate Fund 47220.

Attachment:

• P.O. FMARC-0000104874 with ACCO Engineered Systems, Inc.

 RS:SP:JA,SC:tv
 FM08720012377
 MT Item #20066

 G:\Project Management Office\FORM 11'S\Form 11's_In Process\20066_D6 - 012377 - Riv Centre Emerg Mechanical Compressor
 No. 3 - In-Princ, Prelim Proj Budg, Emerg Decl PO to ACCO_012423.doc

11/14/2022

Meghan Hab Principal Management Analyst

1/12/2023

Kristing Bell_0 1/6/2023

Riverside County Facilities Management 3450 14th Street, Suite 214, Riverside, CA 92501

NOTICE OF EXEMPTION

October 11, 2022

Project Name: Riverside Centre Emergency Mechanical Compressor No. 3 Replacement Project

Project Number: FM08720012377

Project Location: 3403 Lime Street, north of 10th Street, Riverside, CA 92501, Assessor's Parcel Number (APN): 215-120-005

Description of Project: On September 6, 2022, smoke was observed from Riverside Centre building that required local fire authorities to respond and investigate the cause of the smoke. It was determined the cause of the smoke was the failure of mechanical compressor No. 3. The mechanical failure caused an immediate response from the Facilities Management Maintenance Division, along with county awarded vendors.

Facilities Maintenance (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board) to take immediate action so a mechanical company could be procured to provide emergency mechanical services to replace the damaged mechanical compressor unit. Failure to immediately address this health safety and welfare event due to building mechanical failure would pose imminent risk and loss of county services due inadequate environmental hazards. The response team worked around the clock to get the emergency under control and some tenants returned to the building.

Facilities Management recommends the Board approve in-principle the Riverside Centre Mechanical Compressor No. 3 Project and the emergency procurement contract with ACCO Engineered Systems in the not to exceed amount of \$129,134; enabling FM to complete the project documentation and ensure that the mechanical system within the Riverside Centre building is restored to normal operational and safety from health and environmental hazards.

The replacement of Mechanical Compressor No. 3 is identified as the project under the California Environmental Quality Act (CEQA). No direct or indirect physical environmental impacts are anticipated from the replacement mechanical compressor.

Name of Public Agency Approving Project: Riverside County

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; Section 15302 Replacement or Reconstruction Exemption, and 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061, 15301 and 15302.

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 replacement of the mechanical compressor at the Riverside Centre.

- 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 replacement of a mechanical compressor and associated improvements at an existing facility. The new mechanical compressor would result in the continued provision 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 15302 –Replacement or Reconstruction: This Class 2 categorical exemption consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Under (c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project, as proposed, is the replacement of an existing mechanical compressor of similar size and capacity. The system is an existing facility that supports the provision of public services and the replacement would have the same purpose as the existing infrastructure. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15302, 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 replacement of the mechanical compressor at the Riverside Centre will not result in any direct or indirect physical environmental impacts. The improvements to connect and operate the mechanical compressor would occur at an existing facility, would not alter the footprint and is being completed to provide for safe and efficient operation of the facility. The use of the facility would remain unchanged. 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: 10-11-2022

Mike Sullivan, Senior Environmental Planner County of Riverside, Facilities Management To: Director of Facilities Management

From: Vince Yzaguirre

Date: September 8, 2022

Subject: Emergency Replacement of Compressor Unit 3 and Repair of Compressor Unit 1 and Cooling Tower at Riverside Centre (RV1044)

Details of the emergency situation: On September 6th, 2022, there was smoke observed from Riverside Centre building that required local fire authorities to respond and investigate the cause of the smoke. During local fire authorities' investigation, along with County Maintenance and County vendor, it was determined the cause of the smoke was the failure of compressor unit 3. Compressor units 1 and 2 are in operation but compressor unit 1 could not maintain the added load. Maintenance added additional refrigerant to the compressor unit 1 and descaled on the cooling tower to maintain appropriate working climate conditions within the buildings while maintaining the added load to each of the compressors.

The emergency will not permit a delay resulting from a competitive solicitation for bids and be detrimental to the interests of the County because the lack of immediate replacement and action will allow for the possibility of the building being unusable due to the excessive heat in the building, which is detrimental to the Clients and Staff using the building.

Therefore, with this memorandum, the Director of Facilities Management is declaring this to be an emergency situation pursuant to County of Riverside Board Policy B-11, Section IV *Emergency Action* which states in part:

In the case of an emergency (as defined by Public Contract Code Section 1102, "...[which] means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services")

The procurement of necessary equipment, services, and supplies made under this declaration of emergency shall only be for the purpose of meeting needs created by the emergency situation and shall be subject to the requirements and reporting procedures described in Chapter 2.5 of the California Public Contract Code, commencing with Section 22050. Upon utilization of this authority a report will be made to the Board for ratification of all actions which exceed contractual authority of the Director of Facilities Management or the County Purchasing Agent.

Emergency Declaration Requested by:

Agency Head or Designee

Date

Emergency Declaration Approved by: **Rose Salgado**Digitally signed by Rose Salgado

Director of Facilities Management

Date



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

PURCHASE ORDER

Vendor	nstructions
 Packaging Slip showing P.O. number and contents must accompany each shipment. No charge for packaging or drayage will be allowed except when specified in order. No partial billings except when specified in the order. 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. 	 MAIL INVOICE TO THE ADDRESS SHOWN BELOW. SHOW PURCHASE ORDER NUMBER AND ORDERING DEPARTMENT. Out of state vendors MUST show CA Board of Equilization Permit Number. Otherwise, sales tax will be deducted. 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 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

FACILITIES MANAGEMENT			Dispatc	h Via Email
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3450 14th Street, Suite 200 Riverside CA 92501	Paym Due N			ip Via ST WAY
United States	Buyer Jamie	Garcia	Cu US	i rrency SD
Vendor: 0000055402 Ship To: ACCO Engineered System Inc Dept 71152 PO Box 847360 Los Angeles CA 90084 United States	6327-26000 Facilities Manager FM Purchasing Su Svcs 2991 Franklin Ave Floor 1st Riverside CA 9250 United States	apply nue	Faci Dept 3450 200 Rive	0 14th Street, Suite

Line- Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1 - 1	Compressor #3 Replacement		1.00	EA	129134.00	129134.00	10/23/2022
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				Item	Total 91389	129134.00	
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	Note: per Per DIR New July 1, 2017. This exen project registration by th the payment of prevailir						

Authorized Signature CE

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

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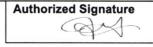
 No partial billings except when specified in the order.
 THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF THIS ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUYER.

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ascertain amounts and types of insurance required and provide proof of insurance before beginning work

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Line- Sch	Item/Description	Mfg ID		C	uantity	UOM		PO Price	Extended Amt	Due Date
	 - 3403 10th St., Riverside , C DIR PROJECT ID: # 4356888 Contractor¿s DIR Registratic Contractor¿s License: 12069 PWC-100 filed: 9/20/22 Project Name:: Compressor Project Name:: Compressor Project Name:: Compressor Project #: TASK 1724631 Contract #: 1145059 County Project Manager: Joi Contractor Project Manager: Joi Contractor Project Manager: Joi Contract Project Manager: Joi Contractor Project Manager: Joi Contractor Project Collecting boi responsibility of the PCS and If this PO is received and the the County Project Manager Terms and Conditions: Unleading the Contract documents, terms and accordance with the followin \$25k or 116-222 General Contract documents, terms and http://www.purchasing.co.riv CONTRACTOR shall indemit Agencies, Districts, Special I officers, Board of Supervisor 	for Certified P on: 100000054 Replacemet #3 n Aldana Tri Trac formance bonds sed certificates onding documer d/or County Pro above respons and/or PCS. ss otherwise stand conditions for g: 116-220 Ger and/or PCS. ss otherwise stand conditions-Public Fleet Services erside.ca.us/Te nify and hold ha Districts and De s, elected and	s for project s of insurand tation and ject Manage sibilities hav ated in bid r or informal p heral Condit Works over s website at erms.aspx armless the partments,	e Center s exceeding \$2 ce must be rec insurance is th er prior to issue re not been me equest docum public works pr ions Public Wo r \$25k. T&C as County of Rive their respectiv	25,000 (C eived prid e ance of Prid et, contact ents and/o orders are orks under can be erside, its e director	or to O. t or ∍ in r s,				





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

PURCHASE ORDER

V	endor Instructions		
 Packaging Slip showing P.O. number and contents must accompany each shipment. No charge for packaging or drayage will be allowed except when specified order. No partial billings except when specified in the order. THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITT THE BUYER. 	5. MAIL INVOI ORDER NUMI in 6. Out of state Otherwise, sal 7. IMPORTAN THIS containing haz Title 8, Sectior NG BY 8. If work is to	CE TO THE ADDRESS SHOWN BELOW. BER AND ORDERING DEPARTMENT. vendors MUST show CA Board of Equiliza es tax will be deducted. T: Seller shall provide material safety data ardous substances as listed by CA Dir. Inc 5 194 and labor codes be carried out on county property,vendor s unts and types of insurance required and p ng work	ation Permit Number. sheets for each produ d. Rel. in CA Adm. Cod shall call purchasing an
FACILITIES MANAGEMENT		Dis	patch Via Emai
FM-Invoices@rivco.org Facilities Management Dept	Purchase Order FMARC-0000104874	Date	Revision
3450 14th Street, Suite 200 Riverside CA 92501	Payment Terms Due Now	Freight Terms FOB Destination, Freight Paid	Ship Via BEST WAY
United States	Buyer Jamie Garcia	Phone	Currency USD

Vendor: 0000055402 ACCO Engineered System Inc Dept 71152 PO Box 847360 Los Angeles CA 90084 United States	Ship To:	6327-26000 Facilities Management FM Purchasing Supply Svcs 2991 Franklin Avenue Floor 1st Riverside CA 92507 United States	Attention: Not Specified	Bill To:	FM-Invoices@rivco.org Facilities Management Dept 3450 14th Street, Suite 200 Riverside CA 92501 United States
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Tax Exempt? N Tax Exempt ID:				Replenishment Option: Standard				
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		only, the COUNTY herein refers		e,				
	its Agencies, Districts,	Special Districts, and Departme	nts, their respective					
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Purchasing and Fleet Services Department 2980 Washington St Riverside, CA 92504 Phone: (951) 955-4937 Fax: (951) 955-3730

PURCHASE ORDER

Page: 4 of 4

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.

 No partial billings except when specified in the order.
 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 feducted.
 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

FACILITIES MANAGEMENT						Dis	patch Via Email
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				Total	PO Amount	129134.00				

Authorized Signature CQ