

Central Services  
**Joan Araujo**, Director

Engineering Services  
**James O'Tousa**, Director

Roads & Transportation  
**Anitha Balan**, Director

Water & Sanitation  
**Joseph Pope**, Director

Watershed Protection  
**Glenn Shephard**, Director

July 25, 2023

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

**Subject:**     **Receive and File Report on Reasons Justifying Award by the Public Works Agency Director of an Emergency Purchase Order to Mesa Energy Systems Inc. in the Amount of \$150,000 without Competitive Solicitation for Bids for Temporary Chiller Services and Emergency Chiller Repair at the Juvenile Justice Center; Determination of Need to Continue the Action; and Finding That the Project is Categorically Exempt From California Environmental Quality Act (CEQA) Under CEQA Guidelines Sections 15301 and 15302; Recommendation No. 2 Requires a 4/5ths vote.**

**Recommendations:**

1. Receive and file report within this letter on reasons justifying award by the Public Works Agency (PWA) Director of an emergency contract to EMCOR/Mesa Energy without competitive solicitation for bids for Temporary Chiller Services and Emergency Chiller Repair at the Juvenile Justice Center 2 in the amount of \$150,000
2. Determine that there is a need to continue the emergency action (4/5 vote required).
3. Find that the project is categorically exempt from CEQA.

**Justification of Emergency Contract:**

Beginning on or about July 8th, the two chillers at the Juvenile Justice Center (JJC) have been under constant troubleshooting and repairs to regain 100% operational status. One chiller is approximately 11 years old and the other is approximately 20 years old and beyond its useful service life. On July 12th and 14th, both chillers experienced failures. As of July 20th, the older chiller was non-operational and the remaining chiller was impaired and only able to operate at partial capability. Controls were adjusted and maintenance continued to provide cooling to best capability. Without



a backup chiller, the remaining unit operating at partial capacity leaves the ability to provide appropriate climate control to offices and the detention facility at risk.

The timeliest resolution to the permanently installed plant is to replace the compressor on the younger chiller. This part has a lead time of approximately 5 weeks. In order to ensure climate control while waiting on repairs, a temporary chiller is being leased and installed.

The emergency action will conclude upon receipt and installation of the part, and satisfactory operational testing of the chiller. At this time, the temporary chiller will be disconnected, and the lease terminated.

**FISCAL/MANDATES IMPACT:**

There are costs associated with Board item.

<b>Summary of Revenues and Costs</b>	<b><u>FY 2022-23</u></b>	<b><u>FY 2023-24</u></b>
Revenue:	\$ 0	\$ 0
Costs:		
Direct	\$ N/A	\$ 0
Indirect-Agency/Dept.	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs	\$ 0	\$ 0
Net Gain/(Loss):	\$ 0	\$ 0

<b>FY 2023-24 Budget Projection</b>				
<b>GSA – Maintenance Department – Budget Unit 4703</b>				
	Adopted Budget	Adjusted Budget	Projected Budget	Est. Savings/ (Deficit)
Appropriations	\$23,228,512	\$23,228,512	\$23,228,512	\$0
Revenue	\$21,545,229	\$21,545,229	\$21,545,229	\$0
Operating Gain/(Loss)*	(\$1,683,283)	(\$1,683,283)	(\$1,683,283)	\$0

\*Projected operating loss will be covered by unrestricted net position. Other financing uses are included. Sufficient revenue and appropriations are included in the FY 2023-24 Adopted Budget for this item.



**DISCUSSION:**

The Public Contract Code (PCC) authorizes your Board in cases of emergency to proceed with repair or replacement of any public facility without adopting plans, specifications, or working details, or giving notice for bids to let contracts. PCC section 22050, subdivision (b)(1) authorizes your Board to delegate to a non-elected officer, in case of emergency, authority to order the repair or replacement of a public facility. On November 25, 1997 your Board delegated emergency authority for public projects to the Director of Public Works. Upon realization of the emergency on July 20th, the General Services Agency contacted the Public Works Director for authority to execute the required contract for replacement of the compressor on the younger chiller and lease of a temporary chiller pending that repair in order to remedy the emergency to maintain the 24/7 operational status of this critical facility.

This item has been reviewed by the County Executive Office, the Auditor Controller's Office, and County Counsel.

If you have any questions regarding this item, please contact Craig Clutts, Chief Deputy Director, Facilities and Materials, at (805) 654-3806.

Sincerely,



Jeff Pratt, P.E.  
Director

Attachments:

Exhibit 1 – Emergency Work Resolution

