RESOLUTION APPROVING FINDINGS AND AUTHORIZING THE PURCHASE OF
EQUIPMENT AND SERVICES FOR THE CIVIC AUDITORIUM HVAC PROJECT IN
THE AMOUNT OF $497,240 (PUR 09-070)

Findings to support and justify exceptions to the strict competitive bidding process are needed for the equipment purchase and services for the Civic Auditorium heating, ventilation, and air conditioning ("HVAC") System; and

Stockton Municipal Code ("SMC") section 3.68.070 provides for an exception to the competitive bidding process in cases where the City has approved findings which support and justify exceptions to the process; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS
FOLLOWS:

1. Pursuant to SMC section 3.68.070, the following findings support an exception to the strict competitive bidding process for the equipment purchase for the Civic Auditorium HVAC system:

   a. Rolfes recently finalized the HVAC design and equipment selection. The subject equipment has been specified by Rolfes based on proven reliability, energy efficiency, and environmentally friendly qualities of the equipment. The Smardt water chiller is uniquely the quietest and most energy efficient chiller system available today.

   b. The window of opportunity for construction is from October 2009 thru March 2010, and the lead time for HVAC equipment delivery is 3 to 4 months, so it is urgent that the equipment be purchased immediately.

   c. American Chiller Services, Inc. ("ACS"), has a demonstrated commitment to City of Stockton HVAC systems. For nearly 20 years, they have supplied equipment and provided maintenance services at City facilities. They are proposing to coordinate the purchase of the equipment from various vendors and will inspect and receive the equipment, test the equipment for proper operation, store the equipment, and deliver the equipment pursuant to the installing contractor’s job schedule. ACS will also provide for start-up, commissioning, and testing for proper system operation and applicable warranties.
d. Using this method of purchasing will insure that there will be no delays with multiple bidders trying to supply equipment or equivalent. This eliminates the potential for inevitable delays for equivalent selection and provides for better use of staff’s, consultants’, and contractors’ time invested and ensures the construction portion of the project starts on time and is completed within the designated construction window.

2. That based on these findings, pursuant to SMC section 3.68.070, the City hereby declares an exception to the competitive bidding process is justified.

3. The City Manager is authorized to execute a contract for equipment and services with American Chiller Services, Inc., in the amount of $497,240.

4. The City Manager is hereby authorized to take all actions necessary to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED JUL 28 2009

ATTEST:

ANN JOHNSTON
Mayor of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton