



Fulton County Board of Commissioners
Agenda Item Summary

BOC Meeting Date
 12/19/2018

Requesting Agency

Real Estate and Asset Management

Commission Districts Affected

All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to increase spending authority - Department of Real Estate and Asset Management, RFP#15RFP98638K-JD, Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail in the amount of \$530,923 with Johnson Controls, Inc. (Atlanta, GA), to cover the cost for critical capital expenditures for the Fulton County Jail. Effective upon BOC approval.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?

Yes

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Scope of Work: This contract provides for management, supervision, labor, materials, supplies, spare parts, tools, equipment, scheduling and coordination, required for effective and economical operation, preventive maintenance, predictive maintenance, corrective/repair maintenance and approved work projects for twelve (12) facility grounds and building systems of the Fulton County Jail Complex.

The Facility Maintenance Contractor (FMC) will provide all managerial, administrative and technical functions for the effective and timely accomplishment of the technical requirements described below. The Scope of Work includes all, but not limited to, operation preventive and predictive maintenance and emergency services for the building and building systems in the facilities. The contractor shall be fully responsible for providing customer service, quality control and all other services.

Scope for Capital Projects:

This amendment is to increase spending authority to cover the cost for additional capital expenditures for projects for the Fulton County Jail.

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

These items are:

	Project Item	Project Description	Cost
1	Resurface Showers (50)	Original shower coating deteriorated and must be replaced. Showers rendered unusable. Lack of usable showers drastically impacts ability to provide constitutionally mandated showers for inmates. Existing coating deterioration creates environmental health hazard. Additionally, inmates are able to make weapons using the broken pieces of the old coating.	\$162,500
2	Replace Kitchen coolers and freezers	Replace 22 year old OEM equipment that maintenance vendor can no longer guarantee operation. Existing units have deteriorated flooring, inoperable compressors, and deteriorated seals and walls. Long-term storage of food items is infeasible.	\$189,965
3	New Intake/Kitchen Hot Water Tank Replacement	Existing hot water tanks have exceeded useful life (installed in 1996). One of two tanks is currently inoperable due to inability to secure major replacement parts needed for repair. Hot water critical for meeting regulatory standards pertaining to food preparation.	\$178,458
		Total	\$530,923

Community Impact: None that the Department is aware of.

Department Recommendation: The Department of Real Estate and Asset Management recommends approval to increase spending authority to cover the cost for additional capital expenditures for critical projects for the Fulton County Jail through fiscal year 2018.

This request for increase in spending authority is to cover the additional expenses required in order to address critical system failures due to the age of equipment.

The Department is requesting an additional \$530,923 to ensure the projects will be completed by December 2018. These anticipated additional capital expenses will exceed the current spending authority of \$4,973,945 for FY2018. The current spending balance is \$7,300.

The approval of this increase in the amount of \$530,923 will covered anticipated capital expenditures and operational maintenance and repairs through December 2018.

Project Implications: Failure to approve this item will result in inability of the Sheriff's Office to comply with State of Georgia constitutional mandates related to inmate care and safety.

Community Issues/Concerns: None that the Department is aware of.

Department Issues/Concerns: If this authority increase is not approved, DREAM would not be able to maintain the facility as is necessary to ensure the operational continuity of jail operations. The

Continued

department does not have the internal resources necessary to facilitate the requisite work.

History of BOC Agenda Item: Yes, see chart below:

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	15-1101	12/2/15	\$4,589,840.00
Increase Spending Authority No.1	16-0704	8/17/16	\$250,438.00
1 st Renewal	16-1205	12/21/16	\$4,827,335.00
2 nd Renewal	17-1070	12/20/17	\$4,973,945.00
Increase Spending Authority No. 2			\$530,923.00
TOTAL REVISED AMOUNT			\$15,172,481.00

Contract & Compliance Information (Provide Contractor and Subcontractor details.)

Contract Value: \$530,923.00
Prime Vendor: **Johnson Controls, Inc.**
Prime Status: **Non-Minority**
Location: Alpharetta, GA
County: Fulton County
Prime Value: \$425,587.88 or 80.16%

Subcontractor: **GSE Facility Services, LLC**
Subcontractor Status: **African American Male Business Enterprise Certified**
Location: Atlanta, GA
County: Fulton County
Contract Value: \$57,180.41 or 10.77%

Subcontractor: **F. M. Shelton**
Subcontractor Status: **African American Female Business Enterprise Certified**
Location: Atlanta, GA
County: Fulton County
Contract Value: \$9,025.69 or 1.70%

Subcontractor: **Atco International**
Subcontractor Status: **White Female Business Enterprise Non-Certified**
Location: Marietta, GA
County: Cobb County
Contract Value: \$584.02 or 0.11%

Subcontractor: **DaCosta's Plumbing & Backflow Engineers, LLC**
Subcontractor Status: **White Female Business Enterprise Non-Certified**
Location: Atlanta, GA
County: Fulton County
Contract Value: \$9,025.69 or 1.70%

Subcontractor: **Nationwide Electrical Testing, Inc.**
Subcontractor Status: **Asian American Male Business Enterprise – Certified**
Location: Alpharetta, GA
County: Fulton County

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Continued

Prime Value: \$584.02 or 0.11%**Subcontractor:** **D & D Services****Subcontractor Status:** **Non-Minority****Location:** Griffin, GA**County:** Spalding County**Contract Value:** \$1,805.14 or 0.34%**Subcontractor:** **A-1 Septic****Subcontractor Status:** **African American Male Business Enterprise - Certified****Location:** Jonesboro, GA**County:** Clayton County**Contract Value:** \$1,061.85 or 0.20%**Subcontractor:** **Prime Power****Subcontractor Status:** **White Female Business Enterprise Non-Certified****Location:** Mableton, GA**County:** Cobb County**Contract Value:** \$1,221.12 or 0.23%**Subcontractor:** **Kaco Supply Co.****Subcontractor Status:** **African American Female Business Enterprise Certified****Location:** Smyrna, GA**County:** Cobb County**Contract Value:** \$584.02 or 0.11%**Subcontractor:** **Aquatrol****Subcontractor Status:** **Non-Minority****Location:** Atlanta, GA**County:** Fulton County**Contract Value:** \$1,221.12 or 0.23%**Subcontractor:** **Hawk Construction****Subcontractor Status:** **African American Male Business Enterprise Certified****Location:** Ellenwood, GA**County:** DeKalb County**Contract Value:** \$23,042.06 or 4.34%**Total Contract Value:** **\$530,923.00 or 100.00%****Total MFBE Value:** **\$102,308.88 or 19.27%**

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	\$530,923.00 or 100.00%			
Total M/FBE Values	\$102,308.88 or 19.27%			
Total Prime Value	\$425,587.88 or 80.16%			
Fiscal Impact / Funding Source	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
500-520-5200-M005: Capital, Real Estate and Asset Management, MEP-2018- \$530,923				
Exhibits Attached	<i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i>			
Exhibit 1: Amendment No. 2 to the Form of Contract				
Exhibit 2: Contractor's Performance Report				
Source of Additional Information	<i>(Type Name, Title, Agency and Phone)</i>			
Ellis G. Kirby, LEED AP, CEM, CEFP, Deputy Chief Operation Officer for Infrastructure, (404) 612-5919				

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement

Contract Attached: No	Previous Contracts: Yes		
Solicitation Number: RFP#15RFP98638K-JD	Submitting Agency: Department of Real Estate and Asset Management	Staff Contact: Harry Jordan	Contact Phone: (404) 612-5933

Description: Approval to increase spending authority to cover the cost for additional capital expenditures for projects for the Fulton County Jail.

FINANCIAL SUMMARY

Total Contract Value:		MBE/FBE Participation:	
Original Approved Amount:	\$4,589,840.00	Amount: .	%. .
Previous Adjustments:	\$10,051,718.00	Amount: .	%. .
This Request:	\$530,923.00	Amount: \$102,308.88	19.27%. .
TOTAL:	\$15,172,481.00	Amount: .	%. .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: 500-520-5200-M005	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: .	End Date: 12/31/2018
Cost Adjustment: .	Renewal/Extension Terms: .

ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Kirby, Ellis	Date: 11/13/2018
X	County Attorney:	Stewart, Derval	Date: 12/8/2018
X	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 12/10/2018
X	Finance/Budget Analyst/Grants Admin:	Jones, Monica	Date: 11/13/2018
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 12/10/2018

AMENDMENT NO. 2 TO FORM OF CONTRACT

Contractor: **Johnson Controls, Inc.**

Contract No. **15RFP98638K-JD, Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail**

Address: **1350 Northmeadow Parkway, Suite 100**
City, State **Roswell, GA 30079**

Telephone: **(770) 772-8842**

E-mail: michael.coley1@jci.com

Contact: **Michael R. Coley 1,**
Vice President

WITNESSETH

WHEREAS, Fulton County (“County”) entered into a Contract with Johnson Controls, Inc. to provide Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail, dated 2nd day of December 2015, on behalf of the Department of Real Estate and Asset Management; and

WHEREAS this amendment for increasing spending authority is to cover the cost for critical capital expenditures for projects for Fulton County Jail; and

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on December __, 2018, BOC Items #18- .

NOW, THEREFORE, the County and the Contractor agree as follows:

This Amendment No. 2 to Form of Contract is effective as of the __th day of December, 2018, between the County and Johnson Controls, Inc., who agree that all Services specified will be performed in accordance with this Amendment No. 2 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** Continued to furnish and provide all labor, materials, equipment and management necessary to address the critical capital work projects for the Fulton County Jail Complex for Fulton County.
2. **COMPENSATION:** The services described under Scope of Work herein shall be

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performed by Contractor for a total amount not to exceed **\$530,923.00**.

3. **LIABILITY OF COUNTY:** This Amendment No. 2 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF AMENDMENT NO. 2 TO FORM OF CONTRACT:** Except as modified by this Amendment No. 2 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

CONSULTANT:

FULTON COUNTY, GEORGIA

JOHNSON CONTROLS, INC.

Robert L. Pitts
Chairman

Michael R. Coley
Vice President

ATTEST:

ATTEST:

Jesse A. Harris
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Ellis G. Kirby, LEED AP, CEM, CEFP,
Deputy Chief Operation Officer for
Infrastructure

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____	ITEM#: _____ RM: _____
RECESS MEETING	REGULAR MEETING

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
1/2/2018	9/30/2018	1/1/2018	12/31/2018
PO Number			PO Date
PO15RFP98638KJD-			2/15/2018
Department	Real Estate and Asset Management		
Item Number	15 RFP 98638K-JD		
Service Commodity	Comprehensive Operation, Preventive, and Predictive Jail Maintenance Services		
Contractor	Johnson Controls., Inc.		

= Unsatisfactory	<i>Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.</i>
= Poor	<i>Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.</i>
= Satisfactory	<i>Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.</i>
= Good	<i>Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.</i>
= Excellent	<i>Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.</i>

Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

Comments:

0	Johnson Controls, Inc. (JCI) has continued to perform at a good level throughout the review period. JCI continues to exhibit a high degree of technical expertise and all requested reports are submitted in a timely manner. JCI has complied with the contract specifications approximately 95% of the time. The only area of improvement with regards to specification compliance is the addition of new facility capital equipment to the computerized maintenance management system database and ensuring all preventive maintenance tasks recommended by manufacturers are followed.
1	
2	
3	
4	

Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

Comments:

0	JCI has met all contractual milestones as set forth in the contract specifications. JCI personnel were highly responsive to both direction and change throughout the review period. Monthly maintenance productivity report indicates that over 97% of work requests submitted are completed within a 5-7 day period.
1	
2	
3	
4	

Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

Comments:

0	
1	

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Agreement to not increase the base contract price for FY 2018 as their original cost proposal entitled them. JCI management and line staff have continued to be highly efficient. During the review period, JCI failed to notify the County on two occasions that the monthly maintenance report might not be completed as required by the contract. In addition, all other reporting requirements and/or problem notification occurred promptly.

Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

Comments:

JCI continued to meet user quality expectations throughout the review period. Repeat work was rarely needed due to work requests not being addressed properly. Specifications on all extraordinary maintenance projects were met and projects were always within the agreed upon budget amount. Invoices were submitted both timely and accurately.

Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

Comments:

JCI key personnel possess the requisite knowledge, technical expertise, and experience to successfully fulfill the terms and conditions of the jail maintenance contract. Supervision/management is effective and always available whenever facility-related issues arise.

Overall Performance Rating:

3.2

Would you select/recommend this vendor again?
(Check box for Yes. Leave Blank for No)

Yes No

Rating completed by:

Joseph Davis

Department Head Name

Department Head Signature

Date

ELUS G. KIRBY

Joseph Davis
FOR ETC

11/5/2019