

**Agenda Item Summary**

14-0841

BOC Meeting Date

10/15/2014

Requesting Agency

Facilities and Transportation Services Department

Commission Districts Affected

All Districts

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

Request approval to increase spending authority - Facilities & Transportation Services Department, RFP#11RFP76742K-JD, Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail in the amount of \$831,906 with Johnson Controls, Inc. (Atlanta, GA) to provide comprehensive operation and preventive and predictive maintenance services for 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 Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

No

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.)*

The Facilities & Transportation Services Department requests approval to increase spending authority to provide comprehensive operation and preventive and predictive maintenance services for Fulton County Jail.

The 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 jail maintenance contract funding consists of the base monthly service cost, plus a maintenance contingency for maintenance repairs that are not covered under the terms and conditions of the base contract. Under the terms of the current contract, contingency funding is used for repairs that exceed \$5K in cost, inmate/staff vandalism, and any repair/replacement in which the affected equipment has exceeded its useful life expectancy.

Over the last four years, the jail maintenance contract cost was reduced due to mandated annual 5% budget reductions. The Federal Consent Order resulting from Harper et al v. Fulton County precluded the option of reducing the base contract scope. The only means available to reduce the

Agency Director Approval**County Manager's
Approval****Typed Name and Title**

Felicia Strong-Whitaker, Interim Director

Phone

(404) 612-5800

Signature**Date**

overall contract price was to significantly reduce the owner controlled contingency funding which severely impacted FTS' ability to address non-contractual, yet operationally critical repairs.

The spending authority increase in the amount of \$831,906 will cover the base maintenance contract cost through the remainder of FY 2014, contingency costs for non-contractual repairs that were not covered by the budget shortfall, and capital improvement cost for Fulton County Jail Complex for the remainder of FY2014. The BOC approved \$4,494,884 in spending authority for FY2014 for jail maintenance services. However, the approved budget was for only \$3,966,369. We need approximately \$531,906 to cover the monthly base maintenance and contingency repair costs through December 2014. Additionally, the department is requesting an increase of approximately \$300,000 that's needed for capital replacement and upgrades for two roof top HVAC units that serves in the jail's kitchen and reserve natural gas system. The jail expenditures to date total \$3,447,074.16. These expenditures are expected to exceed the current budget by \$1,060,421. The current remaining balance on the Purchase Order is \$519,294.84. The Department has submitted a Sounding Request to Finance Department for funding enhancement for Jail Maintenance for BOC approval for the September 17th Agenda, Item #14-0661.

Breakdown of request authority:

- Base monthly services costs: \$277,191.74
- Contingency (non-contractual repair costs): \$254,714.26
- Capital replacement and upgrades: \$300,000.00
- Total Increase: \$831,906.00

The approval of this increase in the amount of \$831,906 will provide the necessary maintenance repairs/capital replacement and upgrades for the Fulton County Jail complex.

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	11-0532	6/15/11	\$2,393,204
1 st Renewal	11-0889	10/5/11	\$4,276,888
2 nd Renewal	12-0931	11/20/12	\$4,409,588
3 rd Renewal	13-0808	9/18/13	\$4,494,884
Amendment No. 1 (Spending Authority Increase)			\$831,906
Total Amount			\$16,406,470

Contract Compliance Information

(Provide Contractor and Subcontractor details.)

Contract Value: \$831,906.00
Prime Vendor: *Johnson Controls, Inc.*
Prime Status: *Non-Minority*
Location: Alpharetta, GA
County: Fulton County
Prime Value: \$3,433,884.00 or 76.40%

Subcontractor: **GSE Facility Services, LLC**
Sub Status: **African American Male Business Enterprise Certified**

Continued

Location:	Atlanta, GA
County:	Fulton County
Subcontractor Value:	\$92,507.95 or 11.12%
Subcontractor:	F.M. Shelton Enterprises
Sub Status:	African American Female Business Enterprise Certified
Location:	Atlanta, GA
County:	Fulton County
Subcontractor Value:	\$13,892.83 or 1.67%
Subcontractor:	Atco International
Sub Status:	White Female Business Enterprise Non-Certified
Location:	Marietta, GA
County:	Cobb County
Subcontractor Value:	\$915.10 or 0.11%
Subcontractor:	DaCosta's Plumbing & Backflow Engineers, LLC
Sub Status:	African American Male Business Enterprise Non-Certified
Location:	Atlanta, GA
County:	Fulton County
Subcontractor Value:	\$13,892.83 or 1.67%
Subcontractor:	Nationwide Electrical Testing, Inc.
Sub Status:	Asian American Male Business Enterprise Certified
Location:	Alpharetta, GA
County:	Fulton County
Subcontractor Value:	\$915.10 or 0.11%
Subcontractor:	D & D Services
Sub Status:	Non-Minority
Location:	Griffin, GA
County:	Spalding County
Subcontractor Value:	\$2,745.30 or 0.33%
Subcontractor:	A-1 Septic
Sub Status:	African American Male Business Enterprise Non-Certified
Location:	Jonesboro, GA
County:	Clayton County
Subcontractor Value:	\$2,412.53 or 0.29%
Subcontractor:	Prime Power
Sub Status:	White Female Business Enterprise Non-Certified
Location:	Mableton, GA
County:	Cobb County
Subcontractor Value:	\$1,830.20 or 0.22%
Subcontractor:	Kaco Supply Co.
Sub Status:	African American Female Business Enterprise Certified

Location: Smyrna, GA
County: Cobb County
Subcontractor Value: \$915.10 or 0.11%

Subcontractor: Aquatrol
Sub Status: Non-Minority
Location: Atlanta, GA
County: Fulton County
Subcontractor Value: \$1,830.20 or 0.22%

Subcontractor: Hawk Construction
Sub Status: African American Male Business Enterprise
Non-Certified
Location: Ellenwood, GA
County: Clayton County
Subcontractor Value: 50,912.65 or 6.12%

Subcontractor: Shindler
Sub Status: Non-Minority
Location: Smyrna, GA
County: Cobb County
Subcontractor Value: \$7,071.12 or 0.85%

Subcontractor: Alpha Fire Protection
Sub Status: Non-Minority
Location: Conyers, GA
County: Rockdale County
Subcontractor Value: \$6,488.88 or 0.78%

Total Contract Value: \$831,906.00 or 100%
Total M/FBE Value: \$178,194.29 or 21.42%

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Contractor Type	Contractor Status	Contractor Name	Address	City	State	Zip Code	Contact Name	Contact Phone	Contact Email	Upon Approval	Amount	Percentage	Prime/Contract Value
Prime	Non-M/FBE	Johnson, Controls, Inc.	4500 McGinnis Ferry Road	Alpharetta	GA	30005	David W. Brucks	(770) 772-8842	davidw.brucks@jci.com		\$891,960.00	76.40%	\$635,576.21
Sub	M/FBE	GSE Facility Services, LLC	260 Peachtree Street, Suite 2200	Atlanta	GA	30303	Julius A. Bolton	(404) 527-6226			\$92,507.95	11.12%	
Sub	M/FBE	F.M. Shelton Enterprises	972 Donnelly Ave, SW Suite 2	Atlanta	GA	30310	Fawn Shelton	(404) 755-9448			\$13,892.83	1.67%	
Sub	FBE	Atco International	2136 Kingston Court	Marietta	GA	30067	Alice Loughman	(404) 308-7464			\$915.10	0.11%	
Sub	M/FBE	DaCosta's Plumbing & Backflow Engineers, LLC	2581 Gresham Rd	Atlanta	GA	30316	Lincoln DaCosta	(404) 241-9686			\$13,892.83	1.67%	
Sub	M/FBE	Nationwide Electrical Testing, Inc.	355 Leatherman Ct.	Alpharetta	GA	30005	Shashi Bagle	(770) 667-1875			\$915.10	0.11%	
Sub	Non-M/FBE	D & D Services	2611 Steele Rd	Griffin	GA	30223	Danny Strong	(770) 229-9763			\$2,745.29	0.33%	
Sub	M/FBE	A-1 Septic	8273 Holly Dr	Jonesboro	GA	30236		(678) 471-5136			\$2,412.53	0.29%	

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

Continued

Sub	FBE	Prime Power	998 Veterans	Mableton	GA	30126	Sherron Alexander	(770) 739-2300			\$1,830.20	0.22%	
Sub	M/FBE	Kaco Supply Co	2968 C Ask-Kay Dr	Smyrna	GA	30082		(770) 435-8902			\$915.10	0.11%	
Sub	Non-M/FBE	Aquatrol	1830 Ellsworth Industrial DR	Jonesboro	GA	30236	Joel Kahn	(440) 355-4580			\$1,830.20	0.22%	
Sub	M/FBE	Hawk Construction	158 Fairview Rd, Suite E	Ellenwood	GA	30294	Miles Traylor	(678) 565-5120			\$50,912.65	6.12%	
Sub	Non-M/FBE	Shindler	6600 Highlands Pkwy, SE	Smyrna	GA	30082	Shawn Johnson	(770) 435-2726			\$7,071.20	0.85%	
Sub	Non-M/FBE	Alpha Fire Protection	1951 Gees Mill Road	Conyers	GA	30013	Phyllis E Welch	(770) 922-4946			\$6,488.88	0.78%	

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	\$831,906.00 or 100%			
Total M/FBE Values	\$178,194.29 or 21.42%			
Total Prime Value	\$635,576.21 or 76.40			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> 100-520-5224-1116: General, Facilities & Transportation Services, Building Maintenance- \$831,906 "Subject to availability on the approval of Sounding Request for funding enhancement"				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1: Contract Performance Report Exhibit 2: Amendment No. 1 to Form of Contract				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Michael Ross, Assistant Director, Facilities & Transportation Services Department, (404) 612-3772				

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

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

Procurement**Contract Attached:**
Yes**Previous Contracts:**
Yes**Solicitation Number:**
11RFP76742K-JD**Submitting Agency:**
Facilities &
Transportation
Services**Staff Contact:**
Harry Jordan**Contact Phone:**
(7404) 612-5933**Description: Increase Spending Authority for Jail Maintenance.****FINANCIAL SUMMARY****Total Contract Value:**

Original Approved Amount: \$ 2,393,204.00
 Previous Adjustments: \$13,181,360.00
 This Request: \$ 831,906.00
 TOTAL: \$16,406,470.00

MBE/FBE Participation:

Amount: \$178,194.26 %: 21.42%
 Amount: . %: .
 Amount: . %: .
 Amount: . %: .

Grant Information Summary:

Amount Requested: . ☐ Cash
 Match Required: . ☐ In-Kind
 Start Date: . ☐ Approval to Award
 End Date: . ☐ Apply & Accept
 Match Account \$: .

Funding Line 1:

100-520-5224-1116:
 Subject to availability
 on the approval of
 Sounding Request for
 funding enhancement

Funding Line 2:

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Funding Line 3:

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Funding Line 4:

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KEY CONTRACT TERMS**Start Date:**

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End Date:

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Cost Adjustment:

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Renewal/Extension Terms:

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ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Pye, April	Date: 9/8/2014
.	County Attorney:	.	Date: .
XX	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 10/1/2014
X	Finance/Budget Analyst/Grants Admin:	Whitted, Ivan	Date: 9/8/2014
.	Grants Management:	.	Date: .
X	County Manager:	O'Connor, Patrick	Date: 10/9/2014

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE				
CONTRACTORS PERFORMANCE REPORT PROFESSIONAL SERVICES				
Report Period Start	Report Period End		Contract Period Start	Contract Period End
1/1/2014	8/4/2014		1/1/2014	12/31/2014
PO Number				PO Date
14SC91390K-JD				1/24/2014
Department	FACILITIES AND TRANSPORTATION SERVICES			
Bid Number	10RFP74948K			
Service Commodity	Comprehensive Operations, Preventive, and Predictive Jail Maintenance Services			
Contractor	Johnson Controls, Inc.			

- 0 = Unsatisfactory *Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.*
- 1 = Poor *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.*
- 2 = Satisfactory *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.*
- 3 = Good *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.*
- 4 = Excellent *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.*

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

	Comments:
<input type="radio"/> 0	Johnson Controls, Inc. (JCI) has adhered to contract specifications at least 90% of the time during the review period. Their technical expertise is more than sufficient to meet the needs of the Jail Maintenance environment and they rarely require guidance.
<input type="radio"/> 1	
<input type="radio"/> 2	
<input checked="" type="radio"/> 3	
<input type="radio"/> 4	

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

	Comments:
<input type="radio"/> 0	JCI met all milestones per the contract specifications during the review period. Their response and completion times for work requests have been outstanding with the overwhelming majority of work requests being completed within 3 days of submission. JCI continues to be highly responsive to direction and change. The jail maintenance environment is highly fluid and requires that the maintenance contractor be highly flexible.
<input type="radio"/> 1	
<input type="radio"/> 2	
<input checked="" type="radio"/> 3	
<input type="radio"/> 4	

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

	Comments:
<input type="radio"/> 0	JCI continues to be highly responsive to inquiries and continues to promptly report problems as they arise. Inquiries range from end-user work request status updates to open records requests for maintenance activity several years old. In each instance, JCI has promptly and thoroughly responded.
<input type="radio"/> 1	
<input type="radio"/> 2	
<input type="radio"/> 3	
<input checked="" type="radio"/> 4	

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

	Comments:
<input type="radio"/> 0	

- ☐ 1
☐ 2
☐ 3
☒ 4

End-users have been highly satisfied with the quality of work provided by JCI. Customer satisfaction survey responses have ranged from 'good' to 'excellent'. All requested work, including extraordinary (non-contractual) maintenance, has met, and exceeded established specifications. Maintenance work has always fallen within established budgetary constraints with proper invoicing.

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

- ☐ 0
☐ 1
☐ 2
☒ 3
☐ 4

Comments:

JCI key personnel possess the requisite credentials and experience to effectively handle the jail maintenance environment. Management has been effective along with first line supervision. Towards the latter half of the review period, JCI began to implement training programs to increase the effectiveness and efficiency of its front-line supervisors. Key personnel are always available.

Overall Performance Rating:	3.4		
Would you select/recommend this vendor again? (Check box for Yes. Leave Blank for No)	Rating completed by: Joseph Davis		
<input checked="" type="radio"/> Yes <input type="radio"/> No			
Department Head Name	Department Head Signature	Date	
David L. Ricks		8/4/2014	

AMENDMENT NO. 1 TO FORM OF CONTRACT

Contractor: **Johnson Controls, Inc.**

Contract No. **11RFP76742K-JD, Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail**

Address: **4500 McGinnis Ferry**
City, State **Alpharetta, GA 30005**

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

Facsimile or: **David.W.Brucks@jci.com**
E-mail address

Contact: **David W. Brucks,**
Business Manager

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with **Johnson Controls, Inc.** to provide/perform **Comprehensive Operation and Preventive and Predictive Maintenance Services for Fulton County Jail**, dated **August 1, 2011** on behalf of the **Facilities & Transportation Services Department (formally General Services)** and.

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

WHEREAS, this amendment for increasing spending authority to continue services to cover through December 31, 2014.

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on **September 17, 2014, BOC Item #14-** .

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

This Amendment No. 1 to Form of Contract is effective as of the ^{3rd} day of **September 17, 2014**, between the County and **Johnson Controls, Inc.**, who agree that all Services specified will be performed by in accordance with this Amendment No. 1 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED: To continue to provide comprehensive operation and preventive and predictive maintenance services and capital replacement and upgrades for Fulton County Jail. The additional spending authority in the amount of \$831,906 that is to covered these anticipated expenses for FY2014. This includes the replacement and upgrades for two roof top HAVC units that serves in the jail kitchen and reserve natural gas system.**

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed **\$831,906**.
3. **LIABILITY OF COUNTY:** This Amendment No. 1 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. 1 TO FORM OF CONTRACT:** Except as modified by this Amendment No. 1 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

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:

FULTON COUNTY, GEORGIA

John H. Eaves, Commission Chair
Board of Commissioners

ATTEST:

Mark Massey
Clerk to the Commission (Seal)

APPROVED AS TO FORM:

Office of the County Attorney

APPROVED AS TO CONTENT:

Dwight A. Ferrell, Interim Director
Facilities & Transportation Services
Department

CONSULTANT:

Johnson Controls, Inc.

David W. Brucks,
Business Manager

ATTEST:

Secretary/
Assistant Secretary

(Affix Corporate Seal)