

CITY COUNCIL REPORT

Item 8



Meeting Date: April 16, 2024
General Plan Element: ***Public Services and Facilities***
General Plan Goal: ***Provide city service facilities to meet the needs of the community.***

ACTION

One-Year Contract Extensions for On-Call Mechanical Engineering Services. Adopt Resolution 13088 authorizing On-Call Contract No. 2021-047-COS-A2 between the City and Energy Systems Design, Inc., No. 2021-048-COS-A2 between the City and LSW Engineers Arizona, Inc. and No. 2021-049-COS-A2 between the City and Pearson Engineering Associates, Inc., for one-year contract extensions for Mechanical Engineering Services on an “as needed” basis at various project locations throughout the City of Scottsdale.

BACKGROUND

The purpose of this action is to authorize the second of three possible option years allowed under the terms of the City’s currently active on-call engineering services contracts with Energy Systems Design, Inc., LSW Engineers Arizona, Inc. and Pearson Engineering Associates, Inc.

The original contracts were for two years, with the option to extend for up to three additional one-year periods, upon satisfactory completion of the engineering services. The use of these types of contracts allows the City to engage the services of the most qualified engineering firm to design and plan multiple projects in a cost effective and efficient manner.

Since approval of the initial Mechanical On-Call Engineering Services contracts in May 2021, Energy Systems Design, Inc., LSW Engineers Arizona, Inc. and Pearson Engineering Associates, Inc. have provided timely, high-quality designs for the City on a number of projects. These have included the PD/Fire Headquarters Chiller Replacement, the Scottsdale Artist School HVAC System Upgrades and the WestWorld Exhaust Construction Administration and Commissioning.

For larger individual projects, staff will continue to select engineers using qualification-based selection procedures and seek Council approval for individual engineering contracts.

ANALYSIS & ASSESSMENT

Community Involvement

Staff will continue to use the same community involvement and notification procedures for job orders issued under this contract that are used when projects are constructed using other procurement methods.

Community involvement for each individual work order will be coordinated with the sponsoring Division as design progresses.

RESOURCE IMPACTS

Available funding

Authorization of these contracts commits no funding. Funding for each job order will be provided by the individual CIP project associated with the scope of the task and will be encumbered once negotiations are completed.

Staffing, Workload Impact

The contract administrator, responsible for enforcing all contract provisions, will be Melanie Gibson, Project Coordinator in the Capital Project Management Department of the Public Works Division. Existing Capital Project Management staff will coordinate the design work with support from the sponsoring Division.

Future Budget Implications

Combined cost for all projects administered under each contract will not exceed \$750,000 annually per contract. There is no additional operating budget required as a result of this contract.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution 13088 authorizing three (3) Engineering Services On-Call Contract Modifications; No. 2021-047-COS-A2 between the City and Energy Systems Design, Inc., No. 2021-048-COS-A2 between the City and LSW Engineers Arizona, Inc. and No. 2021-049-COS-A2 between the City and Pearson Engineering Associates, Inc., to provide consultation, design and preparation of construction documents for Mechanical Engineering Services on an “as needed” basis at various project locations throughout the City of Scottsdale.

Proposed Next Steps:

Following approval of the three (3) on-call contract modifications, individual projects identified for execution will be awarded under the terms of the contracts.

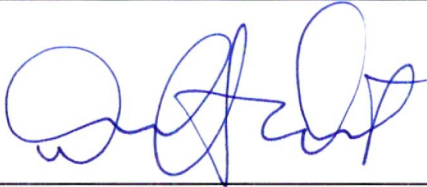
RESPONSIBLE DEPARTMENT(S)

Public Works Division, Capital Project Management

STAFF CONTACT (S)

Melanie Gibson, Project Coordinator, mgibson@scottsdaleaz.gov , (480) 312-7649

APPROVED BY



Daniel J. Worth, Director, Public Works Division
(480) 312-5555, dworth@scottsdaleaz.gov

3-28-24

Date

ATTACHMENTS

1. Resolution 13088
2. Contract 2021-047-COS-A2
3. Contract 2021-048-COS-A2
4. Contract 2021-049-COS-A2

RESOLUTION NO. 13088

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA AUTHORIZING THE MAYOR TO EXECUTE ENGINEERING SERVICES CONTRACT EXTENSIONS 2021-047-COS-A2 WITH ENERGY SYSTEMS DESIGN, INC., 2021-048-COS-A2 WITH LSW ENGINEERS ARIZONA, INC. AND 2021-049-COS-A2 WITH PEARSON ENGINEERING ASSOCIATES, INC. FOR A ONE-YEAR TIME EXTENSION IN AN AMOUNT NOT TO EXCEED \$750,000 FOR MECHANICAL ON-CALL ENGINEERING SERVICES.

WHEREAS, the City desires to extend the Contract for Mechanical On-Call Engineering Services on an as-needed basis; and

WHEREAS, this extension is for the second of three (3) possible one-year extensions, after the completion of the original two-year term; and

WHEREAS, Energy Systems Design, Inc., LSW Engineers Arizona, Inc. and Pearson Engineering Associates, Inc. are qualified to continue to render the services desired by the City,

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The Mayor of the City of Scottsdale is authorized and directed to execute engineering services Contract No. 2021-047-COS-A2 between the City and Energy Systems Design, Inc., No. 2021-048-COS-A2 between the City and LSW Engineers Arizona, Inc., and No. 2021-049-COS-A2 between the City and Pearson Engineering Associates, Inc. for a one-year time extension, in an amount not to exceed Seven Hundred and Fifty Thousand Dollars (\$750,000) for each individual and separate contract of professional services to provide consultation and design services on an "as needed" basis at various project locations throughout the City of Scottsdale.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this ____ day of _____ 2024.

CITY OF SCOTTSDALE
an Arizona municipal corporation

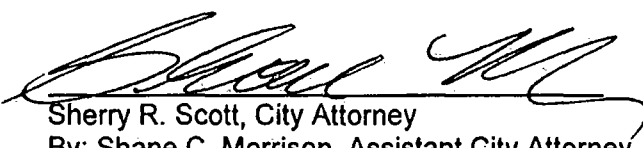
ATTEST:

Ben Lane, City Clerk

David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


Sherry R. Scott, City Attorney
By: Shane C. Morrison, Assistant City Attorney

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Resolution 13088

ATTACHMENT 1

**CITY OF SCOTTSDALE
MODIFICATION TO ON-CALL ENGINEERING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 16th day of April 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City"), and Energy Systems Design, Inc., an Arizona corporation ("the Engineer"), amending the Contract dated May 4, 2021, between the City and the Engineer.

RECITALS:

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Three (3) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original On-Call Mechanical Engineering Contract No. 2021-047-COS for On-Call Mechanical Engineering Services in accordance with the terms of the original contract; and

The City and the Engineer mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

1.0 EXTENSION:

In accordance with Article 3.2, *TERM OF CONTRACT*, this contract is extended for an additional one (1) year period, commencing on the 16th day of April 2024.

2.0 MODIFICATIONS:

2.1 The following language is ADDED to Article 3.2, *TERM OF CONTRACT*:
Contract time for this Engineering Services Contract extension will commence on or about the 16th of April 2024 and will be for one (1) year.

2.2 The following language is ADDED to Article 3.2, *TERM OF CONTRACT*:
A Contract Modification will be processed for each extension and will commence on or about the anniversary date of the Contract. Each extension must be authorized by the Contract Administrator and Purchasing Director.

OTHER CONTRACT PROVISIONS:

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk have subscribed their names
this ____ day of _____ 2024.

AUTHORIZATION

ENGINEER:
ENERGY SYSTEMS DESIGN, INC.,
an Arizona corporation

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____

By: _____
David D. Ortega, Mayor

Print Name/ Title: _____

ATTEST:

RECOMMENDED:

By: _____
Ben Lane, City Clerk

By: _____
Melanie Gibson, City Contract Administrator

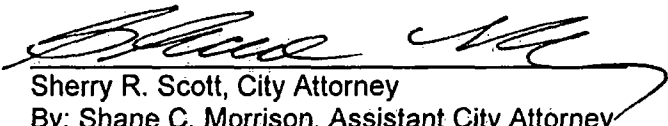
CITY OF SCOTTSDALE REVIEW:

By: _____
Alison Tymkiw, City Engineer

By: _____
George Woods, Risk Management

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


Sherry R. Scott, City Attorney

By: Shane C. Morrison, Assistant City Attorney

**CITY OF SCOTTSDALE
MODIFICATION TO ON-CALL ENGINEERING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 16th day of April 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City"), and LSW Engineers Arizona, Inc., an Arizona corporation ("the Engineer"), amending the Contract dated May 4, 2021, between the City and the Engineer.

RECITALS:

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Three (3) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original On-Call Mechanical Engineering Contract No. 2021-048-COS for On-Call Mechanical Engineering Services in accordance with the terms of the original contract; and

The City and the Engineer mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

1.0 EXTENSION:

In accordance with Article 3.2, *TERM OF CONTRACT*, this contract is extended for an additional one (1) year period, commencing on the 16th day of April 2024.

2.0 MODIFICATIONS:

2.1 The following language is ADDED to Article 3.2, *TERM OF CONTRACT*
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OTHER CONTRACT PROVISIONS:

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk have subscribed their names
this ____ day of _____ 2024.

AUTHORIZATION

ENGINEER:
LSW ENGINEERS ARIZONA, INC.,
an Arizona corporation

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____

By: _____
David D. Ortega, Mayor

Print Name/ Title: _____

ATTEST:

RECOMMENDED:

By: _____
Ben Lane, City Clerk

By: _____
Melanie Gibson, City Contract Administrator


CITY OF SCOTTSDALE REVIEW:

By: _____
Alison Tymkiw, City Engineer

By: _____
George Woods, Risk Management

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


Sherry R. Scott, City Attorney
By: Shane C. Morrison, Assistant City Attorney

**CITY OF SCOTTSDALE
MODIFICATION TO ON-CALL ENGINEERING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 16th day of April 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City"), and Pearson Engineering Associates, Inc., an Arizona corporation ("the Engineer"), amending the Contract dated May 4, 2021, between the City and the Engineer.

RECITALS:

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Three (3) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original On-Call Mechanical Engineering Contract No. 2021-049-COS for On-Call Mechanical Engineering Services in accordance with the terms of the original contract; and

The City and the Engineer mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

1.0 EXTENSION:

In accordance with Article 3.2, *TERM OF CONTRACT*, this contract is extended for an additional one (1) year period, commencing on the 16th day of April 2024.

2.0 MODIFICATIONS:

2.1 The following language is ADDED to Article 3.2, *TERM OF CONTRACT*:
Contract time for this Engineering Services Contract extension will commence on or about the 16th of April 2024 and will be for one (1) year.

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OTHER CONTRACT PROVISIONS:

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk have subscribed their names
this ____ day of _____ 2024.

AUTHORIZATION

ENGINEER:

PEARSON ENGINEERING ASSOCIATES, INC.,
an Arizona corporation

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____

By: _____

David D. Ortega, Mayor

Print Name/ Title: _____

ATTEST:

RECOMMENDED:

By: _____

Ben Lane, City Clerk

By: _____
Melanie Gibson, City Contract Administrator

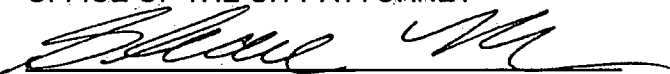
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