



Office of the City Manager

07

CONSENT CALENDAR  
September 22, 2020

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Liam Garland, Director, Public Works  
Subject: Contract Amendment: for Marken Mechanical Services Contract 10142 now MSR Mechanical LLC for on-call heating, air conditioning, and ventilation services for the City

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an Amendment to Contract No. 10142, with Marken Mechanical Services to document the company's ownership and name change to MSR Mechanical LLC; to increase the contract in an amount not to exceed \$30,000 for a total contract amount not to exceed \$80,000; and to extend the term through June 30, 2022.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY2021 budget in the Building Purchase and Management Fund (636-54-624-692-0000-000-474-624110) and the Building Maintenance Fund (673-54-624-692-0000-000-474-624110).

Subsequent funding for FY2022 is subject to appropriation in the Building Purchase and Management Fund (636-54-624-692-0000-000-474-624110) and the Building Maintenance Fund (673-54-624-692-0000-000-474-624110).

CURRENT SITUATION AND ITS EFFECTS

MSR Mechanical LLC (MSR) provides a comprehensive range of on-call and emergency heating, ventilation and air conditioning (HVAC) services to support the Public Works Facilities Building Maintenance Division. Services include inspection, trouble shooting and research into repairs or replacements. Timely inspection and maintenance of ventilation systems in City buildings is critical to ensuring optimum system performance for an increased effective rate of ventilation per person. The original contract not to exceed (NTE) amount of \$50,000 has been expended. Amending the Contract to increase the NTE amount by \$30,000 and extending the term through June 30, 2022 will allow continued use of MSR Mechanical's services for critical HVAC system maintenance and repairs while the Facilities Building Maintenance Division prepares to issue a new request for proposals for HVAC services.

Amending this contract supports the City's Strategic Plan Goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

### BACKGROUND

The City's Public Works Facilities Building Maintenance Division contracted with Marken Mechanical Services in November 2015 for an initial contract term of two years and eight months. The Contract term was extended by City Manager authority in June 2018 for an additional twelve months; again in June 2019 for twelve months; and in 2020 for ten months, for a current contract term ending April 15, 2021.

In 2018, Marken Mechanical Services was purchased by and became a wholly owned subsidiary of MSR Mechanical LLC. MSR Mechanical has provided reliable, timely, and consistently satisfactory HVAC service for the City.

### ENVIRONMENTAL SUSTAINABILITY

A well-maintained HVAC system helps to reduce indoor levels of airborne pollutants. Additionally a well-maintained HVAC system runs at closer to peak efficiency which consumes less energy.

### RATIONALE FOR RECOMMENDATION

MSR Mechanical is a valued contractor who has provided timely, quality service for the City since 2015. The contractor is knowledgeable about and familiar with the City's equipment. Their services have been essential to maintaining the City's HVAC systems at optimal performance levels, vital to ensuring increased effective rates of indoor ventilation per person in City buildings.

### ALTERNATIVE ACTIONS CONSIDERED

None. Contractor has provided consistently responsive, reliable service over the life of the Contract. Extending the term through June 30, 2022 and increasing the NTE amount allows for uninterrupted HVAC service while the City undertakes the RFP process for a new contract.

### CONTACT PERSON

Aaron Baker, Facilities Superintendent, Public Works (510) 981-6452

### Attachments:

- 1: Resolution
- 2: MSR Mechanical LLC letter of ownership

RESOLUTION NO. ##,###-N.S.

CONTRACT AMENDMENT: MSR MECHANICAL FOR HVAC SERVICES

WHEREAS, the City of Berkeley owns and operates buildings with heating, cooling and ventilation systems which regulate the temperature and quality of indoor air; and

WHEREAS, Public Works Facilities and Building Maintenance staff rely upon supplemental contractor provided HVAC services to help maintain properly performing HVAC systems for optimal indoor air quality and reduced energy usage; and

WHEREAS, the City and Marken Mechanical Services entered into Contact No. 10142 for on-call and emergency HVAC services, effective November 9, 2015 and extended through April 15, 2021; and

WHEREAS, Marken Mechanical Services was purchased by and is now a wholly owned subsidiary of MSR Mechanical LLC; and

WHEREAS, Funding is available in the FY 2021 budget in the Building Purchase and Management Fund (636-54-624-692-0000-000-474-624110) and the Building Maintenance Fund (673-54-624-692-0000-000-474-624110) and subsequent funding for FY2022 is subject to appropriation in the Building Purchase and Management Fund (636-54-624-692-0000-000-474-624110) and the Building Maintenance Fund (673-54-624-692-0000-000-474-624110), for an amended contract not to exceed the total of \$80,000; and

WHEREAS, MSR Mechanical LLC is a valued contractor who has provided consistently reliable, timely, and satisfactory service for the City since 2015; and

WHEREAS, Public Works Facilities Division will be undertaking an RFP to solicit a new contract for on-call and emergency HVAC services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 10142 with MSR Mechanical LLC, to provide on call and emergency HVAC services for the City's HVAC systems, increasing the Contract by \$30,000 for a total contract not to exceed amount of \$80,000 and extending the term to June 30, 2022.

## MSR MECHANICAL LLC.

11/6/2018

Dear Customer,

Marken Mechanical Services Inc. is now a wholly owned subsidiary of MSR Mechanical LLC, and we request to transfer our existing contract to MSR Mechanical LLC. We are prepared to provide all other required vendor information. Please send a list of requirements for the transfer.

Sincerely,

Giovanni Javier  
VP of Operations

MSR Mechanical LLC.

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