

6. Amend the Agreement with Amtech Elevator Services by Increasing the Total Contract Amount Not to Exceed to \$1,674,168 for the Remainder of the Contract Term (Specification No. 20-068) (General Fund and Non-General Fund)

Department(s):

Recommended Action: Amend the agreement with Amtech Elevator Services to provide elevator maintenance and repair services at various City facilities and increase the total not to exceed amount available under the Agreement by an additional \$717,168, for a total not to exceed amount of \$1,674,168 over the remaining term of the Agreement, including all extension periods, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2023-XXX).



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
December 5, 2023

TOPIC: Amend Agreement with Amtech Elevator Services

AGENDA TITLE

Amend the Agreement with Amtech Elevator Services by Increasing the Total Contract Amount Not to Exceed to \$1,674,168 for the Remainder of the Contract Term (Specification No. 20-068) (General Fund and Non-General Fund)

RECOMMENDED ACTION

Amend the agreement with Amtech Elevator Services to provide elevator maintenance and repair services at various City facilities and increase the total not to exceed amount available under the Agreement by an additional \$717,168, for a total not to exceed amount of \$1,674,168 over the remaining term of the Agreement, including all extension periods, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2023-XXX).

GOVERNMENT CODE §84308 APPLIES: Yes

DISCUSSION

The Public Works Agency Building Maintenance Division is responsible for maintaining approximately 30 elevators in various City buildings including City Hall, Ross Annex Building, Santa Ana Regional Transportation Center, Police Department Jail, and the Santa Ana Zoo. In order to comply with regulations from the State of California Department of Industrial Relations, Division of Occupational Safety and Health (Cal-OSHA), regular preventative maintenance and periodic testing is required. Cal-OSHA inspects all elevators and escalators at least once per year and upon successful inspection, a conveyance permit for each piece of equipment is issued. Elevators may only be serviced by certified operation technicians.

On July 7, 2020, the City Council approved an agreement with AMTECH Elevator Services to provide elevator maintenance and repair services at various City facilities for a three-year period beginning July 7, 2020 and expiring on June 30, 2023, with provisions for two one-year extensions exercisable by the City Manager and the City Attorney. Many of the elevators are original to these buildings and because of their age, there has been an increase in repairs and maintenance. Due to the age of these elevators, the cost of material and labor needed to keep them running has increased. It is critical for obsolete drives to be replaced with modernized drives to keep the

machines operating in safe conditions. Staff is recommending an increase to the agreement for elevator services by \$163,025, for a revised annual amount not to exceed \$354,425 for the remainder of the agreement term (Exhibit 1).

Additionally, Staff is requesting a \$391,118 increase in FY 2023-24 for a Supplemental Budget Request (SBR) approved for elevator drive upgrades for the Police Department to update elevators at their Jail Facility. Elevator modernization is critical to address safety concerns and to prevent any impact to normal operations of the jail facility.

FISCAL IMPACT

Funding is available in the FY 2023-24 budget and funding for subsequent fiscal years will be included in the proposed budgets for City Council consideration.

Fiscal Year	Accounting Unit – Account No. (Project No.)	Fund Description	Accounting Unit, Account No. Description	Amount
REQUESTED AMENDMENT				
2023-24	07317100-62300	Building Maintenance Fund	Building Maintenance, Contract Services-Professional	\$131,900
2023-24	06717650-62300	Regional Transportation Center	PWA SARTC Operations, Contract Services-Professional	\$10,000
2023-24	01113220-62300	General Fund	PRCSA-Zoo, Contract Services-Professional	\$1,125
2023-24	01117017-62300 (24-6027)	General Fund	Building & Facility, Contract Services-Professional	\$20,000
2023-24	01117017-62300 (24-6049)	General Fund (SBR)	Building & Facility, Contract Services-Professional	\$391,118
OPTIONAL ONE YEAR EXTENSION				
2024-25	07317100-62300	Building Maintenance	Building Maintenance, Contract Services-Professional	\$131,900
2024-25	06717650-62300	Regional Transportation Center	PWA SARTC Operations, Contract Services-Professional	\$10,000

Fiscal Year	Accounting Unit – Account No. (Project No.)	Fund Description	Accounting Unit, Account No. Description	Amount
2024-25	01113220-62300	General Fund	PRCSA-Zoo, Contract Services-Professional	\$1,125
2024-25	01117017-62300 (24-6027)	General Fund	Building & Facility, Contract Services-Professional	\$20,000
TOTAL				\$717,168

Any remaining balances not expended for the end of the fiscal year will be presented to City Council for approval of carryovers for subsequent fiscal years.

EXHIBIT(S)

1. First Amendment with Amtech Elevator Services

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Tom Hatch, Interim City Manager

**FIRST AMENDMENT TO CONTRACTOR AGREEMENT BETWEEN AMTECH
ELEVATOR SERVICES AND THE CITY OF SANTA ANA**

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on December 5, 2023, by and between Amtech Elevator Services ("Contractor") and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City").

RECITALS

- A. The parties entered into Agreement No. A-2020-143 ("Agreement") dated July 7, 2020, to provide elevator maintenance and repair services. The engagement of Contractor for said services was based on the selection of Contractor's response to City's Request for Proposal No. 20-068.
- B. The Agreement's term was originally set to expire on June 30, 2023. However, the Agreement provides for up to two (2), one (1) year extensions, for which the City exercised the first one (1) year extension on April 21, 2023. The Agreement now runs until June 30, 2024 and is current and in effect.
- C. Elevator repairs and maintenance have become more frequent over the past year. Many of the City's elevators are original to when various City buildings were constructed and range from 16 to 65 years in age. With the lifespan of elevators averaging approximately 20 years, the cost for materials and labor necessary to keep these conveyances running has increased substantially over time. It is critical for obsolete drives to be replaced with modernized drives to ensure the machines are operating safely.
- D. The parties now wish to amend the Agreement to increase the total "not to exceed" amount available under the Agreement by an additional \$717,168.00, for a total not to exceed amount of \$1,674,168.00 over the remaining term of the Agreement, including all extension periods. No other changes are contemplated by this First Amendment.

The Parties therefore agree:

- 1. **Section 2.a., Compensation**, is amended to read as follows:

City agrees to pay, and Contractor agrees to accept as total payment for its services for City, the rates and charges identified in **Exhibit B**. The total amount to be expended during the term of this Agreement shall not exceed \$1,674,168.00 (including extension periods). This sum shall be comprised of the base amount of \$1,299,168.00, with a contingency amount of \$375,000.00 (to be exercised at City's sole discretion) for a total not to exceed amount of \$1,674,168.00 during the term of this Agreement, including any extension periods exercised by the City pursuant to Section 3, below.

2. Except as modified by this First Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first written above.

ATTEST:

CITY OF SANTA ANA

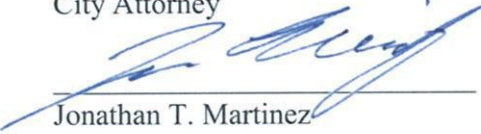
Jennifer L. Hall
City Clerk

Steven A. Mendoza
Acting City Manager

APPROVED AS TO FORM:


SONIA R. CARVALHO

City Attorney



Jonathan T. Martinez
Assistant City Attorney

CONTRACTOR



By: Tim Herter
Its: General Manager