



## Agenda Report

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**FROM:** Robert Thompson, General Manager  
Originator: Mike Dorman, Director of Engineering

**SUBJECT:**

**BACK-UP POWER FOR LABORATORY EQUIPMENT AT PLANT NO. 1, PROJECT NO. FR1-0022**

### **GENERAL MANAGER'S RECOMMENDATION**

#### RECOMMENDATION:

Authorize the Purchasing Manager to conduct a Negotiated Procurement for a construction contract for Back-up Power for Laboratory Equipment at Plant No. 1, Project No. FR1-0022, in accordance with Ordinance No. OC SAN-61; Article 5, Public Works Projects; Section 5.02, Selection Process; A, Design-Bid-Build; (1) Competitive Sealed Bids; Sub-section (d), No Bids.

### **BACKGROUND**

On a daily basis, the Orange County Sanitation District's (OC San) laboratory operates highly sophisticated instruments and equipment for sample collection, storage, preparation, incubation, and analysis. Some of these instruments and equipment currently have no back-up power supply. It is critical that these instruments stay online without power interruption, which can lead to loss of samples and data that are required to meet compliance reporting requirements per our NPDES permit, including data needed to support the functions of various Divisions. Over 100,000 tests are performed each year for various programs including Compliance, Operations, and Resource Protection. Sophisticated instrumentation requires proper shut down due to the sensitivity of the instrument. Abrupt shutdown due to power outages can lead to irreversible damage of expensive equipment. During a power outage when the heating, ventilation, and air conditioning (HVAC) is down, laboratory staff cannot occupy the laboratory building due to the use of potentially hazardous chemicals, which leads to further loss in productivity.

If NPDES compliance monitoring is not met, this can lead to enforcement action and daily penalties up to \$25,000 for each violation, in addition to other actions deemed appropriate by the EPA and SARWQCB. Back-up Power for Laboratory Equipment at Plant No. 1, Project No. FR1-0022 will provide back-up uninterruptible power supply (UPS) power to these laboratory instruments and equipment.

### **RELEVANT STANDARDS**

- Comply with California Public Contract Code Section 20103.8, award construction contract to lowest responsive, responsible bidder

- Provide a safe and collegial workplace
- Commitment to safety & reducing risk in all operations

## **PROBLEM**

OC San advertised for bids on August 1, 2023 for Project FR1-0022. No bids were received when bids were due to be opened on September 19, 2023.

## **PROPOSED SOLUTION**

Pursuant to Ordinance No. OC SAN-61; Article 5, Public Works Projects; Section 5.02, Selection Process; A, Design-Bid-Build; (1) Competitive Sealed Bids; Sub-section (d), No Bids, when OC San does not receive any bids for a particular project, OC San's Board of Directors may authorize the Purchasing Manager to conduct a Negotiated Procurement and present his/her recommendations to the Board for approval. A Negotiated Procurement is defined as a selection process whereby the Purchasing Manager identifies one or more prospective Contractors of his or her choice, negotiates with one or more of them, and awards the Contract to one of them based on the best interests of OC San.

Based on current on-site work or previous work done at OC San, staff recommends contacting the following Contractors for potential negotiation:

- Avram Electric Co.
- J. R. Filanc Construction Company, Inc.
- LEED Electric
- Mass Electric Construction Co.
- Shimmick

## **TIMING CONCERNS**

The problems that the project will be addressing will continue until the work is completed.

## **RAMIFICATIONS OF NOT TAKING ACTION**

If the project does not proceed, sensitive analytical instrumentation will continue to be vulnerable to power supply interruptions.

## **PRIOR COMMITTEE/BOARD ACTIONS**

N/A

## **ADDITIONAL INFORMATION**

The Engineer's Estimate is \$57,000.

## **CEQA**

The project is exempt from CEQA under the Class 1 categorical exemptions set forth in California Code of Regulations Section 15301. A Notice of Exemption will be filed with the OC Clerk-Recorder after OC San Board of Directors approval of the construction contract.

## **FINANCIAL CONSIDERATIONS**

This request complies with the authority levels of OC San's Purchasing Ordinance. This recommendation would be funded under the Repairs and Maintenance line item for the Operations and Maintenance Department (Budget Update Fiscal Year 2023-2024, Page 76), and the available funding is sufficient for this action.

## **ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OC San website ([www.ocsan.gov](http://www.ocsan.gov)) with the complete agenda package:*

N/A

YD:tk