

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: February 14, 2022

AGENDA ITEM:																			
HVAC Maintenance & Repair Services Contract- Supplemental Agreement No. 4																			
PREPARED BY:	DIRECTOR APPROVAL:																		
Tony Colinas, Parks and Support Services Supervisor																			
DEPARTMENT:																			
Public Works - Facilities																			
ATTACHMENTS:																			
Supplemental Agreement No. 4																			
BUDGET CODE:	AMOUNT:																		
Various	\$75,000.00																		
SUMMARY:																			
<p>On January 2, 2019, the City solicited bids for the maintenance and repair of the City’s facilities HVAC systems and components. The City received two responsive bid proposals with D.K. Systems providing the lowest bid for requested services. The contract is for one year with the option to extend for three additional one-year terms.</p> <p>This will be the fourth Supplemental Agreement to the contract and the third one-year extension to the contract. Supplemental Agreement No. 4 is requesting \$75,000.00 additional funds and will extend the contract to April 2023. The not to exceed total contract sum increases to \$257,000.00</p> <table border="0"> <thead> <tr> <th>Description</th> <th>Increase</th> <th>NTE Amount</th> </tr> </thead> <tbody> <tr> <td>Original Contract</td> <td>\$75,000</td> <td></td> </tr> <tr> <td>Supplemental Agreement No. 1</td> <td>\$55,000</td> <td>\$130,000</td> </tr> <tr> <td>Supplemental Agreement No. 2</td> <td>\$35,000</td> <td>\$165,000</td> </tr> <tr> <td>Supplemental Agreement No. 3</td> <td>\$17,000</td> <td>\$182,000</td> </tr> <tr> <td>Supplemental Agreement No. 4</td> <td>\$75,000</td> <td>\$257,000</td> </tr> </tbody> </table>		Description	Increase	NTE Amount	Original Contract	\$75,000		Supplemental Agreement No. 1	\$55,000	\$130,000	Supplemental Agreement No. 2	\$35,000	\$165,000	Supplemental Agreement No. 3	\$17,000	\$182,000	Supplemental Agreement No. 4	\$75,000	\$257,000
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RECOMMENDED MOTION:
 Staff recommends that Council authorize the Mayor to sign and execute the HVAC Maintenance and Repair Services contract Supplemental No. 4 between the City of Marysville and D.K. Systems for a new total contract price of \$257,000.00 and extend the contract to April 2023.

**SUPPLEMENTAL AGREEMENT NO. 4 TO
SMALL PUBLIC WORKS CONTRACT BETWEEN
CITY OF MARYSVILLE
AND D.K. SYSTEMS INC.**

THIS SUPPLEMENTAL AGREEMENT NO. 4 (“Supplemental Agreement No. 4”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”) and D.K. Systems, Inc., a Washington Corporation (“Contractor”).

WHEREAS, the parties hereto have previously entered into an agreement for HVAC Maintenance and Repair Services (the “Original Contract”), said Original Contract being dated March 26, 2019; and

WHEREAS, the parties extended the term and provided additional compensation of the Original Contract in a supplemental agreement (the “Supplemental Agreement No. 1”), said Supplemental Agreement No. 1 being dated May 12, 2020; and

WHEREAS, the parties provided additional compensation of the Original Contract in a supplemental agreement (the “Supplemental Agreement No. 2”), said Supplemental Agreement No. 2 being dated December 1, 2020; and

WHEREAS, the parties extended the term and provided additional compensation of the Original Contract in a supplemental agreement (the “Supplemental Agreement No. 3”), said Supplemental agreement No. 3 being dated March 23, 2021

WHEREAS, both parties desire to extend the term and provide additional compensation of the contract in a supplemental agreement,

NOW THEREFORE, in consideration of the terms, conditions, covenants, and performances contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

1. Section 2 of the Original Contract, “Term of Contract”, the parties agree to extend the term of the contract for an additional one (1) year. For the avoidance of doubt, this Supplemental Agreement No. 4 is the third one-year extension.

2. Section 4.a. of the Original Contract, “Total Contract Sum for the Project”, is amended and shall read as follows: “The City shall pay the Contractor for satisfactory completion of the Project, a Total Contract Sum not to exceed **TWO HUNDRED FIFTY SEVEN THOUSAND DOLLARS (\$257,000.00)** including all applicable Washington State Sales Tax.”

The total compensation payable to the Contract is summarized as follows:

Original Agreement:	<u>\$75,000.00</u>
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Supplemental Agreement No. 1: \$55,000.00
Supplemental Agreement No. 2: \$35,000.00
Supplemental Agreement No. 3: \$17,000.00
Supplemental Agreement No. 4: \$75,000.00
Grand Total: \$257,000.00

3. Each and every provision of the Original Contract for Small Public Works dated March 26, 2019, shall remain in full force and effect, except as modified herein.

DATED this _____ day of _____, 2022.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this 27 day of January, 2022.

D.K. SYSTEMS, INC.

By 
Darron Drake
Its: President

ATTEST/AUTHENTICATED:

Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

