



# County of Santa Cruz<sup>0107</sup>

## GENERAL SERVICES DEPARTMENT

701 OCEAN STREET, SUITE 330, SANTA CRUZ, CA 95060-4073

(631) 464-2716 FAX: (831) 454-2710 TDD: (831) 464-2123

BOB WATSON, DIRECTOR

April 13, 2001

AGENDA: April 24, 2001

Board of Supervisors  
COUNTY OF SANTA CRUZ  
701 Ocean Street  
Santa Cruz, CA 95060

### 1080 EMELINE PRE-COOLING PROJECT

Dear Members of the Board:

On March 27, 2001, your Board directed the General Services Department to negotiate a contract for the 1080 Emeline Pre-Cooling Project and return on or before April 24, 2001 with a recommended contract. The project had previously been bid on two separate occasions unsuccessfully and per Public Contract Code Section 20150.9 and Santa Cruz County Code Section 2.35070 the County may then have the project done without further bidding. General Services staff have subsequently negotiated with George H. Wilson, Inc. and they have agreed to complete the project on a time and materials basis in the not to exceed amount of \$47,317.

In order to complete financing for this project, it is necessary for your Board to accept unanticipated revenue from the General Services Equipment Budget (index 333300) in the amount of \$8,800 as delineated in the attached Aud-60. In order to consolidate project funds, it is also necessary to realign project funding from 1080 Emeline HVAC modification project to the 1080 Emeline pre-cooling project in the amount of \$39,200 and \$8,800. The attached Aud-74's delineate the necessary realignments.

It is therefore RECOMMENDED that your Board:

1. Adopt the attached resolution accepting unanticipated revenue in the amount \$8,800 and appropriate the funds into the Plant Budget, 191020, sub-object 661 0/Q37001.
2. Authorize the transfers of appropriations from the 1080 Emeline HVAC modification project to the 1080 pre-cooling project in the amount of \$39,200 and \$8,800;
3. Award a contract to George H. Wilson, Inc. in the not to exceed amount of \$47,317 for the 1080 Emeline pre-cooling project; and
4. Authorize the General Services Director to notify the contractor and sign the contract agreements and associated documents on behalf of your Board.

Sincerely,

BOB WATSON  
Director

RECOMMENDED:

SUSAN A. MAURIELLO  
County Administrative Officer

0108

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor \_\_\_\_\_  
duly seconded by Supervisor \_\_\_\_\_  
the following resolution is adopted:

RESOLUTION ACCEPTING UNANTICIPATED REVENUE

WHEREAS, the County of Santa Cruz is a recipient of funds from General Services  
Oper. trans. IN for Plant - 1080 Emeline Pre-Cooling and program; and  
Lab Chiller project #00C1-001

WHEREAS, the County is recipient of funds in the amount of \$ 8,800  
which are either in excess of those anticipated or are not specifically set forth in the  
current fiscal year budget of the County; and

WHEREAS, pursuant to Government Code Section 29130(c)/29064(b), such funds may  
be made available for specific appropriation by a four-fifths vote of the Board of  
Supervisors.

NOW, THEREFOR, BE IT RESOLVED AND ORDERED that the Santa Cruz County  
Auditor-Controller accept funds in the amount of \$ 8,800 into

Department General Services - Capital Projects 1080 Emeline

T/C	Index Number	Revenue Subobject Number	Account Name	Amount
001	191020/Q37001	2462	Operating Transfer IN	\$ 8,800

and that such funds be **and** are hereby appropriated as follows:

TIC	Index Number	Expenditure Subobject Number	PRJ/UCD	Account Name	Amount
001	191020	6610	437001	Structures & Improvements	\$ 8,800

DEPARTMENT HEAD I hereby certify that the fiscal provisions have been researched  
and that the Revenue(s) (has been) (will be) received within the current fiscal year.

By Bob Watson  
BOB WATSON Department Head

Date 4-12-01

COUNTY ADMINISTRATIVE OFFICER



Recommended to Board



Not Recommended to Board

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,  
State of California, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
by the following vote (requires four-fifths vote for approval):

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

\_\_\_\_\_  
Chairperson of the Board

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

# 191020.

APPROVED AS TO ACCOUNTING DETAIL:

Harry A. Oberkum  
County Counsel

P. J. Wang 4/12  
Auditor-Controller

Distribution:

Auditor-Controller  
County Counsel  
County Administrative Officer  
Originating Department

# COUNTY OF SANTA CRUZ

## REQUEST FOR TRANSFER OR REVISION OF BUDGET APPROPRIATIONS AND/OR FUNDS

0110

Department: General Services

Date: April 12, 2001

TO: Board of Supervisors / County Administrative Officer / District Board

I hereby request your approval of the following transfer of budget appropriations and/or funds in the fiscal year ending June 30, 19  

Fund 10

AUDITORS USE ONLY			
DOCUMENT #	AMOUNT	L/N	T/C HASH
JE 6			

BATCH #	
DATE	Keyed By:

	T/C	INDEX	SUBJECT	USER CODE	AMOUNT	ACCOUNT DESCRIPTION *
T O	0 2 1 3 0	3 3 3 0 0	6 1 0 0			Operating Trans. Out
F R O M	0 2 2 3	3 3 3 0 0	3 4 0 5		8 8 0 0 0 0	Projects under \$25,000

**Explanation:**

To realign project funds under 25,000 to the correct Plant project. These were originally stated as three (3) projects and have been consolidated into one (1) project.

Name: *Bob Watson* Title: General Services Director  
Bob Watson, General Services Director

Auditor-Controller's Action: I hereby certify that unencumbered balance(s) is/are available in the appropriations/funds and in the amounts indicated above.

Auditor-Controller, by *P. Silbaugh*, Deputy Date 4-12-01

County Administrative Officer's Action: ☒ Recommended to Board ☐ Approved ☐ Not Recommended or Approved

County Administrative Officer *GAH* Date 4/13/01

State of California } As the Clerk of the Board of Supervisors of the County of Santa Cruz, I do hereby certify that the foregoing request for  
 ss. transfer was approved by said Board of Supervisors as recommended by the County Administrative Officer by an order  
 County of Santa Cruz } duly entered in the minutes of said Board on

\_\_\_\_\_, 19\_\_\_\_, BY \_\_\_\_\_, Deputy Clerk

(A-C) \* 27 Item - Budget Transfer

Distribution: BRD. NAME AGENDA DATE ITEM NO.  
 White-Board of Supervisors Green-County Administrative Officer Goldenrod-Departmental Control Copy  
 Yellow-Auditor-Controller Pink-Originating Department

A-C Review		

**COUNTY OF SANTA CRUZ**  
REQUEST FOR TRANSFER OR REVISION  
OF BUDGET APPROPRIATIONS AND/OR FUNDS

0111

Department: General Services - Capital Projects

Date: 04/04/01

TO: Board of Supervisors / County Administrative Officer / District Board

I hereby request your approval of the following transfer of budget appropriations and/or funds in the fiscal year ending June 30, 10,2001

**Fund 40-100-020**

AUDITORS USE ONLY			
DOCUMENT #	AMOUNT	L/N	T/C HASH
JE 5	78400.00	02	43

BATCH #	
DATE	Keyed By:

	T/C	INDEX	SUBJECT	USER CODE	AMOUNT	ACCOUNT DESCRIPTION *
T R A N S F E R	0,2,1	1,9,1,0,2,0	6,6,1,0	Q,3,7,0,0,1	39,200.00	
F R O M	0,2,2	1,9,1,0,2,0	6,6,1,0	Q,3,7,0,0,6	39,200.00	

Explanation: To realign project funds into the correct project. These were originally stated as three (3) projects and have been consolidated into one (1) project.

Name Bob Watson  
BOB WATSON

Title General Services Director

Auditor-Controller's Action: I hereby certify that unencumbered balance(s) is/are available in the appropriations funds and in the amounts indicated above.

Auditor-Controller, by P. Sillman, Deputy Date 4-12-01

County Administrative Officer's Action: ☒ Recommended to Board ☐ Approved ☐ Not Recommended or Approved

County Administrative Officer [Signature] Date 4-13-01

State of California } As the Clerk of the Board of Supervisors of the County of Santa Cruz, I do hereby certify that the foregoing request for  
County of Santa Cruz } ss. transfer was approved by said Board of Supervisors as recommended by the County Administrative Officer by an order  
duly entered in the minutes of said Board on

\_\_\_\_\_, 19\_\_\_\_, BY \_\_\_\_\_, Deputy Clerk

(A-C)\* Desc: \_\_\_\_\_ Item - Budget Transfer

Distribution: BRD NAME AGENDA DATE ITEM NO.  
Whits-Board of Supervisors Green-County Administrative Officer Goldenrod-Departmental Control Copy  
Ysllcw-Auditor-Controller Rnk-Originating Department

A-C Review

COUNTY OF SANTA CRUZ  
REQUEST FOR APPROVAL OF AGREEMENT

0112

TO: Board of Supervisors  
County Administrative Officer  
County Counsel  
Auditor-Controller

FROM: General Services

*[Signature]*

(Signature) 4-12-01 (Date)

The Board of Supervisors is hereby requested to approve the attached agreement and authorize the execution of the same.

1. Said agreement is between the COUNTY OF SANTA CRUZ (Agency)  
and Geo. H. Wilson, Inc., P.O. Box #1140, Santa Cruz CA 95061-1140 (Name & Address)
2. The agreement will provide Pre-cooling and Lab Chiller installation at 1080 Emeline #00C1-001
3. The agreement is needed, as the work can be performed most expeditiously by contract.
4. Period of the agreement is from Board Approval - to June 30, 2001
5. Anticipated cost is \$ 47,317 (Fixed amount; Monthly rate; Not to exceed)
6. Remarks: Contract for a not-to-exceed amount of \$47,317.00
7. Appropriations are budgeted in 191020/Q37001 (Index#) 6610 (Subobject)

NOTE: IF APPROPRIATIONS ARE INSUFFICIENT, ATTACH COMPLETED FORM AUD-74

Appropriations are available and have been encumbered.  
are not will be

Contract No. 02391 Date 4-12-01

GARY A. KNUTSON, Auditor - Controller

By *[Signature]* Deputy.

Proposal reviewed and approved. It is recommended that the Board of Supervisors approve the agreement and authorize the  
to execute the same on behalf of the-

(Agency).

County Administrative Officer

Remarks:

(Analyst)

By Date

Agreement approved as to form. Date

Distribution:

Bd. of Supv. - White  
Auditor-Controller - Blue  
County Counsel - Green \*  
Co. Admin. Officer - Canary  
Auditor-Controller - Pink  
Originating Dept. - Goldenrod

\*To be Deleted if rejected.

ADM - 29 (6/95)

State of California )  
County of Santa Cruz ) ss

I \_\_\_\_\_ ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz,  
State of California, do hereby certify that the foregoing request for approval of agreement was approved by  
said Board of Supervisors as recommended by the County Administrative Officer by an order duly entered  
in the minutes of said Board on \_\_\_\_\_

County Administrative Officer

By \_\_\_\_\_ Deputy Clerk

Agreement No. \_\_\_\_\_

**A G R E E M E N T**

This Agreement, made and concluded this 24th day of April, 2001, by and between GEO. H. WILSON, Inc., and the COUNTY OF SANTA CRUZ, hereinafter called CONTRACTOR and COUNTY, respectively.

**WITNESSETH**

**WHEREAS**, the Board of Supervisors of said County has awarded a Contract to Contractor for performing the work hereinafter mentioned in accordance with the sealed proposal of said Contractor.

**NOW THEREFORE**, it is agreed as follows:

1. **Scope of Work.** Contractor shall perform all the work and furnish all the labor, materials, equipment, and all utility and transportation services required to complete all of the work for 1080 EMELINE PRE-COOLING & LAB CHILLER in Santa Cruz County, in accordance with the Notice to Bidders, Specifications and Plans, Special Provisions, and Bidder's Proposal; the items and quantities of which are more particularly set forth in Contractor's Proposal, therefor, on file in the Office of the County Clerk.
2. **Time for Performance.** The Contractor shall begin the work within ten (10) calendar days after receiving the "Notice to Proceed," and shall diligently prosecute the same to completion before the expiration of forty-five (45) calendar days from the date of said "Notice to Proceed."
3. **Indeopendent Contractor Status.** CONTRACTOR and COUNTY have reviewed and considered the principal test and secondary factors below and agree that CONTRACTOR is an independent contractor and not an employee of COUNTY. CONTRACTOR is responsible for all insurance (workers compensation, unemployment, etc.) and all payroll related taxes. CONTRACTOR is not entitled to any employee benefits. COUNTY agrees that CONTRACTOR shall have the right to control the manner and means of accomplishing the result contracted for herein.

**Principal Test.** The CONTRACTOR rather than COUNTY has the right to control the manner and means of accomplishing the result contracted for.

Agreement No. \_\_\_\_\_

**Secondary Factors.** (a) The extent of control which, by agreement; COUNTY may exercise over the details of the work is slight rather than substantial; (b) CONTRACTOR is engaged in a distinct occupation or business; (c) In the locality, the work to be done by CONTRACTOR is usually done by a specialist without supervision, rather than under the direction of an employer; (d) The skill required in the particular occupation is substantial rather than slight; (e) The CONTRACTOR rather than the COUNTY supplies the instrumentalities, tools and workplace; (f) The length of time for which CONTRACTOR is engaged is of limited duration rather than indefinite; (g) The method of payment of CONTRACTOR is by the job rather than by the time; (h) The work is part of a special or permissive activity, program or project, rather than part of the regular business of COUNTY; (i) CONTRACTOR and COUNTY believe they are creating an independent contractor relationship rather than an employer-employee relationship; and (j) The COUNTY conducts public business.

It is recognized that it is not necessary that all secondary factors support creation of an independent contractor relationship, but rather that overall there are significant secondary factors which indicate that CONTRACTOR is an independent contractor.

4. **Component Parts.** This Contract shall consist of the following documents, each of which is on file with the Santa Cruz County Clerk of the Board, and all of which are incorporated herein, and made a part hereof by reference thereto:
  - a. This Agreement and Guarantees
  - b. Notice to Bidders, inviting sealed proposals
  - c. Specifications entitled: 1080 EMELINE PRE-COOLING & LAB CHILLER
  - d. Plans entitled: 1080 EMELINE PRE-COOLING & LAB CHILLER
  - e. Bidder's Bond
  - f. Accepted Proposal
  - g. Performance Bond
  - h. Payment Bond
  - i. Certificate of Worker's Compensation Insurance
  - j. Certificate of General Liability Insurance
  - k. Certificate of Auto Liability Insurance
5. County shall pay and Contractor shall accept, in full consideration for the performance of the Contract, subject to additions and deductions as provided therein, the sum Not to exceed \$47,317
6. Pursuant to County Code Section 2.37.107, any bid, proposal, or other response to a solicitation for bid or proposal which proposes or calls for the use of any tropical hardwood or wood product in performance of the contract shall be deemed nonresponsive. The contractor shall not



Agreement No. \_\_\_\_\_

provide any items in performance of this contract which are tropical hardwoods or tropical hardwood products. The County of Santa Cruz urges companies not to import, purchase, obtain, or use for any purpose, any tropical hardwood or tropical hardwood product. In the event any bidder or contractor fails to comply in good faith with any of the provisions of County Code Section 2.37.107, the bidder or contractor shall be liable for liquidated damages in an amount equal to the bidder's or contractor's net profit under the contract, or five (5) percent of the total amount of the contract dollars, whichever is greater. The contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the County upon demand and may be set off against any monies due to the bidder or contractor from any contract with the County.

#### 7. Nondiscrimination Clause.

The CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical or mental disability, medical condition (cancer related), marital status, sexual orientation, age (over 18), veteran status, gender, pregnancy, or any other non-merit factor unrelated to job duties. Such action shall include, but not be limited to, the following: recruitment; advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training (including apprenticeship), employment, upgrading, demotion, or transfer. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

The CONTRACTOR will, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, physical or mental disability, medical condition (cancer related), marital status, sexual orientation, age (over 18), veteran status, gender, pregnancy, or any other non-merit factor unrelated to job duties. Such action shall include, but not be limited to, the following: recruitment; advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training (including apprenticeship), employment, upgrading, demotion, or transfer. The CONTRACTOR agrees to post in conspicuous places, available to

**employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause.**

**The CONTRACTOR will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.**

**IN WITNESS WHEREOF, County has caused these presents to be executed by its officers thereunto duly authorized and Contractor has subscribed same, all on the day and year first above written.**

**GEO. H. WILSON, INC.**

**Contractor Name**

**BY \_\_\_\_\_**

**Title \_\_\_\_\_**

**ATTEST:**

**COUNTY OF SANTA CRUZ**

**\_\_\_\_\_  
Clerk, Board of Supervisors**

**BY \_\_\_\_\_  
Director, General Services Dept.**

**APPROVED AS TO FORM**

**\_\_\_\_\_  
County Counsel**

**\_\_\_\_\_  
Date**

0117

250 HARVEY WEST BLVD.  
SANTA CRUZ, CA 95060

FAX (831) 423-9903  
Phone (831) 423-9522

MECHANICAL  
**Geo. H. Wilson, Inc.**  
**CONTRACTORS**  
ESTABLISHED 1921  
CONTRACTOR'S LICENSE NO. 128655

MAILING ADDRESS  
P.O. BOX 1140  
SANTA CRUZ, CA 95061-1140

March 30, 2001

County of Santa Cruz  
General Services Department  
Facilities Maintenance  
1110 Emeline Street  
Santa Cruz, CA 95060

Attn.: Tony Loero

RE: Santa Cruz, County of (1080 Emeline Pre-Cooling & Lab Chiller)  
Santa Cruz County Proposal #00C1-001  
GHW Bid #00-223

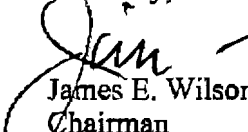
Dear John:

This proposal **supersedes** all **previous** correspondence regarding the project referenced above. Our **proposal** is based on providing the labor and materials **required** to install the owner-furnished coils as instructed during our conversation on 03/14/01.

Per our discussion, we will complete the work on a time and material basis for **the** guaranteed maximum price of **\$47,317.00**. The County of Santa Cruz will provide supplemental labor, as **required**, along with **the** controls valves, required painting and insulation.

You have already received a copy of our Industrial Rates, Please contact me if you need **further** information.

Sincerely,

  
James E. Wilson  
Chairman  
Geo. H. Wilson, Inc.

Enclosure: Conditions of Proposal

JW/sjc

250 HARVEY WEST BLVD.  
SANTA CRUZ, CA 95060  
Phone (831) 423-9522  
FAX (831) 423-9903

MECHANICAL

**Geo. H. Wilson, Inc.**  
CONTRACTORS

ESTABLISHED 1921  
CONTRACTOR'S LICENSE NO. 128655

MAILING ADDRESS  
P.O. BOX 1140  
SANTA CRUZ, CA 95061-1140

## INDUSTRIAL RATES (Santa Cruz County Only)

(Effective 01/01/01 through 06/30/01)

### 1. MATERIALS:

Materials supplied from Geo. H. Wilson, Inc.'s inventory will be priced at the average wholesale price plus 15% overhead and a 10% handling fee.

Materials purchased for direct job site delivery will be priced at the vendor's invoice cost and freight plus 15% overhead and a 10% handling fee.

Tax will be included at a rate of 7.75%.

### 2. SUBCONTRACTS:

All subcontract invoices will be priced at cost plus a 10% handling fee.

### 3. EQUIPMENT:

Equipment rental fees are in accordance with Geo. H. Wilson, Inc.'s Equipment Rental List.

### 4. LABOR (Composite Rates):

#### A. Field Labor:

Regular Time	\$72.00
Overtime (1.5)	\$90.00
Double Time (2.0)	\$110.00

#### B. Shop Labor:

Regular Time	\$75.00
Overtime ( 1.5)	\$95.00
Double Time (2.0)	\$115.00

#### C. Service:

Regular Time	\$75.00
Overtime (1.5)	\$110.00

### 5. TERMS:

Terms are net 30 days. Amounts open over 30 days are subject to a finance charge of 1 1/2% per month (18% per annum).

01/01/01 RJW/sjc

0119

**GEO. H. WILSON, INC.**  
**CONDITIONS OF PROPOSAL**

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**EXCLUSIONS:**

1. Formed and poured concrete.
2. Cutting, patching and painting.
3. Surveying and engineering.
4. Furnishing **and/or** installation of any fire rated enclosure for HVAC, ductwork or boiler flues.
5. Temporary water, sanitary or electrical services, or payments for use or maintenance of the same.
6. Water and gas meters.
7. Fees and permits.
8. Premium time.
9. Asbestos or hazardous materials removal (**if** applicable).
10. Carpentry and/or **framing**.
11. Electrical work.

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**CLARIFICATIONS:**

1. Our Contractor's State License number is 128655 with **the** following classifications:

C-4 - Boiler, Hot Water Heating and Steam Fitting

C-16 - Fire Protection

C-20 - Warm Air Heating, Ventilating and Air Conditioning

C-34 - Pipelines

C-36 - Plumbing

C-42 - Sewers, Sewage Disposal, Drains, Cement Pipe

C-43 - Sheet Metal

C-60 - Welding

**C-61 - Sprinklers**

**HIC**

Our license expiration date is **03/31/03**.

The representations made herein are made under penalty of perjury.

2. **Our** company is union affiliated and is fully bondable.

We **are** signatory to the following labor trades:

Plumbers

Sheet Metal Workers

Pipe Fitters

Laborers

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**03/30/01 JW/sjc**