



# Board Agenda Item 52

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DATE: May 25, 2021

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works & Planning

SUBJECT: Agreement with A-C Electric Company for site servicing and repairing of electrical controls and software for programmable logic controllers that help run the water and sewer facilities of the Fresno County Special Districts and the Juvenile Justice Campus

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administration Policy 34 for unusual or extraordinary circumstances as A-C Electric Company has a specialized knowledge and experience of the electrical controls and programmable logic controllers that help run the water and sewer facilities of the Fresno County Special Districts and the Juvenile Justice Campus.**
- 2. Approve and authorize the Chairman to execute an Agreement with A-C Electric Company to provide site servicing and to repair electrical controls and software for programmable logic controllers for Special Districts and the Juvenile Justice Campus, effective May 26, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$750,000.**

Approval of the recommended actions will allow A-C Electric Company to continue to provide site servicing of electrical controls and software for programmable logic controllers (PLCs) in Special Districts and at the Juvenile Justice Campus (JJC). A sole source is requested because A-C Electric Company has specialized knowledge and experience of the electrical controls and PLCs that help run the water and sewer facilities in Special Districts and the JJC. This item pertains to locations in Districts 1, 4, and 5.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended actions are not approved, it would be nearly impossible for another contractor to work on existing PLCs at the various water and sewer systems in Special Districts and at the JJC due to the current vendor having original copies of all our existing PLC programs as well as previous experience working at our multiple Special Districts sites. If another contractor were to take the place of the current vendor, the old systems would need to be replaced at a significant cost which would ultimately increase the rates paid by the customers of the various water and sewer systems.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department's request to waive the competitive bid process is consistent with Administrative Policy 34 as A-C Electric Company has specialized knowledge, experience, electrical controls and PLCs that help run

the water and sewer facilities in Special Districts and the JJC. This knowledge and experience are due to the fact that A-C Electric Company wrote all of the programs and software that currently run the electrical controls and PLCs which are individualized to each system. The Internal Services Department, Purchasing Division concurs with the request of the Department to waive the competitive bidding process.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The servicing of electrical controls and software for PLCs to be provided for the benefit of Fresno County Special Districts will be financed by the operations and maintenance budgets for each respective County Service Area or Waterworks District. Funds for each district are generated through assessments, service charges, carryover funds and interest income. The servicing of electrical controls and software for the PLCs provided at the JJC is budgeted in Org 9140 and is reimbursed through the Department of Internal Services with County cost. Sufficient appropriations and estimated revenues are included in various Department of Public Works and Planning - Special Districts Orgs FY 2020-21 Adopted Budgets.

DISCUSSION:

There are 26 water systems and 15 sewer systems operated by Fresno County Special Districts, including a water and sewer system at the JJC. These systems operate 24 hours per day 7 days per week and require regular servicing and repairs of electrical controls and software of PLCs. The electrical controls and PLCs are pivotal to the operations of the water and sewer systems. If these components fail, the outcome could cause health and safety issues like raw sewage release or the inability to disinfect water for customers, both of which would also result in penalties or fines from the State Water Resources Control Board.

A-C Electric Company has specialized experience and knowledge of the equipment in use at the water and sewer facilities due to the fact that they wrote the specific programs for each system. The software for the PLCs is individually written by the technicians that work on the equipment and is specific for each system. Without this knowledge and experience it would be nearly impossible for a new vendor to have the programs to make the changes or updates necessary to the existing PLCs. This would mean that old systems would need to be replaced at a significant cost which would ultimately affect the rates paid by the customers of the various water and sewer systems.

The programs that have been written and maintained in the past are still functioning and operating the water and sewer systems today. The use of the existing programs keeps operational costs down. If the PLCs were to be replaced due to a new vendor, the increased costs would need to be passed through to the customers in increased service rates. Going through a rate adjustment process cost the districts further administration staff time as these processes are time consuming and there is no guarantee that the increase rates will be approved by the customers.

There is an existing Board Agreement with A-C Electric Company (Agreement No. A-16-299) for the services that are included in the recommended Board Agreement; however, the agreement is expiring on May 25, 2021. The recommended Board Agreement would replace Agreement No. A-16-299.

REFERENCE MATERIAL:

BAI #45, June 7, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

PD-047 Sole Source Acquisition Request  
On file with Clerk - Agreement with A-C Electric

CAO ANALYST:

Samantha Buck