



Board Agenda Item 50.1

DATE: June 18, 2024

TO: Board of Supervisors

SUBMITTED BY: Edward Hill, Chief Operating Officer / Interim Director of Internal Services/Chief Information Officer

SUBJECT: Amendment to American Rescue Plan Act - Coronavirus State and Local Fiscal Recovery Funds

RECOMMENDED ACTION(S):

- 1. Approve proposed Amendment to the County of Fresno's American Rescue Plan Act-State and Local Fiscal Recovery Funds (ARPA-SLFRF) expenditure plan, which will revise the approved scope of work for Internal Services Department's Program No. 6 from Emergency Response Equipment connection of the Hamilton facility, Juvenile Justice Campus (JJC), County Coroner's Office, with broadband fiber as a necessary acquisition of emergency response equipment and an adaptation to congregate settings under Category A, Respond to the Public Health Emergency, to instead fund Broadband Fiber to Public Facilities, connect the Hamilton facility, the County Coroner's Office, and the JJC through both private and public fiber lines, not solely a private fiber line as initially scoped, to the Central Valley Independent Network (CVIN) fiber vault under Category D, Investment in Broadband, and reduce program budget by \$1,610,422, from \$2,500,000 to \$889,578;**
- 2. Approve proposed Amendment to County of Fresno ARPA-SLFRF expenditure plan and Authorize Internal Services Department to use unspent funds from revised Program No. 6 to fund ventilation design and engineering costs, improvements, inspections, maintenance, repairs to heating and ventilation air conditioning (HVAC) systems, and generation and electrical maintenance and repairs to emergency generators in downtown County public facilities under SLFRF Eligible Category A, with an estimated funding commitment of (\$1,610,422); and**
- 3. Approve and authorize the Director of the Internal Services Department, or designee, to use annual Job Order Contracting agreements for the implementation of the proposed projects.**

Approval of the first recommended action will revise your Board's approved scope of work for the Department's Program No. 6 from Emergency Response Equipment connection of the Hamilton facility, Juvenile Justice Campus (JJC), County Coroner's Office, with broadband fiber as a necessary acquisition of emergency response equipment and an adaptation to congregate settings under Category A, Respond to the Public Health Emergency, to instead fund Broadband Fiber to Public Facilities, connect the Hamilton facility, the County Coroner's Office, and the Juvenile Justice Campus through both private and public fiber line to the CVIN fiber vault under Category D, Investment in Broadband, and reduce program budget by \$1,610,422, from \$2,500,000 to \$889,578. Approval of the second recommended action will reassign the \$1,610,422 and authorize the Department to fund necessary ventilation design and engineering costs, improvements, inspections, maintenance, and repairs to HVAC systems, as well as necessary generation and electrical maintenance and repairs to emergency generators, at downtown County public facilities under SLFRF Eligible Category A, with an estimated funding commitment of \$1,610,442. The third

recommend action authorizes the Director of Internal Services Department, or their designee, to use annual Job Order Contracting agreements for the implementation of the proposed projects. This item pertains to a location in District 3, however benefits are countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the scope of work for the Department's Program No. 6 will remain the same, which would not accurately describe the Department's process or its budget to complete Program No. 6. The Department would not be able to use identified cost savings to fund necessary ventilation improvements and repairs to the HVAC systems, or generation and electrical maintenance and repairs to emergency generators, at downtown public facilities under SLFRF Eligible Category A, which would then result in an increase to Net County Cost.

FISCAL IMPACT:

There is no increase to Net County Cost associated with the recommended actions. The programs are fully funded with ARPA-SLFRF. Sufficient appropriations are included in the FY 2023-24 Adopted Budget for the Internal Services Department-Information Technology Division (ISD-IT) Org. 8905 as well as Internal Services Department-Facility Services Division (ISD-Facility Services (ISD-Facility Services) Org 8935. Costs will be funded through Auditor-Controller/Treasurer-Tax Collector (ACTTC) Org. 1033 - Disaster Claiming, Fund 0026, Subclass 91021.

DISCUSSION:

On May 3, 2022, your Board approved the Department to use ARPA-SLFRF for the implementation of the following programs: purchase of communication improvements for public facilities including upgrades to emergency response towers up to \$1,500,000, the purchase of mobile workforce technology as part of COVID-19 mitigation and prevention up to \$7,900,000, the connection of the Hamilton facility and the JJC and including the County Coroner's Office, with broadband fiber as a necessary acquisition of emergency response equipment and an adaptation to congregate settings up to \$2,500,000, and the purchase of cybersecurity improvements, including modernization of hardware and software for the County's existing and new broadband infrastructure up to \$10,000,000.

The approved name for Program No. 6 is Emergency Response Equipment and designated under Treasury's eligible category 1.7, Public Health, Other COVID-19 Public Health Expenses. Based on Treasury's reporting numeric changes, the program description best fits within Treasury's eligible category 5.21 Broadband: other projects.

Program No. 6 allows the Department to use SLFRF to fund the expansion of the County's fiber network to essential public facilities that were not connected to broadband, and replace leased communication networks obtained through private companies. County fiber installation and extension was planned to occur at the JJC, and the County's Hamilton facility, which houses the dispatchers for the Sheriff's Office. Both locations were previously underserved or unserved with reliable high-speed broadband .

In February 2023, the Department solicited bids for the project to connect the Hamilton facility to JJC, including the County Coroner's Office, via a private fiber line, and received a bid in the amount of \$3,471,900, which exceeded the SLFRF allocation for this project. As a contingency, the Department requested bids for connecting the JJC to Golden State Boulevard, and received a bid in the amount of \$889,578. The contingency plan allowed for the connection of the JJC to Golden State Boulevard, and specifically, to the CVIN fiber vault, which completed the connection of the Hamilton facility, the Coroner's Office, and the JJC through both private and public fiber lines. The original project was scoped only utilizing a private fiber line, but due to an updated scope that included both public and private lines, cost savings were realized by the Department. The broadband connection was completed in January 2024, which resulted in a cost savings of approximately \$1,610,422 to this project.

The Department requests your Board's consideration and approval to use the cost savings in Program No. 6 to instead fund necessary ventilation design and engineering costs, improvements, inspections, maintenance work, repairs to the HVAC systems, and necessary generation and electrical maintenance and repairs to emergency generators, at downtown public facilities including, but not limited to, the Plaza Building, Hall of Records, South Annex Jail, and Sheriff's Office under SLFRF Eligible Category A, under eligible category 1.7 Public Health, Other COVID-19 Public Health Expenses: Capital Investment to Public Facilities.

On June 5, 2024, the ventilation system that provides cooling for the County's downtown public facilities including the Hall of Records, South Annex Jail, and Sheriff's Office Administration building began demonstrating operational issues, which subsequently caused the cooling system to temporarily fail. Affected buildings include a 24-hour detention facility, and two other buildings that provide necessary operations for the County.

On June 11, 2024, the Plaza Building generator began demonstrating operational issues, which subsequently caused the generator to temporarily fail. The Plaza Building is occupied by essential departments such as, Human Resources, County Clerk and Registrar of Voters, County Counsel, Probation, and Public Works and Planning which are departments that provide necessary services in the County's operations. Standby generators provide electrical and power safeguards for the Plaza Building and the County's back-up data center in the event of power failures.

Approval of the recommended actions will authorize the Department to use the cost savings in Program No. 6 to instead fund necessary ventilation design and engineering, improvements, inspections, maintenance, and repairs to the HVAC systems, as well as generation and electrical maintenance and repairs to emergency generators, at downtown public facilities including, but not limited to, the Plaza Building, Hall of Records, South Annex Jail, and Sheriff's Office, and similar County Public Facilities under SLFRF Eligible Category A, under eligible category 1.7 Public Health, Other COVID-19 Public Health Expenses: Capital Investment to Public Facilities. SLFRF is anticipated to fund expenditures related to design and engineering, improvements, inspections, maintenance and repairs to HVAC systems, and generation and electrical maintenance and repairs to emergency generators, which many also include, but is not limited to, temporary HVAC system and generator rentals, associated freight costs, additional security for rented equipment, increased salaries and benefits from staff overtime, and any required parts and materials to expeditiously provide required repairs.

On October 20, 2020, your Board approved Agreement No. 20-425 with Cummins, Inc. (Cummins) for maintenance and repair services for the County's emergency generators. ISD-Facility Services is using this Agreement No. 20-425 for any and all services required to provide necessary generation and electrical improvements to the County's emergency generators at downtown public facilities, including but not limited to the Plaza Building

On April 9, 2024, your Board approved Agreement No. 24-154 with ACCO Engineered Systems, Inc. (ACCO) for boiler, and chiller, cooling tower maintenance and repair services. ISD-Facility Services is using this Agreement No. 24-154 for any and all services required to provide necessary ventilation improvements, inspections, maintenance, and repairs to the HVAC systems at downtown public facilities including, but not limited to, the Hall of Records, South Annex Jail, and Sheriff's Office in downtown Fresno.

On June 12, 2024, the Internal Services Department, Purchasing Division (ISD-Purchasing) approved the Purchasing Agreement No. P-24-178 with Sunbelt Rentals, Inc. for equipment and tool rentals services. ISD-Facility Services is using this Purchasing Agreement No. P-24-178 for any and all equipment rentals required to provide temporary support to HVAC systems and emergency generators at downtown public facilities including, but not limited to, the Plaza Building, Hall of Records, South Annex Jail, and Sheriff's Office.

In the Final Rule, the U.S. Department of the Treasury enumerated several projects that were examples of eligible capital expenditures (investments in property, facilities, or equipment) including installation and improvements of ventilation systems, as well as maintenance and repairs to emergency electrical systems. These projects will respond to the public health emergency through the installation and improvement of ventilation systems in congregate settings and other public facilities, which will improve air quality in these public facilities and prevent the spread of COVID-19, as well as replace emergency electrical systems allowing the County to maintain an uninterrupted power supply for continued delivery of critical public services, protect properties and data systems during emergencies, and protect the County's resiliency in the event of power grid failures.

REFERENCE MATERIAL:

BAI #45, April 9, 2024
BAI #38, May 3, 2022
BAI #3, February 1, 2022
BAI #35, October 20, 2020

CAO ANALYST:

Ahla Yang