



Executive Director's
Report to the

Board of Harbor Commissioners

DATE: JULY 20, 2021

FROM: CONSTRUCTION AND MAINTENANCE

SUBJECT: RESOLUTION NO. _____ - AWARD OF CONTRACT NO. 39948 TO AMERICAN POWER SYSTEMS, LLC FOR PURCHASE OF UNINTERRUPTIBLE POWER SUPPLY POWER CELLS AND INSTALLATION SERVICES

SUMMARY:

Staff requests approval of Contract No. 39948 with American Power Systems, LLC (APS) of Kent, Washington for the purchase and installation of uninterruptible power supply (UPS) power cells for the Port Police Headquarters. The amount of this agreement shall not exceed \$311,630, and the contract will continue until this project is complete since this is a one-time purchase order. The Harbor Department will be financially responsible for costs incurred under the proposed contract.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act under Article III Class 3(4) of the Los Angeles City CEQA Guidelines;
2. Find that in accordance with Los Angeles City Charter Section 1022, work under the subject contract can be performed more feasibly by independent contractors than by City employees;
3. Approve Contract No. 39948 with American Power Systems, LLC in the amount of \$311,630;
4. Authorize the Executive Director to execute and Board Secretary to attest to Contract No. 39948 for and on behalf of the Board; and
5. Adopt Resolution No. _____

DISCUSSION:

Background/Context – The UPS battery systems at Port Police Headquarters are used to maintain normal uninterrupted operation during power transfer to the generator and are essential to keeping all electrical systems in the building operational, including the lighting, information technology and communications, and fire life safety systems. The existing batteries are at the end of their life cycle and are showing loss of capacity. The

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recommended service battery life for a UPS system battery is ten years. The current UPS batteries have been in service for 11 years.

The UPS batteries from APS are Original Equipment Manufacturer (OEM) and match the specifications of the original commissioning when the batteries were first installed.

Selection Process – The bid was not advertised as the UPS power cells are proprietary. Therefore, the bid is exempt from competitive bidding per LAAC 10.15 (a)(7). APS is both the manufacturer and distributor of the UPS power cells and thus, sells and installs them.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of Contract No. 39948 with APS for the purchase and installation of UPS power cells for the Port Police Headquarters, which is an activity involving the installation of new equipment involving negligible or no expansion of use required for safety, health, or the public convenience. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 3(4) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

The proposed contract would authorize expenditures of up to \$311,630 for the purchase and installation of UPS power cells. The total expected expenditure of \$311,630 differs from the total cost in the contract (Transmittal 1) because sales tax has been added to taxable amounts. The sales tax rate applied is 10.1% for Kent, Washington. Funding in the amount of \$267,546 has been approved in the Fiscal Year 2021-2022 Capital Improvement Program Center No. 1181, Program No. 000. Expenditures for the contract are expected to be as follows:

<u>Account</u>	<u>Center</u>	<u>Program</u>	<u>FY 2021- 2022</u>	<u>FY 2022- 2023</u>	<u>Total</u>
55010	1181	000	\$ 213,201	\$ 30,971	\$ 244,172
55145	1181	000	\$ 15,058	\$ -	\$ 15,058
54030	1181	000	\$ 39,287	\$ 13,113	\$ 52,400
Total			\$267,546	\$ 44,084	\$ 311,630

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved this contract as to form and legality.

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TRANSMITTALS:

1. Contract No. 39948

FIS Approval: MB

CA Approval: SO



TIM CLARK
Director of Port Construction & Maintenance



ANTONIO V. GIOIELLO, P.E.
Deputy Executive Director

APPROVED:

Marla Bleavins For

EUGENE D. SEROKA
Executive Director

Author: S. Shah