

**STAFF REPORT FOR CALENDAR ITEM NO.: 8.2
FOR THE MEETING OF: November 14, 2024**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorize the Executive Director to execute a second amendment to the Agreement for Fire Life Safety Sprinkler Testing Maintenance Service with Sciens Building Solutions (“Contractor”) to extend the Agreement for one year for additional compensation of up to \$163,084.

EXPLANATION:

The TJPA issued a Request for Proposals (RFP) for Fire Life Safety Sprinkler Testing Maintenance Service in September 2020. Following a competitive procurement process, the Contractor was awarded a contract in December 2020, in the amount of \$488,610, for a three-year base term, with two options to extend for one year each at pre-negotiated pricing. On November 9, 2023, the Board authorized the Executive Director to execute an amendment for Fire Life Safety Sprinkler Testing Maintenance Service with the Contractor to extend the Agreement an additional year for additional compensation of up to \$163,084. The exercised option increased the compensation amount to \$651,694 and increased the term of the Agreement to four (4) years.

Under the Agreement, Contractor has performed maintenance, testing, inspection, and installation services supporting the TJPA’s Fire-Life Safety Systems. TJPA’s major Fire-Life Safety systems include:

- FA – Fire Alarm System
- FS – Fire Suppression Systems (Sprinkler and FM-200)
- Detection/Pre-Action
- Emergency/Mass Notification (Combination Fire Alarm/Public Address System)

National Fire Protection Association (NFPA) standards specify that a certified service provider routinely (quarterly, annually and periodically) maintain, inspect and test systems based upon the frequency outlined in NFPA 25 (Fire Sprinkler System) and NFPA 72 (Fire Alarm Testing and Inspection).

Furthermore, the Contractor has executed satisfactorily for fiscal years ending June 30, 2021, 2022, 2023, and 2024. Therefore, staff recommends exercising the remaining option to extend the Agreement for an additional year of Fire-Life Safety maintenance services at the pre-negotiated price of \$163,084, in the form attached.

RECOMMENDATION:

Authorize the Executive Director to execute a second amendment to the Agreement for Fire Life Safety Sprinkler Testing Maintenance Service with the Contractor to extend the Agreement an additional one year for a total contract term of (5) years and for additional compensation of up to \$163,084 for a total compensation amount of \$814,778.

ENCLOSURES:

1. Resolution
2. Second Amendment

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, The Transbay Joint Powers Authority (TJPA) requires the services of a firm for testing, maintenance, service and support of combination fire alarm and mass communication systems, fire protection, and associated fire-life safety systems and equipment for the Salesforce Transit Center; and

WHEREAS, On September 28, 2020, the TJPA issued Request for Proposals 20-09 for fire-life safety sprinkler testing maintenance service; and

WHEREAS, On December 10, 2020, following a competitive procurement process, the TJPA awarded a contract to Sciens Building Solutions (“Contractor”) for a maximum of \$488,610 for a base term not to exceed three years, with two options to extend for one year each at pre-negotiated pricing by mutual agreement of the parties (“Agreement”); and

WHEREAS, On November 9, 2023, the Board authorized the Executive Director to execute an amendment to the Agreement for Fire Life Safety Sprinkler Testing Maintenance Service with the Contractor to extend the Agreement for an additional one year for additional compensation of up to \$163,084; and

WHEREAS, Continuity of maintenance support is essential to the TJPA’s Fire-Life Safety Systems; and

WHEREAS, At this time, the TJPA is requesting to increase the contract compensation amount up to \$163,084 for a total not to exceed amount of \$814,778 and to extend the Agreement for an additional year for a revised contract term of five (5) years total; now, therefore, be it

RESOLVED, That the Board authorizes the Executive Director to execute a second amendment to the Agreement for Fire Life Safety Sprinkler Testing Maintenance Service with the Contractor in the form presented to extend the Agreement for an additional one year for additional compensation of up to \$163,084.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting on November 14, 2024.

Secretary, Transbay Joint Powers Authority

Amendment No. 02
Professional Services Agreement between
the Transbay Joint Powers Authority and
Sciens Building Solutions

THIS Amendment No. 2 to the Professional Services Agreement for Fire Life Safety Sprinkler Testing Maintenance Services dated December 10, 2020, as first amended December 15, 2023 (as amended, the “Agreement”) is entered into as of the 16th day of December 2024 in San Francisco, California, by and between **Sciens Building Solutions** (“Contractor”) and the **Transbay Joint Powers Authority** (“TJPA”).

Recitals

- A. On December 10, 2020, the TJPA Board of Directors adopted Resolution No. 20-037, authorizing the TJPA’s Interim Executive Director to execute the original Agreement with Contractor for Services.
- B. The original Agreement had two (2) options to extend the term of the Agreement for one (1) year each, and the price for each additional option year was negotiated at the time of the Agreement negotiations in November 2020.
- C. On November 9, 2023, the TJPA Board of Directors adopted Resolution No. 23-052, authorizing the exercise of the first option and the extension of the Agreement for one (1) year at the pre-negotiated price.
- D. The TJPA and Contractor desire to exercise the last option to extend the term of the Agreement by one (1) year without changing the scope or deliverables under the Agreement and increase the compensation amount at the pre-negotiated price.
- E. On November 14, 2024, the TJPA Board of Directors adopted Resolution No. _____, authorizing the exercise of the remaining option and the extension of the Agreement for one (1) year at the pre-negotiated price.

Terms and Conditions

Now, therefore, the TJPA and Contractor agree to amend the following sections of the Agreement in their entirety to read as follows:

Section 2. Term of the Agreement, is hereby modified as follows:

Subject to Section 1, the term of this Agreement shall be for ~~four (4)~~ **five (5)** years from the Effective Date of the Agreement, as described in Section 3, “Effective Date of Agreement,” ~~provided that (i) the TJPA shall have the right to extend this Agreement for one (1) additional one (1) year term by providing to the Contractor written notice of such extension on or before the expiration date of this Agreement, and (ii) any such extension shall be subject to and conditioned upon the written agreement of the Contractor and the approval of such extension by the TJPA.~~

Section 5a. Compensation, is hereby modified as follows:

All work under this Agreement shall be compensated on an hourly basis, subject to any maximum price set forth in a particular NTP. In no event shall the total compensation under this Agreement exceed **Eight Hundred Fourteen Thousand Seven Hundred Seventy-Eight (\$814,778)**~~Six Hundred Fifty One Thousand Six Hundred Ninety Four Dollars (\$651,694)~~. The breakdown of the Contractor's fees appears in Appendix B, Fees.

The Agreement is amended only to the extent expressly provided herein; all other provisions of the Agreement shall remain in full force and effect.

The individuals executing this Amendment No. 02 to the Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 02 effective as of the day first mentioned above.

**TRANSBAY JOINT POWERS
AUTHORITY**

CONTRACTOR

Adam Van de Water
Executive Director

Matt Ramsey, President
Sabah International Inc., a division of
Sciens Building Solutions
5925 Stoneridge Drive
Pleasanton, CA 94588
mramsey@sciensbuildingsolutions.com

Approved as to Form by:

TJPA Legal Counsel

Date

Transbay Joint Powers Authority
Board of Directors
Resolution No. _____
Adopted: _____
Attest:

Tax Identification Number: 94-2564433

Secretary, TJPA Board