



Council Meeting Staff Report

June 11, 2024

Agenda No.:	A.
Indexes (Council Goals):	Quality Excellence - Infrastructure Asset Management, Quality of Life - Open Space, Parks, and Recreation
Presenters:	Sara Rhoton; Eric Martinez
Legislative File:	AGR1047-24

Title

Approval of Amendment No. 1 to Services Agreement No. AGR 23-955 with Modern Mechanical Ice Systems, LLC formerly known as American Arena, LLC, to Increase the Compensation Amount by \$440,000.00 for a Total Not-to-Exceed Compensation Amount of \$890,000.00 Plus Applicable Gross Receipts Tax for Temporary Chiller Services

Recommended Motion

I move that Council approve Amendment No. 1 to Services Agreement No. AGR 23-955 with Modern Mechanical Ice Systems, LLC formerly known as American Arena, LLC, to increase the compensation amount by \$440,000.00 for a total not-to-exceed compensation amount of \$890,000.00 plus applicable gross receipts tax for temporary chiller services.

County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

Body

On August 8, 2023, County Council approved agreement AGR23-955 (Attachment A) with American Arena LLC for Installation of a Temporary Chiller System at the Ice Rink in the amount of \$450,000 plus gross receipts tax. The agreement provided the necessary labor, materials, and equipment for installation of the temporary chiller. The work also included demolition and removal of existing equipment reducing future costs associated with placement of the long-term ice making equipment.

The work began on September 15, 2023, and the temporary chiller was successfully completed on time to begin ice making operations on October 27, 2023. This progression of events enabled the County to provide a successful 2023-2024 ice skating season to the public.

Since the beginning of the ice melting issues during the 2022-2023 season, the Public Works Department has been actively working on the long-term replacement of the chiller. To acquire a best value and reliable long-term replacement, the County contemplated packaging the chiller replacement, a programmed floor replacement, and the evaluation and possible addition of a shade structure as one project. However, the timeline for such a large project would place the installation of a long-term chiller out several years. To expedite delivery, the County has programmed the long-term chiller replacement as a stand-alone project. The Public Works Department has prepared a Request for Proposals (RFP) to publicly solicit bid proposals from qualified chiller design-builders specializing in ice rinks. This RFP is currently under review and is expected to be advertised in early June.

The continued use of the temporary chiller system through Amendment No. 1 (Attachment B) will allow for the upcoming ice skating season, from November 2024 to March 2025, to continue unimpeded as the timeline to install the long-term replacement chiller will extend beyond the 2024-2025 ice season. In an effort to reduce costs, the County obtained a 26% reduction in monthly rental fee for the six months the temporary chiller during the time no ice making is taking place. Given this fee reduction, the County can continue the temporary chiller services for an average monthly fee that

is slightly lower than that for the 2023-2024 ice season. Moreover, keeping the temporary chiller on site eliminates the need and costs associated with repeated large crane operations. This measure also reduces disruptions to traffic and carbon emissions associated with fuel consumption of heavy equipment mobilization/demobilization.

Council should note the original agreement provided the County the option to extend temporary chiller services through an amendment with Council approval.

Alternatives

Council could choose to not approve Amendment No. 1. However, this would result in a significant reduction or even the suspension of the 2024-2025 ice skating season.

Fiscal and Staff Impact/Planned Item

Funding in the amount of \$990,000 for the temporary and long-term ice rink equipment replacement is currently budgeted and available in the Major Facilities Maintenance (MFM) Fund.

The amendment provides for up to 17 months of temporary chiller rental services and an approximate \$50,000 contingency should the County require additional rental time or services. Any unspent funds will remain in the MFM Fund.

Attachments

A - AGR-23-955 American Arena

B - AGR-23-955-A1 Modern Mechanical