

# COMMISSIONERS' AGENDA ACTION SHEET

<b>Meeting Date:</b>	FC 08/30/23 BC 09/12/23
<b>Subject:</b>	Public Works Contract Amendment No. 1 with Apollo Mechanical Contractors Facility Service dba Apollo Mechanical Contractors
<b>Presenter:</b>	N/A
<b>Prepared By:</b>	Rosa Garcia
<b>Reviewed By:</b>	David Wheeler
<b>PA Review, Approval to Form:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A (If no, include reasoning for no approval)
<b>Type of Agenda Item:</b>	<b>Type of Action Needed:</b> (Multiple boxes can be checked, if necessary)
<input checked="" type="checkbox"/> Consent Agenda	<input type="checkbox"/> Discussion Only <input type="checkbox"/> Pass Motion
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Decision / Direction <input checked="" type="checkbox"/> Pass Resolution
<input type="checkbox"/> Scheduled Business	<input type="checkbox"/> Sign Letter / Document <input type="checkbox"/> Pass Ordinance
	<input checked="" type="checkbox"/> Execute Contract

## Summary / Background Information

Per Benton County Resolution No. 2022 769 dated October 25, 2022 and Franklin County Resolution No. 2022 254 dated October 11, 2022, the Board of Benton and Franklin County Commissioners entered into a contract with Apollo Mechanical Contractors to provide kitchen maintenance services for the Benton Franklin Counties Juvenile Justice Center.

The purpose of Amendment No. 1 is to amend Section 2 "Duration of Contract" to extend contract for one additional 12-month period and replace Section 5(b) "Compensation" to increase contract do not exceed limit.

Due to supply rate increase, the contract "do not exceed" limit will need to be increased by \$25,000 above the current contract amount of \$40,000; therefore, we are amending the contract to increase the do not exceed limit to \$65,000, excluding WSST.

The attached contract Amendment No. 1 shall commence on October 1, 2023 and shall expire on September 30, 2024.

## Fiscal Impact

Amount not to exceed of \$65,000, excluding WSST, will be paid out of Current Expense Dept. 172 Facilities Budget. No supplemental required.

## Recommendation

The Juvenile Administrator recommends that the Board of Commissioners of Benton County and the Board of Commissioners of Franklin County sign contract Amendment No. 1 between Apollo Mechanical Contractors and the Benton-Franklin Counties Juvenile Justice Center for services.

## Suggested Motion

Approved as part of consent agenda.

# JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,  
WASHINGTON;

IN THE MATTER OF EXECUTING PUBLIC WORKS SERVICES CONTRACT AMENDMENT NO.  
1 BETWEEN APOLLO MECHANICAL CONTRACTORS FACILITY SERVICE FOR KITCHEN  
MAINTENANCE SERVICES AT THE JUVENILE JUSTICE CENTER APPROVED BY BENTON  
COUNTY RES. NO. 2022 769 AND FRANKLIN COUNTY RES. NO. 2022 254

**WHEREAS**, Benton-Franklin Counties Juvenile Justice Center currently contracts with Apollo  
Contractors Facility Service; and

**WHEREAS**, the purpose of Amendment No. 1 is to amend Section 2 "Duration of Contract" to extend  
contract, and replace Section 5 "Compensation" to increase do not exceed limit from \$40,000 to  
\$65,000; and

**WHEREAS**, the Juvenile Administrator recommends the Chairs sign Public Works Contract  
Amendment No. 1; **NOW, THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington  
and by the Board of Franklin County Commissioners, Franklin County, Washington the Boards  
concur with the Administrator's recommendation of Amendment No. 1 to amend Public Works  
Contract for an amount not to exceed \$65,000 excluding W.S.S.T; and

**BE IT FURTHER RESOLVED**, that the Chairs are authorized to sign the Amendment No. 1; and

**BE IT FURTHER RESOLVED**, the term of the attached Amendment No. 1 commences October 1,  
2023 and shall expire September 30, 2024.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2023  
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2023  
FRANKLIN COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Constituting the Board of  
County Commissioners,  
Benton County, Washington

Attest:

\_\_\_\_\_  
Commissioner

Constituting the Board of  
County Commissioners,  
Franklin County, Washington

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Clerk of the Board

JUDGES

Hon. Jacqueline J. Shea-Brown  
Hon. Joseph M. Burrowes  
Hon. Samuel P. Swanberg  
Hon. David L. Petersen  
Hon. Jacqueline I. Stam  
Hon. Norma Rodriguez  
Hon. Diana N. Ruff

# BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



DAVID WHEELER, Administrator  
Juvenile Court Services

## SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388  
PHONE (509) 783-2151 • FAX (509) 736-2728

DARIN R. CAMPBELL  
ARTHUR D. KLYM  
BRANDON P. HOLT  
Court Commissioners

### PUBLIC WORKS CONTRACT AMENDMENT NO. 1

This Contract Amendment is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 and Franklin County, a political subdivision, with its principal offices at 1016 North Fourth Avenue, Pasco, WA 99301, by and for the Benton-Franklin Counties Juvenile Justice Center, a bi-county agency located at 5606 W. Canal Place, Suite 106, Kennewick, WA 99336 (hereinafter collectively referred to as "Counties"), and Apollo Mechanical Contractors, with its principal offices at 1119 West Columbia Drive, Kennewick, WA 99336 (hereinafter referred to as "Contractor").



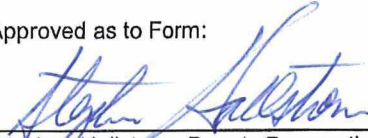
In consideration of the mutual benefits and covenants contained herein and in the parties' Contract, numbered as Benton County Resolution No. 2022 769 and executed on October 25, 2022, and Franklin County Resolution No. 2022 254 and executed on October 11, 2022, the parties agree to amend the Contract as follows:

1. **Section 2 – DURATION OF CONTRACT**, "Upon mutual agreement of both parties, this Contract may be extended by written amendment for a maximum of one additional 12-month period." The term of the contract shall be extended for an additional 12-month period beginning on October 1, 2023 and shall expire September 30, 2024.
2. **Section 5(b) – COMPENSATION**, shall be replaced in its entirety as follows:
  - b. The maximum total amount payable for the As-Needed Repairs by the COUNTIES to the CONTRACTOR under this Contract shall not exceed Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), excluding W.S.S.T. The CONTRACTOR shall monitor its cumulative total accounts receivables to ensure that it will not do work in excess of the maximum total amount payable set forth in this section and that its total billings will not exceed the maximum total amount payable. The CONTRACTOR shall inform the COUNTIES promptly in writing if the CONTRACTOR'S cumulative accounts receivable attributable to the COUNTIES, pursuant to this Contract, reaches eighty percent (80%) of the maximum total amount payable so that budgeting and approval of additional amounts may be obtained (if appropriate). Any dollar amount above the maximum total amount payable will only be approved with an amendment to this Contract.



Except as expressly provided in this Contract Amendment No. 1, all other terms and conditions of the original Contract remain in full force and effect.

This Amendment shall be effective on October 1, 2023.

<b>Apollo Mechanical Contractors Facility Service DBA Apollo Mechanical Contractors</b>	<b>Benton Franklin Counties Juvenile Justice Center</b>
 7/28/2023	 8/16/2023
Dale Hollandsworth, Vice President	David Wheeler, Administrator
Date	Date
<b>BENTON COUNTY APPROVAL</b>	<b>FRANKLIN COUNTY APPROVAL</b>
Approved as to Form:	Approved as to Form:
 08/16/23	
Stephen Hallstrom, Deputy Prosecuting Attorney	Civil Deputy Prosecuting Attorney
Date	Date
By: _____	By: _____
Name: _____	Name: _____
Title: <u>Chairman, Board of Commissioners</u>	Title: <u>Chairman, Board of Commissioners</u>
Date: _____	Date: _____
Attest: _____	Attest: _____
Clerk of the Board: _____	Clerk of the Board: _____