

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AGREEMENT WITH
CAPSTONE GREEN ENERGY, LLC, FOR THE SERVICE, REPAIR, AND REBUILD
OF THE MICROTURBINES AT THE YOUTH SERVICES CENTER (YSC),
INCREASING THE AMOUNT BY \$750,000, FOR A NEW NOT-TO-EXCEED AMOUNT
OF \$1,550,000 WITH NO CHANGE TO THE TERM**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on June 25, 2019, this Board adopted Resolution No. 076783, which authorized an agreement with Cal Microturbine, Inc. to service, repair, and rebuild the microturbines at the Youth Services Center (YSC) with a term of June 1, 2019 through May 31, 2024; and

WHEREAS, on November 1, 2022, this Board adopted Resolution No. 079279, authorizing Amendment No. 1 to the Agreement with Cal Microturbine, Inc. increasing the not-to-exceed amount by \$458,000 to continue providing maintenance for the microturbines through the remainder of the Agreement; and

WHEREAS, on September 25, 2024, by authority of Resolution No. 079279 and approval from County Procurement, the Director of Public Works authorized Amendment No. 2 extending the term of the Agreement through May 31, 2029; and

WHEREAS, the Department of Public Works (Department) received notice from Capstone Green Energy, LLC of their acquisition of Cal Microturbine and its exclusive

distribution territory as well as a rate increase for the maintenance of the YSC microturbines and the Department desires to memorialize this acquisition and the Department desires to continue the Agreement with Capstone Green Energy, LLC; and

WHEREAS, Capstone Green Energy, LLC is the sole service provider on the West Coast to work on Capstone Turbine Corporation microturbines; and

WHEREAS, the Department has exhausted all available funds for maintenance and necessary repairs for the microturbines at YSC and requires an additional \$750,000 through the remainder of the agreement and this Board has determined that is appropriate to amend the agreement to increase the not-to-exceed amount by \$750,000 to an amount not to exceed \$1,550,000.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors shall be, and is, hereby authorized and directed, to execute Amendment No. 3 to the Agreement with Capstone Green Energy, LLC on behalf of the County of San Mateo, and the Clerk of the Board shall attest to the President's signature thereto.

BE IT FURTHER RESOLVED, the Director of Public Works or designee is authorized to execute contract amendments to the agreement to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate) and/or modify the agreement term and agreement services as long as the modified services term or services is/are within the current or revised fiscal provision.

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