

7. CONTRACT APPENDIX, SUBPART K

SIEMENS INDUSTRY, INC. and QUARK COMMUNICATIONS, INC. ACKNOWLEDGEMENT

CHAFFEY COMMUNITY COLLEGE DISTRICT
New Welding Facility at InTech Center
BID NUMBER 2026PW188

Consistent with Public Contract Code section 3400, the OWNER has made Siemens Industry, Inc. ("Siemens") and Quark Communications, Inc. ("Quark") the specified entities to install specific products for the respective scopes of Work identified in Article K of the Special Conditions.

Bidder certifies that, by submitting a bid for the Project, Bidder: (a) has reviewed Article K of the Special Conditions and any Drawings and Specifications related to the scopes of Work described therein (b) is satisfied as to the conditions affecting the Work in the Special Conditions, the Work required by the Special Conditions, and has clarified any discrepancy, error, omission, or ambiguity in the Drawings and Specifications as required by the Special Conditions; (c) has reviewed the Drawings and Specifications; (d) has coordinated and will contract with Siemens and Quark as to the scope of work and cost that Siemens and Quark will provide to the Project for devices, equipment, controls, and installation as further described in Article K of the Special Conditions; and (e) has coordinated with their subcontractors related to any similar Work performed.

Bidder acknowledges that: (i) OWNER will only accept Siemens Products and the Quark Products, as each are defined and identified in Article K of the Special Conditions; and (ii) OWNER will only accept Siemens and Quark as the entity performing their respective scopes of Work. Bidder agrees to install the scopes of Work will be as noted on the Drawings and Specifications and acknowledges that OWNER will NOT accept "or equal" for devices, equipment, and controls so specified. Bidder agrees if there is any discrepancy, error, omission, or ambiguity in the Drawings and Specifications, including, without limitation, listing or specifying products other than those identified in the Special Condition, Bidder waives any claim for compensation or time if Bidder did not seek clarification prior to submitting its bid.

The Resolutions, as defined in Article K of the Special Conditions, are attached to as Schedule 1 in the Special Conditions of these Contract Documents and are incorporated herein by this reference.

Siemens Contact Information:

Fire Alarm Systems: Greg Binder; Cell: 657-298-0112; email: gregory.binder@Siemens.com

Quark Contact Information:

Controls: Adam Guzik; Cell: 760-907-8736; email: adam@inetsupervisor.com

[SIGNATURE ON THE FOLLOWING PAGE]

The undersigned is legally authorized to bind the Bidder, has read the foregoing and, to the best of their knowledge, declares under the penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Date: _____

By: _____
Company Name

Signature & Date

Type or Print Name

Title



Chaffey College

Governing Board

EXTRACT OF
OFFICIAL PROCEEDINGS
OF THE GOVERNING BOARD
CHAFFEY COMMUNITY COLLEGE DISTRICT

December 14, 2023

Members present: Ms. Brugger, Mr. McDougal, Ms. Negrete-McLeod, Mr. Ovitt,
Ms. Olivares-Lambert, Ms. Newman (Student Trustee)

Members absent: None

BUSINESS/FISCAL AFFAIRS

The Governing Board adopted Resolution 121423, a resolution of the Governing Board of the District designating proprietary Siemens products, brands and/or services for low voltage systems, as described herein and in the attached resolution, pursuant to California Public Contract Code Section 3400.

Yeas: Ms. Brugger, Mr. McDougal, Ms. Negrete-McLeod, Mr. Ovitt,
Ms. Olivares-Lambert, Ms. Newman (advisory)

Nays: None

Absent: None

Certified to be a true and correct copy of the minutes.

Henry D. Shannon
Governing Board Secretary

jas-12/14/23

5885 Haven Avenue, Rancho Cucamonga, California 91737-3002 909/652-6102 Fax: 909/652-6104 www.chaffey.edu

RESOLUTION NO. 121423

**A RESOLUTION OF THE GOVERNING BOARD OF
CHAFFEY COMMUNITY COLLEGE DISTRICT
DESIGNATING CERTAIN PRODUCTS, BRANDS OR
SERVICES PURSUANT TO PUBLIC CONTRACT CODE
SECTION 3400**

WHEREAS, pursuant to Public Contract Code Section 3400(b) the Chaffey Community College District ("District") may make a finding(s) designating certain products, things, or services by specific brand or trade name for the statutorily enumerated purposes; and

WHEREAS, the District's Governing Board ("Board") has reviewed the District's current facilities, general contracts, plans, and specifications in order to evaluate the District's need to establish uniform, complete and compatible Fire Alarm and Security Systems ("Low Voltage Systems") District-wide in order to facilitate the use of the most reliable, dependable, cost efficient and feasible products throughout the District; and

WHEREAS, the Governing Board approved a similar resolution December 15, 2022 and this resolution would be to designate proprietary Siemens products, brands and/or services for low voltage systems for another one year; and

WHEREAS, the uniform Low Voltage Systems will allow the District to ensure that the Low Voltage Systems utilized on all future District facility projects match the Low Voltage Systems in use at other District facilities as permitted pursuant to Public Contract Code Section 3400(b)(2); and

WHEREAS, District staff will be trained in the maintenance, repair, and replacement of the Low Voltage Systems described in the Specification and will maintain a stock of the equipment needed for replacements and maintenance; and

WHEREAS, District staff have determined that proprietary Siemens security system products and services will permit centralized monitoring of security for all District facilities; and

WHEREAS, based on the Board's above described review and Public Contract Code Section 3400(b)(2), the Board has determined that District must require and specify the use of certain proprietary Siemens products, things, or services on District projects.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The District, pursuant to Public Contract Code Section 3400, intends to establish uniform, complete, and compatible Low Voltage Systems specifications District-wide in order to facilitate the use of the most reliable, dependable, cost-efficient, and feasible products throughout the District.

Section 3. The District has found compatibility, cost, ease of maintenance, and utility of Low Voltage Systems problematic and believes it necessary to establish a uniform District Low Voltage Systems Specifications in order to avoid incompatibility issues, as well as durability and reliability issues, and costs

associated with experimenting and replacing incompatible and useless Low Voltage Systems and to avoid the waste of District funds associated with addressing incompatible components.

Section 4. The District and its consultants have undertaken considerable research into the products/brands of Low Voltage Systems described in the Specification. District staff will be trained in the maintenance, replacement, and repair of the Low Voltage Systems described in the Specification and the District will maintain a stock of the equipment needed for replacements and maintenance.

Section 5. District staff has determined that the Low Voltage Systems has demonstrated their reliability, durability, and quality.

Section 6. Pursuant to Public Contract Code Section 3400(b)(2), the District's Board hereby designates the certain products/brands of Low Voltage Systems for the District's use in future projects so as to establish one complete uniform District-wide Low Voltage Systems system, thus, avoiding incompatibility of products, as well as replacement and maintenance problems.

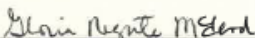
Section 7. The designation of certain proprietary Siemens security system products and services of Low Voltage Electronic products shall be effective for 12 months from the date of this Resolution.

Section 8. At the end of the 12-month period, District staff will review the products/brands and evaluate whether re-adoption or discontinued use of the designated proprietary Siemens security system products and services is appropriate including presenting a recommendation to the Superintendent/President or his/her designee. The Superintendent/President or his/her designee shall then consider District staff's recommendations and either re-approve or discontinue the designation of the products/brands contained herein and/or approve additional/replacement products/brands.

Section 9. The Superintendent/President or his/her designee shall present changes, if any, for its ratification.

PASSED AND ADOPTED by the Governing Board of the Chaffey Community College District at Rancho Cucamonga, California, this 14th day of December 2023, at a regular meeting by the following vote:

I, Gloria Negrete McLeod, Clerk of the Governing Board of the Chaffey Community College District of San Bernardino County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said board at the regular meeting thereof at the date and place and by vote stated, which resolution is on file and of record in the office of said board.



Gloria Negrete McLeod
Clerk, Governing Board



Chaffey College

Governing Board

EXTRACT OF OFFICIAL PROCEEDINGS OF THE GOVERNING BOARD CHAFFEY COMMUNITY COLLEGE DISTRICT

May 26, 2022

Members present: Ms. Brugger, Mr. Ovitt, Mr. McDougal, Ms. McLeod,
Ms. Olivares-Lambert, Ms. Douge (Student Trustee)

Members absent: None

BUSINESS/FISCAL AFFAIRS

The Governing Board adopted Resolution No. 052622 to require and specify the use of the certain products, things, or services on District projects as described in the resolution.

Yeas: Ms. Brugger, Mr. Ovitt, Mr. McDougal, Ms. Olivares-Lambert
Ms. Douge (advisory)

Nays: None

Absent: Ms. McLeod

Certified to be a true and correct copy of the minutes.

Henry D. Shannon
Governing Board Secretary

jas-5/26/22

5885 Haven Avenue, Rancho Cucamonga, California 91737-3002 909/652-6102 Fax: 909/652-6104 www.chaffey.edu

RESOLUTION NO. 052622

**A RESOLUTION OF THE GOVERNING BOARD OF CHAFFEY
COMMUNITY COLLEGE DISTRICT DESIGNATING CERTAIN
PRODUCTS, BRANDS OR SERVICES PURSUANT TO PUBLIC
CONTRACT CODE SECTION 3400**

WHEREAS, pursuant to Public Contract Code Section 3400(c), the Chaffey Community College District ("District") may make a finding(s) designating certain products, things, or services by specific brand or trade name for the statutorily enumerated purposes; and

WHEREAS, the District's Governing Board ("Board") has reviewed the District's current facilities, general contracts, plans, and specifications in order to evaluate the District's need to establish uniform, complete and compatible campus building automation systems District-wide to facilitate the use of the most reliable, dependable, cost efficient and feasible products throughout the District; and

WHEREAS, the District has installed the Quark Communications Inc. manufactured, supplied, and installed InetSupervisor™ brand building automation/lighting control systems in sixteen (16) Chaffey campus locations in place of the aging Andover Controls; and

WHEREAS, to continue the campus building retrofit program, it is essential to maintain campus-wide system continuity to achieve higher cost efficiencies associated with standardized building automation systems and controls as further described herein. It is also advantageous that these systems and controls are furnished exclusively by a proven regional vendor that is currently servicing and supporting our existing campus systems; and

WHEREAS, District staff has undertaken considerable research into these and other programs and services for building automation systems to determine the best options to optimize building energy and operating efficiencies and has determined the InetSupervisor™ programs have demonstrated reliability, durability, quality, and provide added energy efficiency; and

WHEREAS, the continued acquisition of InetSupervisor™ systems will allow the District to ensure that the building automation/lighting control systems-related hardware and software which are operated and maintained on all future District facility projects match the existing InetSupervisor™ systems in use at the sixteen (16) previously updated District facilities as permitted pursuant to Public Contract Code Section 3400(c)(2); and

WHEREAS, District staff has been trained in the operation, programming, maintenance, and repair of the InetSupervisor™ systems and will maintain a stock of the equipment needed for replacements and maintenance; and

WHEREAS, District staff has determined that proprietary InetSupervisor™ system products and services will permit centralized computer monitoring of HVAC and lighting controls at all District facilities; and;

WHEREAS, InetSupervisor is the adopted building automation/lighting control system District standard for all Measure P bond facilities construction and revocations.

WHEREAS, based on the Board's above-described review and Public Contract Code Section 3400(c)(2), the Board has determined that the District must require and specify the use of certain proprietary and sole source Quark Communications Inc. distributed InetSupervisor™ system products, things, or services on District projects.

RESOLUTION NO. 052622 (CONT.)

NOW, THEREFORE, BE IT RESOLVED BY CHAFFEY COMMUNITY COLLEGE DISTRICT AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The District, pursuant to Public Contract Code Section 3400, intends to establish uniform, complete and compatible building automation/lighting control system specifications District-wide in order to facilitate the use of the most reliable, dependable, cost efficient and feasible products throughout the District.

Section 3. The District has found that compatibility, cost efficiency, ease of operation and control, low maintenance, and utility of existing building automation systems is problematic. As such, the District believes it is essential to standardize its InetSupervisor™ District building automation/lighting control system specifications in order to avoid incompatibility issues. Such incompatibility issues include reduced building system reliability along with the operational, maintenance and training issues that add unnecessary costs associated with specifying multiple systems in new facilities or replacing unserviceable building automation systems in existing facilities. The goal is to avoid incompatible and non-conforming systems to gain building HVAC and lighting system operational efficiencies to provide greater occupant comfort and the associated energy savings without the added cost burden on limited District resources.

Section 4. The District and its consultants have undertaken considerable research into the products/brands of InetSupervisor™ systems described in the specification. District staff has been trained in the operation, maintenance, replacement, and repair of the InetSupervisor™ system described in the specification and the District will maintain a stock of the equipment needed for replacements and maintenance.

Section 5. District staff has determined that the subject InetSupervisor™ system products provided by Quark Communications Inc. have demonstrated their reliability, durability, and quality.

Section 6. Pursuant to Public Contract Code Section 3400(c)(2), the District's Board hereby designates that certain products/brands of Quark Communications Inc. InetSupervisor™ systems for the District's use in future projects so as to establish one complete uniform District-wide building automation/lighting system, thus, avoiding the incompatibility of non-standardized products, and thus to minimize the operational and control issues associated with related installation, computer control, maintenance, and training-related problems.

Section 7. The designation of certain proprietary and sole source InetSupervisor™ systems distributed by Quark Communications Inc., along with associated software programs, products, diagnostic services, repairs, and upgrades related to the InetSupervisor™ systems, shall be effective for sixty (60) months from the date of this Resolution.

Section 8. At the end of the sixty (60)-month period, District staff will review the subject products/brands and evaluate whether re-adoption or discontinued use of the designated proprietary and sole source InetSupervisor™ system products and services provided by Quark Communications Inc. is appropriate, including presenting a recommendation to the Superintendent/President or his/her designee. The Superintendent/President or his/her designee shall then consider District staff's recommendations and either re-approve or discontinue the designation of the products/brands contained herein and/or approve additional/replacement products/brands.

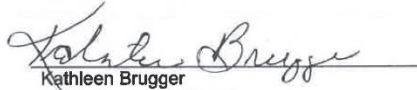
Section 9. The Superintendent/President or his/her designee shall present changes, if any, for its ratification.

RESOLUTION NO. 052622 (CONT.)

PASSED AND ADOPTED by the Governing Board of the Chaffey Community College District at Rancho Cucamonga, California, this 26th day of May, 2022, at a regular meeting by the following vote:

Ayes: 4
Noes: 0
Abstentions: 0
Absent: 1

I, Kathleen Brugger, Clerk of the Governing Board of the Chaffey College Community College District of San Bernardino County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at the regular meeting thereof at the date and place and by vote stated, which resolution is on file and of record in the office of said Board.


Kathleen Brugger
Clerk, Governing Board