



# Board Agenda Item 38

DATE: August 20, 2024

TO: Board of Supervisors

SUBMITTED BY: Edward Hill, Chief Operating Officer/Interim Director of Internal Services/Chief Information Officer

SUBJECT: Annual Agreements for Job Order Contracting Services

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute Job Order Contracting (JOC) Agreements with:**
  - a. **Ardent General, Inc.;**
  - b. **Better Enterprises, Inc.;**
  - c. **Durham Construction, Inc.;**
  - d. **Heritage General; and**
  - e. **Newton Construction and Management, Inc.****for repair, remodeling, or other repetitive work to be done according to unit prices, effective August 22, 2024, for a term of one year, with each Agreement's total not to exceed \$5,000,000; and**
2. **Approve and authorize the Director of the Internal Services/Chief Information Officer to use annual Job Order Contracting agreements for the implementation of the proposed projects, described in Attachment A.**

There is no additional Net County Cost associated with the approval of the first recommended action which will allow the Internal Services Department - Facility Services division (ISD - Facility Services) to execute Job Order Contracts (JOC) with Ardent General, Inc. (Ardent), Better Enterprises, Inc. (Better Enterprises), Durham Construction, Inc. (Durham), Heritage General, and Newton Construction and Management, Inc. (Newton) for the benefit of user departments, as needed. These projects will include general contracting, upgrades, repairs, and remodeling of the County's maintained buildings. The recommended JOC Agreements will expire in one year, or when all issued Job Orders totaling the maximum agreement value have been completed, whichever occurs first. The second recommended action approves the Director of ISD to, in their discretion, use the recommended JOC Agreements to accomplish the projects described in Attachment A - Projects. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board choose not to approve the recommended JOC Agreements, ISD - Facility Services would need to increase staff, and expend staff time and resources on project development and bid solicitation, as prescribed by the Public Contract Code (PPC), on a per-job basis, as requested by departments. Your Board could disallow one or more projects on Attachment A, and instead require that project or projects be competitively bid, and not be accomplished using the recommended JOC Agreements.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum compensation for each recommended one-year agreement is \$5,000,000. ISD - Facility Services recovers all costs associated with these services through chargebacks to user departments. Compensation for each JOC Agreement may be increased up to the sum authorized by PCC section 20128.5 (currently approximately \$5,797,275). However, any increase in the maximum compensation would have to be accomplished by amending the specific contractor's JOC Agreement, which would come before your Board for approval. Sufficient appropriations and estimated revenues have been included in ISD - Facility Services Org 8935 FY 2024-25 Recommended Budget and will be included in future budget requests.

DISCUSSION:

PCC Section 20128.5 authorizes the Board of Supervisors to award annual JOC Agreements for repair, remodeling, and other repetitive work. Contractors are selected based on competitive bids to perform various job orders during the life of the agreement. JOC is used on a per-job basis as requested by user departments and is only used for repair, remodeling, or other repetitive work. It offers a fixed price, fast procurement process, with the ability to accomplish an indefinite quantity of projects. This allows for savings in staff time and resources by avoiding project development and bid selection for each project. Each contractor will apply the various bid Adjustment Factors to the tasks in The Gordian Group, Inc.'s proprietary Construction Task Catalog when submitting bids. A construction task catalog is a pre-priced unit catalog of various construction tasks, which are based on local labor, materials, and equipment costs.

On April 23, 2024, the ISD - Purchasing division released Request for Quotation (RFQ) No. 24-043 for JOC to award annual contracts to up to the five lowest bidders. ISD - Purchasing received six quotations by the closing date on May 21, 2024, and a tentative award was issued to the five vendors with the lowest Award Criteria Figures on May 29, 2024, which are displayed in the table on Attachment B - Award Criteria. Award Criteria Figures are determined by totaling the four Adjustment Factors; each factor captures normal and other than normal working hours for jobs in "non-federally funded" and "federally funded" facilities.

Approval of the first recommended action will execute JOC Agreements with the five lowest bidders for repair, remodeling, or other repetitive work to be done according to unit prices.

Approval of the second recommended action will allow the Director of ISD, in their discretion, to use the recommended JOC Agreements to accomplish the projects described in Attachment A - Projects. This will allow ISD - Facility Services to meet current departmental needs and demands for work on remodeling and repair of County buildings including American with Disabilities Act (ADA) compliance projects, new and ongoing American Rescue Plan Act (ARPA) - State Local Fiscal Recovery Fund projects, as well as any unanticipated maintenance projects, repairs, and upgrades that may arise during term of the Agreements.

Approval of recommended actions will award Ardent, Better Enterprises, Durham, Heritage General, and Newton the recommended JOC Agreements, each for a one-year term, and with a maximum compensation of \$5,000,000.

REFERENCE MATERIAL:

BAI #34, August 22, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - Projects

Attachment B - Award Criteria

On file with Clerk - Agreement with Ardent General, Inc.

On file with Clerk - Agreement with Better Enterprises, Inc.

On file with Clerk - Agreement with Durham Construction, Inc.  
On file with Clerk - Agreement with Heritage General  
On file with Clerk - Agreement with Newton Construction and Management, Inc.

CAO ANALYST:

Ahla Yang