



Board Agenda Item 42

DATE: May 25, 2021

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director, Internal Services/Chief Information Officer

SUBJECT: Amendment to Agreement with Better Enterprises, Inc.

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute First Amendment to Agreement No. 20-178 with Better Enterprises, Inc., for unanticipated maintenance projects, repairs, and upgrades, effective upon execution with no change to the term of June 5, 2020 through June 4, 2021 and increasing the maximum by \$2,900,000 to a total of \$4,900,000.

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will increase the maximum agreement compensation to allow the Internal Services Department - Facility Services Division (Facility Services) to fulfill requests from departments for capital and maintenance projects in an efficient and timely manner. The recommended amendment includes language to allow the use of electronic signatures in accordance with Administrative Policy No. 55 and Management Directive No. 1900. This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended action, Facility Services will not have sufficient means to procure services, and department requests for capital and maintenance projects will be delayed.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum agreement cost will increase by \$2,900,000 to a total of \$4,900,000. Facility Services recovers all costs associated with these services through chargebacks to user departments. Sufficient appropriations and estimated revenues are included in the Department's Facility Services Org 8935 FY 2020-21 Adopted Budget and will be included in future budget requests.

DISCUSSION:

On May 12, 2020, your Board approved Agreement No. 20-178 with Better Enterprises, Inc. for repair, remodeling, and other repetitive projects through annual job order contracts (JOCs). JOCs are annual contracts permitted under the California Public Contract Code to allow local agencies to procure competitively bid repetitive maintenance and repair work on a significantly expedited basis, rather than using traditional informal and formal bidding procedures. The County utilizes the JOC procurement method for a variety of projects related to design and construction services.

The agreement was for a one-year term at a maximum value of \$2,000,000. The maximum agreement value may be increased up to the sum authorized by Public Contract Code, section 20128.5 (currently

\$5,329,419). Due to unanticipated maintenance projects, repairs, and upgrades, the contract will soon reach the maximum annual agreement value.

With your Board's approval of the recommended action, the maximum annual agreement value will increase from \$2,000,000 to \$4,900,000. This agreement expires on June 4, 2021 and there is an outstanding invoice of \$145,745.03. New standard language authorizing the use of electronic signatures to execute the amendment is also included.

REFERENCE MATERIAL:

BAI #28, May 12, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - First Amendment to Agreement No. 20-178

CAO ANALYST:

Sonia M. De La Rosa