



# Board Agenda Item 48

DATE: June 18, 2024

TO: Board of Supervisors

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

SUBJECT: Amendment to Agreements for Job Order Contracting Services

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute Amendments to Job Order Contracting Agreements with:**

- a. **Better Enterprises, Inc.;**
- b. **Durham Construction Company, Inc.; and**
- c. **Heritage General;**

**for unanticipated repair, remodeling, and other repetitive work to be performed according to unit prices, effective upon execution, with no change to the term of August 22, 2023, through August 21, 2024, and increasing the maximum compensation by \$3,000,000 to a total of \$5,000,000.**

There is no additional Net County Cost associated with the approval of the recommended action which will allow the Internal Services Department - Facility Services division (ISD - Facility Services) to fulfill requests from user departments for capital and maintenance projects in an efficient and timely matter. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board choose not to approve the recommended amendments, ISD - Facility Services will not be able to procure Job Order Contracting (JOC) services, and user 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 compensation for each recommended amendment will increase by \$3,000,000 to \$5,000,000. ISD - Facility Services recovers all costs associated with these services through chargebacks to user departments. Sufficient appropriations and estimated revenues have been included in ISD - Facility Services Org 8935 FY 2023-24 Adopted Budget and will be included in future budget requests.

DISCUSSION:

On August 22, 2023, your Board approved Agreement Nos. 23-418, 23-419, and 23-422 with Better Enterprises, Inc. (Better), Durham Construction and Management, Inc. (Durham), and Heritage General (Heritage), respectively (also referred to individually as "Agreement" and collectively as "Agreements"). These annual Agreements are permitted under Public Contract Code (PCC) Section 20128.5, which authorizes the Board of Supervisors to award annual agreements for repair, remodeling, and other repetitive

work. Contractors are selected based on competitive bids to perform various job orders during the life of each agreement.

The Agreements are each for a one-year term and the maximum compensation for each Agreement is \$2,000,000. The maximum compensation may be increased up to the sum authorized by PCC Section 20128.5 (currently \$5,797,275).

Due to unanticipated maintenance projects, repairs, and upgrades to multiple County locations, ISD - Facility Services requests to amend each Agreement to increase the maximum compensation to \$5,000,000, as the Agreements will soon reach the current maximum allowable compensation. The additional projects (listed in Attachment A to this Item) include American with Disabilities Act (ADA) compliance projects and new and ongoing American Rescue Plan Act (ARPA) - State Local Fiscal Recovery Fund projects. The increase in compensation will allow for more of these projects, repairs and upgrades to take place during the term of the current Agreements, and will allow for other additional projects which may arise.

Approval of recommended action will amend Agreement Nos. 23-418, 23-419, and 23-422 with Better, Durham, and Heritage, respectively, to account for unanticipated maintenance projects, repairs, and upgrades, increasing the maximum compensation of each Agreement by \$3,000,000 to \$5,000,000 with no change to the term.

REFERENCE MATERIAL:

BAI #34, August 22, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

On file with Clerk - First Amendment to Agreement with Better

On file with Clerk - First Amendment to Agreement with Durham

On file with Clerk - First Amendment to Agreement with Heritage

CAO ANALYST:

Ahla Yang