



# Board Agenda Item 59

DATE: June 21, 2022

TO: Board of Supervisors

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

SUBJECT: Annual Agreements for 2022-2023 Job Order Contracting Services

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute Job Order Contracting Agreements with:**
  - a. **Better Enterprises, Inc.;**
  - b. **Durham Construction Company, Inc.;**
  - c. **Heritage General; and,**
  - d. **Quincon, Inc.****for repair, remodeling, or other repetitive work to be done according to unit prices, effective upon execution through June 20, 2023, each agreement's total is not to exceed \$2,000,000.**
2. **Approve and authorize the Director of the Internal Services Department to potentially use annual Job Order Contracting agreements for the implementation of the proposed projects, described on Attachment A.**

Approval of the recommended action will allow the Internal Services Department - Facility Services Division (ISD - Facilities) to fulfill Job Order Contracts (JOC) using Better Enterprises, Inc. (Better), Durham Construction Company, Inc. (Durham), Heritage General (Heritage), and Quincon, Inc. (Quincon), 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 agreements will expire in one year, or when all issued Job Orders totaling the maximum agreement value for each agreement have been completed, whichever occurs first. The second recommended item approves the Director of ISD to potentially use the recommended Job Order Contracting agreements to accomplish the projects described in Attachment A. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended agreements, ISD - Facilities would need to increase its staff, and expend staff time and resources on project development and bid solicitation, as prescribed by the Public Contract Code (PCC), on a per-job basis, as requested by user departments. Your Board could disallow one or more projects described 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 action. The maximum compensation for each recommended one-year agreement is \$2,000,000. ISD - Facilities recovers all costs associated with these services through chargebacks to user departments. Compensation for each contractor may be increased up to the sum authorized by PCC, section 20128.5 (currently approximately

\$5,367,122). 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 the ISD - Facilities Org 8935 FY 2021-22 Recommended Budget and will be included in the FY 2022-23 budget request.

DISCUSSION:

PCC, section 20128.5 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 the agreement. JOC is used on a per-job basis as requested by user departments. JOC cannot be used for new construction. 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 solicitation for each project. Each contractor will apply its previously 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 March 29, 2022, the ISD - Purchasing Division released Request for Quotation (RFQ) No. 22-042 for Job Order Contracting Services to award annual contracts to each of the four lowest responsible bidders. The closing date of the RFQ occurred on April 28, 2022, and the JOC contracts were tentatively awarded to the contractors with the lowest Award Criteria Figure, which are displayed in the table on Attachment A. Award Criteria Figures are determined by totaling the four Adjustment Factors; each factor captures normal and other than normal working hours for job orders in "general facilities" and "secured facilities".

ISD-Purchasing received four quotations by the closing date, and a tentative award was issued to each of the bidders on May 2, 2022.

Approval of the recommended actions will award Better, Durham, Heritage, and Quincon the recommended agreements, each for a one-year term, and with a maximum compensation amount of \$2,000,000. Approval of the recommended actions will allow ISD - Facilities to meet current departmental needs and demands for work on remodeling and repair of county owned and occupied buildings. This includes the projects listed in Attachment A. The items on Attachment A includes significant Americans with Disabilities Act compliance projects, upgrades to the Plaza Building, a new roof for the Woodward Park Library, upgrades to the new Behavioral Health building on Olive, and several items at the Juvenile Justice Campus.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

- On file with Clerk - Agreement with Better Enterprises
- On file with Clerk - Agreement with Durham Construction
- On file with Clerk - Agreement with Heritage General
- On file with Clerk - Agreement with Quincon

CAO ANALYST:

Sonia M. De La Rosa