



Board Agenda Item 55

DATE: June 6, 2017

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Contract Documents for Contract Numbers 17-11-J, 17-12-J,
17-J-01, 17-J-02 and 17-J-03 for Job Order Contracting

RECOMMENDED ACTION(S):

- 1. Adopt contract documents for Contract Numbers 17-J-01, 17-J-02 and 17-J-03, Class B (General Building) Job Order Contracting contracts, and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date.**
- 2. Adopt contract documents for Contract Numbers 17-11-J and 17-12-J, Class A (General Engineering) Job Order Contracting contracts and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date.**

Approval of the recommended actions will allow the Department of Public Works and Planning (Department) to advertise for bids for Job Order Contracting contracts (JOC contracts) to be administered by the Department.

The County utilizes JOC contracts to provide construction services for certain projects for which their use is legally permissible and appropriate. The JOC contractors reference a published unit price book and the contracts are generally used for small to medium size projects.

The performance of various projects requiring a Class B (General Building) Contractors License under one set of three JOC contracts, and of various road and bridge maintenance projects requiring a Class A (General Engineering) Contractors License under a set of two JOC contracts will reduce costs to the County for developing and soliciting bids for multiple small and medium size maintenance projects. JOC services also facilitate timely delivery of projects.

ALTERNATIVE ACTION(S):

The Board may elect to not approve the recommended actions, in which case the Department will be required to spend additional staff time and resources to prepare projects for construction that could have been accomplished with greater expediency and efficiency using JOC contracts.

FISCAL IMPACT:

There is no net County Cost associated with the recommended actions. Funding for work performed under the JOC contracts will be on a per-job basis as requested by County departments in accordance with their budget appropriations.

Funding for the work covered by the Class B (General Building) JOC contracts will come from various sources as the Department's Capital Projects Division provides services to the Department and to other County

departments as may be requested; allocations for budgeted projects will be included in the FY 2017-18 Public Works and Planning - Capital Projects - Org 43601150 requested budget.

Funds for the work covered by the Class A (General Engineering) JOC contracts will come primarily from the Road Fund and be included in the FY 2017-18 Public Works and Planning - Roads Org 4510 requested budget; however, the JOC contracts may be used by other divisions and/or departments that require construction services such as parking lot preventative maintenance and repair.

DISCUSSION:

Since 2015, the Department of Public Works and Planning has been administering the JOC program within the Department. The JOC contracts awarded in 2016 will expire on July 12, 2017. The program has been found to be expedient and responsive to the needs of the County.

The technical specifications for the JOC contracts were prepared by the Gordian Group and reviewed by Department staff. Boilerplate specifications describing various County administrative and contractual requirements were prepared by Department staff. Base unit prices for each type of work are pre-determined in a Construction Task Catalog® and each bidder will bid a multiplier factor to be applied to all prices in the Construction Task Catalog®.

Three JOC contracts are recommended for Class B (General Building) projects and two are recommended for Class A (General Engineering) projects. Having multiple contracts for each Class of work will increase the likelihood that a job order contractor will be available on short notice when needed. Bidders may bid on either or both Classes (Class B or Class A) of projects, provided they have the requisite contractor's license(s); however, the same bidder will not be considered the low bidder on more than one contract of the same Class of license, unless there is only one bidder in that license class. Low bids will be determined based on the lowest multiplier.

For each job order project, the Department will issue a request for proposal that articulates the required scope of work. The JOC contractor will prepare an estimate based on the quantity and unit prices of the various types of work identified in the Construction Task Catalog® and modified by the specific fixed rate factor provided in the bid. If the Department's Director or designee is satisfied the contractor's proposal represents an accurate value for the scope of work, a Notice to Proceed for the fixed price, lump sum work order will be issued to the contractor.

It is anticipated the Class B (General Building) JOC contracts will be used for various renovation, remodeling and maintenance projects, including such projects, if any, which may include federal funding. JOC contracts cannot be used for new construction.

The Class A (General Engineering) JOC contracts will be used primarily for performing repairs and maintenance to the County's road system. Job Order Contracting is limited to maintenance, repair and related activities of road, bridge and similar projects. Examples of work that could be accomplished using JOC contracts are as follows:

- Filling potholes and applying crack sealing
- Restriping roads to replace faded stripes in the same location as the existing stripes
- Signal and flashing beacon maintenance
- Concrete Improvements
- Repairing damaged guard railings and crash cushions
- Performing shoulder grading
- Performing asphalt concrete overlays less than 1-inch in thickness
- Placing material to mitigate scour at bridge abutments

The use of JOC contracts reduces the time and cost for developing and soliciting bids for multiple small and medium size projects. With the JOC system, projects can be assigned directly to the JOC contractor without using the full procurement process for each small to medium sized project. In addition, standard pricing using the Gordian Group's Construction Task Catalog®, which is the published unit price book, results in efficient and effective estimating and fixed price construction, and also helps to ensure consistency in quality. This procurement method facilitates timely delivery of projects.

The initial agreement value for the A and B license agreements will be \$1,500,000, which may be increased by your Board up to the statutory limit authorized by the Public Contract Code, Section 20128.5 at any time during the term of the agreements. The maximum amount allowable for each agreement is adjusted annually based on the California Consumer Price Index and is currently in excess of \$4,000,000. The Minimum Contract Value of Work Orders that the Contractor is guaranteed the opportunity to perform under this contract is \$25,000. The term of each contract will be 12 months, unless the expenditure of the full contract amount occurs first, in which case, the contract in question will then expire.

REFERENCE MATERIAL:

BAI #30, October 22, 2013
BAI #22, July 29, 2014
BAI #70, June 16, 2015
BAI #62, May 10, 2016
BAI #59, July 12, 2016

CAO ANALYST:

John Hays