



Board Agenda Item 48

DATE: December 10, 2019

TO: Board of Supervisors

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

SUBJECT: First Amendments to the Agreements for Job Order Contracting with Durham Construction Company, Inc., and Velis Engineering, Inc.

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-202 with Durham Construction Company, Inc. for repair, remodeling, and other repetitive projects to be done according to unit prices, effective upon execution with no change in term to June 4, 2020, to increase the maximum Agreement amount by \$2,900,000 to a total potential amount not to exceed \$4,900,000; and**
- 2. Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-203 with Velis Engineering, Inc. for repair, remodeling, and other repetitive projects to be done according to unit prices, effective upon execution with no change in term to June 4, 2020, to increase the maximum Agreement amount by \$2,900,000 to a total potential amount not to exceed \$4,900,000; and**
- 3. Adopt a Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues in Internal Services Department, Facility Services Org 8935 in the amount of \$5,800,000 (4/5 vote).**

Approval of recommended actions one and two will increase the maximum agreement amounts on the County's Job Order Contract (JOC) agreements with Velis Engineering, Inc. and Durham Construction Company, Inc. from \$2,000,000 to \$4,900,000, to complete anticipated countywide projects. Approval of recommended action three will appropriate the necessary funds. This item is countywide.

ALTERNATIVE ACTION(S):

Not approving recommended actions one and two would result in the inability of the contractors to perform beyond their current limit of \$2,000,000. As a result, the Department would be required to postpone construction, or separately bid the remainder of each project out, which may cause delays to projects, and/or increase costs. Not approving recommended action three would result in the inability to pay contractors after all existing appropriations are expended.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Initial funding for any work through these agreements are funded by Facility Services Org 8935 and charged back to the customer department who requests the work. Approval of the recommended actions will increase the agreements by a total of \$5,800,000 (\$2,900,000 each agreement), and increase the appropriations and estimated revenues

in the Internal Services Department, Facility Services Org 8935 by the same amount.

DISCUSSION:

On May 7, 2019, the Board approved the JOC agreements with Durham Construction Company, Inc. (Durham) and Velis Engineering, Inc. (Velis) for County repair, remodeling, and maintenance projects in an amount not to exceed \$2,000,000 for each contractor. Since that time, these contractors have been chosen to complete the renovations to the new Recorder Building and the new EMS Dispatch building; the work necessary for both projects is expected to exceed the \$2,000,000 threshold. In addition, staff anticipates that there will also be smaller scale County projects each JOC vendor may be assigned to complete.

Public Contract Code (PCC) § 20128.5 authorizes the Board of Supervisors to award annual JOC contracts. In addition, the maximum amount allowable for each individual JOC agreement is adjusted annually to reflect the percentage change in the California Consumer Price Index. The current maximum agreement amount allowable under Section § 20128.5 is \$4,949,921.19. If recommended actions one and two are approved, both agreements would be below the current maximum agreement amount allowable pursuant to PCC § 20128.5. Approval of recommended action three will appropriate the necessary funds to make payment to the vendors.

REFERENCE MATERIAL:

BAI #52, May 7, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment to Agreement No. 19-202 with Durham
On file with Clerk - Amendment to Agreement No. 19-203 with Velis
On file with Clerk - Budget Resolution

CAO ANALYST:

Yussel Zalapa