



Legislation Details (With Text)

File #: 23-0753

On agenda: 8/22/2023

Final action: 8/22/2023

Enactment date:

Enactment #: Agreement No. 23-418, Agreement No. 23-419,
Agreement No. 23-420, Agreement No. 23-421

Title: Approve and authorize the Chairman to execute Job Order Contracting Agreements with: a. Better Enterprises, Inc.; b. Durham Construction Company, Inc.; c. Newton Construction and Management, Inc.; d. Quincon, Inc.; and e. Heritage General; for repair, remodeling, or other repetitive work to be done according to unit prices, effective upon execution, with a term of one year, total not to exceed \$2,000,000 for each Agreement; and Approve and authorize the projects described in Attachment A to be performed under the existing of future Job Order Contracting agreements in accordance with Public Contract Code 20128.5

Attachments: 1. Agenda Item, 2. Attachment A, 3. Agreement A-23-418 with Better Enterprises, 4. Agreement A-23-419 with Durham Construction, 5. Agreement A-23-420 with Newton Construction, 6. Agreement A-23-421 with Quincon, Inc., 7. Agreement A-23-422 with Heritage General

Date	Ver.	Action By	Action	Result
8/22/2023	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: August 22, 2023

TO: Board of Supervisors

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

SUBJECT: Annual Agreements for 2023-2024 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. **Newton Construction and Management, Inc.;**
 - d. **Quincon, Inc.; and**
 - e. **Heritage General;**

for repair, remodeling, or other repetitive work to be done according to unit prices, effective upon execution, with a term of one year, total not to exceed \$2,000,000 for each Agreement; and

2. **Approve and authorize the projects described in Attachment A to be performed under the existing of future Job Order Contracting agreements in accordance with Public Contract Code 20128.5.**

Approval of the recommended actions will allow the Internal Services Department - Facility Services Division (ISD - Facilities) to fulfill department requests using Job Order Contracts (JOC) with Better Enterprises, Inc. (Better), Durham Construction Company, Inc. (Durham), Newton Construction and Management, Inc. (Newton); Quincon, Inc. (Quincon); and Heritage General (Heritage) 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. Approval of the second recommended action will approve and authorize projects described in Attachment A to be performed under the existing of future JOC agreements in accordance with Public Contract Code (PCC)

20128.5. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board choose not to execute 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 PCC, on a per-job basis, as requested by departments. Your Board could disallow one or more projects 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 actions. 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 maximum agreement 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 - Facility Services Org 8935 FY 2023-24 Recommended Budget and will be included in future budget requests.

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 departments. JOC cannot be used for new construction, and is only used for repair, remodeling, or other repetitive work. 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 April 4, 2023, the ISD - Purchasing Division (ISD - Purchasing) released Request for Quotation (RFQ) No. 23-019 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 25, 2023. ISD - Purchasing received five quotations by the closing date, and a tentative award was issued to each of the bidders on May 4, 2023.

Five bids were deemed responsive by ISD - Purchasing and the JOC contracts were tentatively awarded to all five contractors due to the high volume of work needed to fulfill the County's needs. 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". Attachment A indicates the Award Criteria Figures for the four bidders' quotations.

Approval of recommended action will award Better, Durham, Newton, Quincon, and Heritage the recommended agreements, each for a one-year term, effective upon execution, with a maximum compensation amount of \$2,000,000 for each agreement. Approval of the recommended actions will allow ISD - Facilities to meet current departmental needs and demands for work on remodeling and repair of County buildings. This includes the projects listed in Attachment A. Notable items on that list of project includes significant ADA 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 JJC 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 Newton Construction

On file with Clerk - Agreement with Quincon, Inc.

On file with Clerk - Agreement with Heritage General

CAO ANALYST:

Ahla Yang