



County of Fresno

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Legislation Details (With Text)

File #: 17-0326 **Name:** First Amendment to Agreement with Durham Construction

In control: Public Works & Planning

On agenda: 4/25/2017 **Final action:** 4/25/2017

Enactment date: **Enactment #:** Agreement No. 17-151

Title: Approve and authorize Chairman to execute First Amendment to Agreement No. 16-J-02 for services with Durham Construction Company, Inc., for maintenance and repair projects, increasing maximum Agreement amount from \$1,500,000 to \$4,000,000

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-17-151 with Durham Construction Co., Inc.

Date	Ver.	Action By	Action	Result
4/25/2017	1	Board of Supervisors	Conducted Hearings	Pass

DATE: April 25, 2017

TO: Board of Supervisors

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

SUBJECT: Amendment to Agreement No. 16-J-02 with
Durham Construction Company, Inc., for Job Order Contracting

RECOMMENDED ACTION(S):

Approve and authorize the Board to execute First Amendment to Agreement No. 16-J-02 for services with Durham Construction Company, Inc., for remodel, maintenance and repair projects, increasing the maximum Agreement amount from \$1,500,000 to \$4,000,000.

The Agreement with Durham Construction Company, Inc. has a maximum Agreement amount of \$1,500,000. Funded project requests have already been received with a value in excess of \$1,500,000. This Amendment increases the maximum Agreement amount to \$4,000,000 to accommodate current and anticipated projects under this Agreement. The proposed maximum Agreement amount is within the maximum contract value established by Public Contract Code Section 20128.5 for individual job order contracts.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the contract will lack the needed increased contract amount to pay the construction invoices for the various projects. In addition, the proposed projects will be postponed, cancelled or bid, which may increase costs of the projects and/or delay implementation of programs associated with the facilities.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. A separate agenda item for consideration today will request approval of a budget resolution to increase appropriations and estimated revenues for FY 2016-17 Public Works and Planning - Capital Projects Org 43601150. With approval of that agenda item, sufficient appropriations will be available to pay costs associated with this item, which will in turn be reimbursed by departments requesting budgeted improvement projects, under this agreement. Each department requesting work to be performed under this agreement will provide the funding for their respective budgeted improvement project, prior to authorization to proceed on the needed improvement project.

In essence, without the approval of the separate agenda item increasing appropriations to Capital Projects Org. 43601150, and without the approval of this agenda item increasing the job order contract (JOC) agreement; Capital Projects will lack the appropriations and contract authority to pay for construction improvements, which will in turn be reimbursed by departments requesting budgeted improvement projects that fall under this agreement.

DISCUSSION:

On July 12, 2016, your Board approved a job order contract (JOC) agreement with Durham Construction Company, Inc. for County capital and maintenance projects in an amount not to exceed \$1,500,000. Since that time, departments have requested work from the JOC contractor that will exceed the current Agreement's maximum. Notices to Proceed under this Agreement are required to be issued no later than July 11, 2017.

The recommended action increases the maximum contract amount for Durham Construction Company, Inc., which will allow for completion of a variety of projects to move into the construction phase, including:

JJC Boiler Room Ventilation Project - Increase ventilation and cooling around the boilers in the JJC Central Plant to improve the efficiency of maintenance activities.

Main Jail Modifications - Modifications to the Main Jail to increase accessibility

North Annex Top Tier Fence - Mitigation of security and safety issues

Brix Mercer Modifications - Improve ventilation in the basement lab and create a public lobby area

Project Management will be provided by Department of Public Works and Planning, Capital Projects Division.

REFERENCE MATERIAL:

BAI # 59, July 12, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment to Agreement No. 16-J-02

CAO ANALYST:

John Hays