



County of Fresno

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Legislation Text

File #: 21-0293, **Version:** 1

DATE: April 27, 2021

TO: Board of Supervisors

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

SUBJECT: Annual Agreements for FY 2021-22 Job Order Contracting Services

RECOMMENDED ACTION(S):

1. Approve and authorize the Chairman to execute Job Order Contracting Agreements with:

- a. **Durham Construction Company, Inc.;**
- b. **Ardent General, Inc.;**
- c. **Better Enterprises, Inc.; and,**
- d. **Heritage General**

for repair, remodeling, and other repetitive work to be done according to unit prices, effective June 5, 2021 through June 4, 2022, total not to exceed \$2,000,000 for each agreement; and,

2. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$5,000,000 (4/5 vote).

Approval of the recommended actions will allow the Internal Services Department - Facility Services Division (ISD - Facilities) to fulfill Job Order Contracts (JOC) using Durham Construction Company, Inc. (Durham), Ardent General, Inc. (Ardent), Better Enterprises Inc. (Better), and Heritage General (Heritage), for the benefit of all departments, as needed. The recommended agreements will expire on June 4, 2022, or when all issued Job Orders totaling the maximum agreement value have been completed, whichever occurs first. Approval of recommended actions will increase appropriations and estimated revenues for payment of JOC projects necessary to meet current departmental demands and use. 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 Public Contract Code (PCC), on a per-job basis, as requested by departments. Not approving the budget resolution would result in insufficient appropriations and the inability to make payments to vendors.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. ISD - Facilities recovers all costs associated with these services through chargebacks to user departments. Additional appropriations and estimated revenues are being added to the Department's Facility Services Org 8935 FY 2020-21 Adopted Budget. Appropriations for continued JOC services will be included in future budget requests.

DISCUSSION:

PCC section 20128.5 authorizes a board of supervisors to award annual agreements for repair, remodeling, and other repetitive work. Contractors are selected based on a competitive bid to perform various job orders during the life of the contract. 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 the 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 February 3, 2021, the ISD - Purchasing Division released Request for Quotation (RFQ) No. 21-023 for Job Order Contract to award annual contracts to each of the four lowest responsible bidders. The closing date of the RFQ occurred on March 3, 2021 at 2:00 p.m. The contracts were 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 federally-funded and non-federally funded job orders.

There were four quotations by the closing date, and a tentative award was issued to each of the bidders on March 8, 2021. Attachment A indicates the Award Criteria Figures for the four bidders' quotations.

Approval of recommended actions will award Durham, Ardent, Better, and Heritage the recommended agreements, each for a one-year term, and with a maximum compensation amount of \$2,000,000. Compensation for each contractor may be increased up to the sum authorized by PCC section 20128.5 (approximately \$5,330,000, based on annual adjustment from the Department of Industrial Relations). However, any increase in maximum agreement compensation would have to be accomplished by an amendment to the specific contractor's JOC agreement, which would come before your Board for approval.

Approval of recommended actions will increase appropriations and estimated revenues in the amount of \$5,000,000 for payment of JOC projects necessary to meet current departmental demands and use.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

On file with Clerk - Agreement with Ardent General
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 - Resolution (Org 8935)

CAO ANALYST:

Sonia M. De La Rosa