



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services,
Public Works
Department No.: 063/054
For Agenda Of: September 20, 2016
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Matthew P. Pontes, Director (560-1011)
Public Works Scott D. McGolpin, Director (568-3005)
Contact Info: Janette Pell, Assistant Director, General Services (568-3096)
Chris Sneddon, Deputy Director, Public Works Transportation
(568-3000)
SUBJECT: Job Order Contracts Authorization to Award All Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Public Works Department

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve the plans and specifications for the Job Order Contracts on file with General Services Capital Projects and Public Works, including but not limited to the Job Order Contracting Technical Specifications;
- b) Award, and authorize and direct the Chair to execute, General Building Construction Job Order Contract (JOC) A to Newton Construction (a tri-county vendor), the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9238;
- c) Award and authorize and direct the Chair to execute, General Building Construction Job Order Contract (JOC) B to Vernon Edwards Constructors, Inc. (a Santa Barbara County vendor), the next lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620;
- d) Award and authorize and direct the Chair to execute, Paving, Concrete Maintenance and Repair Job Order Contract (JOC) C to Vernon Edwards Constructors, Inc. (a Santa Barbara County vendor), the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620;

- e) Award and authorize and direct the Chair to execute, Paving, Concrete Maintenance and Repair Job Order Contract (JOC) D to R. Burke Corporation (a tri-county vendor), the next lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9700;
- f) Authorize the Director of General Services and the Public Works Director, or their designees, to order and award individual job orders, and to take any action in accordance with Public Contract Code § 20128.5 with respect to job order contracting; and
- g) Find that on July 19, 2016, the Board determined the proposed actions were administrative or other fiscal activities that do not involve commitment to any specific project, and therefore not a “project” under the California Environmental Quality Act (CEQA) pursuant to 14 CCR § 15378(b) (4), thus directed staff to file of a Notice of Exemption on that basis, and that these actions are consistent with this determination.

Summary Text:

On September 22, 2015, the Board approved a Professional Services Agreement with The Gordian Group to provide Job Order Contracting program development, implementation, and management services. Since then, staff has worked with The Gordian Group to develop and bid the contract documents for the County’s JOC program, including the technical specifications and a unit price book, in this case, Gordian Group’s (Gordian) Construction Task Catalog®.

On July 19, 2016, the Board authorized the Director of General Services to advertise for bids on the General Construction and Paving, Concrete Maintenance and Repair Job Order Contracts. Contractors were required to bid two sets of adjustment factors to be applied to the unit prices in the Construction Task Catalog® (CTC) . The first set of adjustment factors were for performing work in the southern area of the County and the second adjustment factors were for work conducted in the northern area of the County. A JOC contractor agrees to perform work according to the prices in the CTC multiplied by the adjustment factors identified in its bid. Accordingly, bids for both JOC scopes of work were opened on Thursday, August 25, 2016. As detailed in the July 19 Board letter, staff is recommending the award of two contracts for the General Building Construction scope and two contracts for the Paving, Concrete Maintenance and Repair scope in order to leverage performance and competition.

Three (3) bids were received for General Building Construction, with the lowest responsive, responsible bidder being Newton Construction with an Award Criteria Figure (ACF) composite adjustment factor of 0.9238, and the next lowest responsive, responsible bidder being Vernon Edwards Constructors, Inc. with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620.

Three (3) bids were received for Paving, Concrete Maintenance and Repair, with the lowest responsive, responsible bidder being Vernon Edwards Constructors, Inc. with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620 and the next lowest responsive, responsible bidder being R. Burke Corporation with an Award Criteria Figure (ACF) composite adjustment factor of 0.9700.

As detailed in the July 19 Board letter, staff is recommending the award of two contracts for the General Building Construction scope and two contracts for the Paving, Concrete Maintenance and Repair scope in order to leverage performance and competition.

Background:

A Job Order Contract (JOC) is a competitively bid, firm fixed price contract that the County can use to complete countywide maintenance, repair, renovation, paving and concrete projects. JOC utilizes unit

pricing to reduce the level of effort for engineering, design, and contract procurement time. While the unit pricing method of the JOC contract encompasses a wide variety of renovation and repair, individual job orders are issued for a specific scope of work. A number of counties in California have successfully utilized the Job Order Contracting method for a number of years.

Staff has determined, given the sheer volume of the County's relatively small maintenance projects, the County will benefit from the ability to utilize JOC as an additional construction delivery method. Staff believes JOC will be an effective tool in helping the County complete deferred maintenance projects and improve responsiveness to urgent and time sensitive projects.

Contractors were required to bid two sets of adjustment factors to be applied to the unit prices in the **Construction Task Catalog®** (CTC) developed by the Gordian Group, the consultants responsible for developing, implementing, and managing the Job Order Contracting program under General Services Department, and Public Works' overall Project Management. The first set of adjustment factors are for performing work in the southern area of the County and the second adjustment factors are for work conducted in the northern area of the County. The recommended actions will award two contracts for the General Building Construction scope, and two contracts for Paving, Concrete Maintenance and Repair scope. Each contract will have a minimum contract value of \$25,000, and each contractor will receive aggregate job orders totaling a minimum of \$25,000 during the one year contract term. Each contract's maximum contract value is \$1,000,000. The County can award specific projects to either of the JOC Contractors for a scope of work and award any project to one JOC Contractor based on factors such as performance. Once the contract minimum of \$25,000 is reached, the County is under no obligation to order additional work from any contractor. This provides the JOC Contractor a greater incentive to complete each job faster, and deliver high-quality construction in order to increase the likelihood of being awarded future projects through the JOC program.

The approach of awarding concurrent JOC contracts is intended to stimulate more local business participation and performance competition, and avoid overloading one contractor with simultaneous procurement actions. Awarding four JOC contracts also enables the County to effectively assign selected scopes of work to the contractor that can best accomplish the work based on level of expertise and proficiency.

At this time, staff recommends the General Building Construction JOC contracts be awarded to the lowest bidder, Newton Construction, with an Award Criteria Figure (ACF) composite adjustment factor of 0.9238, and the next lowest bidder, Vernon Edwards Constructors, Inc. with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620. Staff also recommends the Paving, Concrete Maintenance and Repair contracts be awarded to the lowest bidder, Vernon Edwards Constructors, Inc., with an Award Criteria Figure (ACF) composite adjustment factor of 0.9620, and the next lowest bidder, R. Burke Corporation with an Award Criteria Figure (ACF) composite adjustment factor of 0.9700.

Performance Measure:

The JOC contracts, as well as the subsequent award of individual projects, conform to the contractual standards including performance requirements of both General Services and Public Works in accordance with Public Contracts Code and other governing regulations.

CEQA:

The proposed administrative actions do not constitute a project within the meaning of the California Environmental Quality Act (CEQA) pursuant to 14 CCR §§ 15378(b) (4) and 15352. Projects under consideration for JOC awards will be analyzed individually under CEQA.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund/ other sources TBD	\$ 105,000.00		
Total	\$ 105,000.00	\$ -	\$ -

Narrative:

The total cost of implementing the JOC program is a minimum of \$105,000, which includes the minimum contract amounts to the JOC contractors, as well as the 5% license and job order development fee as outlined in the September 22, 2015 Board letter. Gordian charges a 5% License and Job Order Development Fee if and when a job order is issued to a JOC contractor, based on the value of the work. Funds for these services are contained within the approved budget allocations of each individual project ordered utilizing the JOC method. As with all projects performed by General Services, depending on the Departments requesting work appropriate for inclusion in the JOC program, the costs, along with other project soft costs, may potentially be funded by sources beyond general fund.

Key Contract Risks:

Staff anticipates sufficient volume to meet the minimum spend amounts based on the volume of projects meeting the JOC criteria, nonetheless, the County is subject to a minimum of \$25,000 per contract. The County has not had a previous contractual relationship with these vendors but believe based on bids, will be able to provide alternate construction delivery methods for some of the County’s project needs.

Staffing Impacts:

None

Special Instructions:

Please send one (1) copy of the Minute Order, and two (2) duplicate executed originals of each of the Construction Contracts (8 total) to Janette Pell, General Services Department.

Attachments:

1. One original, two duplicate originals Job Order Contract A with Newton Construction
2. One original, two duplicate originals Job Order Contract B with Vernon Edwards Constructors, Inc.
3. One original, two duplicate originals Job Order Contract C with Vernon Edwards Constructors, Inc.
4. One original, two duplicate originals Job Order Contract D with R. Burke Corporation
5. Notice of Exemption

Authored by:

Janette Pell, Assistant Director, General Services Department