



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
Department No.: 063
For Agenda Of: December 14, 2021
Placement: Administrative
Estimated Tme: NA
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Janette D. Pell, Director (805) 560-1011
 Contact Info: Patrick Zuroske, Assistant Director (805) 568-3096
SUBJECT: Award Job Order Contracts; All Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

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;
- b) Approve and authorize the Chair to execute the attached General Building Construction Job Order Contract (JOC) A, with an initial guarantee only to receive the opportunity to perform Job Orders during the Term of the Contract, and with a potential maximum Contract Value of up to \$1,000,000, to Quincon, Inc., the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9860;
- c) Approve and authorize the Chair to execute the attached General Building Construction Job Order Contract (JOC) B, with an initial guarantee only to receive the opportunity to perform Job Orders during the Term of the Contract, and with a potential maximum Contract Value of up to \$1,000,000, to Exbon Development, Inc., the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 0.9890;
- d) Approve and authorize the Chair to execute the attached General Building Construction Job Order Contract (JOC) C, with an initial guarantee only to receive the opportunity to perform Job Orders during the Term of the Contract, and with a potential maximum Contract Value of up to \$1,000,000, to Newton Construction & Management, Inc., the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 1.0390;

- e) Approve and authorize the Chair to execute the attached General Building Construction Job Order Contract (JOC) D, with an initial guarantee only to receive the opportunity to perform Job Orders during the Term of the Contract, and with a potential maximum Contract Value of up to \$1,000,000 to Pre Con Industries, Inc., the lowest responsible bidder with an Award Criteria Figure (ACF) composite adjustment factor of 1.1410.
- f) Authorize the Director of General Services, or their designee, to award the following categories of job orders under the job order contracts (subject to the authorized contract limits, appropriation of funds for the projects, and the provision of adequate bonds and other security for completing the project), and to take any action in accordance with Public Contract Code Section 20128.5 with respect to the job order contracting:
 - 1) Potential deferred maintenance projects identified in the FY 21-22 CIP and additional potential deferred maintenance projects that will be identified in the FY 21-22 CIP;
 - 2) Repair, remodeling, or other repetitive work eligible for job order contracting in accordance with Public Contract Code Section 20128.5 that has been included in a County department's approved annual budget; and
 - 3) Repair, remodeling, or other repetitive work eligible for job order contracting in accordance with Public Contract Code Section 20128.5 for which funding has been approved pursuant to a Budget Revision Request;
- g) Authorize the Director of General Services, or their designee, until otherwise ordered by the Board, to increase the Maximum Contract Value of each contract up to \$5,185,194 in order to facilitate only those projects for which the Board has appropriated funding; and
- h) Find that the proposed actions are 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), (b)(5).

Summary Text:

This action is required to allow the Santa Barbara County Job Order Contracting (JOC) program to continue into year six. General Services has implemented Job Orders successfully on several projects, and remains committed to continuing to manage the program into its sixth year. The Department recommends awarding contracts for the December 2021-2022 calendar year based on bids received.

Background:

A JOC is a competitively bid, firm fixed price contract that the County can use to complete countywide maintenance, repair, and renovation, including paving 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. On September 22, 2020, the Board received a report on year four of the Santa Barbara County Job Order Contracting (JOC) program and strategic plan for the fifth year. At this time, in accordance with the plan, General Services is in receipt of bids, and prepared to award contracts.

A Construction Task Catalog® (CTC) was 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. Contractors were required to bid four (4)

sets of adjustment factors to be applied to the unit prices in the Construction Task Catalog® (CTC) as follows (each set includes a factor for normal working hours and another for non-normal working hours):

1. General or courts facility projects located in North County.
2. General or courts facility projects located in South County.
3. Detention facility projects located in North County.
4. Detention facility projects located in South County.

On November 29, 2021, General Services opened five (5) bids for the General Building Construction JOC, with Quincon, Inc., Exbon Development, Inc., Newton Construction & Management, Inc., Pre Con Industries, Inc., the four lowest bidders with Award Criteria Figure (ACF) composite adjustment factors of 0.9860, 0.9890, 1.0390, and 1.1410 respectively. The recommended actions will award the four contracts for the General Building Construction scope. Due to the volume of available work within the County's CIP Program there will be no minimum contract values. Each Contractor is guaranteed only to receive the opportunity to perform Job Orders during the Term of the Contract. The Maximum contract value shall be \$1,000,000, with the ability to increase each contract up to \$5,185,194 as allowable under California Public Contracts Code, upon mutual consent of the County and Contractor provided additional payment and performance bonds, as may be required, are provided. The intent is to allow the program flexibility to facilitate deferred maintenance projects resulting from the jail deferred maintenance implementation plan currently being developed for the County's main jail facility in the south county, as well as other qualified projects.

As part of their project management services, General Services analyzes the option of project delivery via JOC in consultation with the requesting Departments. The projects under consideration are either included in each Department's approved budgets, are developed as new projects with funding appropriations via Budget Revision Requests (BRR), or represent deferred maintenance projects in the queue for prioritization. While the annual projects which may be accomplished via JOC are not disclosed to the vendors at the time of bid consistent with Public Contracts Code, the FY 21-22 CIP includes a listing of a portion of the County's deferred maintenance projects that may be completed via JOC under these and/or future contracts, with the exception of emergency projects which are addressed on a case by case basis.

The authority to proceed on particular projects is limited by the availability of appropriated funding for the project. The County can award specific projects to any of the four JOC Contractors for a scope of work, can award any project to one JOC Contractor, and, as the contract guarantees only the opportunity to perform Job Orders, the County is under no obligation to order any work to any contractor.

This action will authorize the Chair to execute the four (4) Job Order contracts, will allow the FY 21-22 CIP list of deferred maintenance projects to be included in the projects under consideration for JOC, and allow job orders to be issued via purchase order by the Director of General Services, for the December 2021-22 calendar year.

Performance Measure:

The JOC contracts, as well as the subsequent award of individual projects, conform to the contractual standards, including performance requirements of General Services, 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), (b)(5). Projects under consideration for JOC awards will be analyzed individually under CEQA.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	Current FY Cost	Annualized On-going Cost	Total One-Time Project Cost
General Fund / Other Sources TBD	\$0 - \$4,000,000	\$0	\$0
Total			

Notes.

- The JOC contractors are guaranteed the opportunity to bid on projects, but if no projects are awarded, then the cost of the JOC program would be zero dollars.
- The maximum JOC contract award is up to \$1M dollars, and with 4 JOC contractors, the JOC Program can award up to \$4M dollars' worth of work.
- With the ability to increase each contract up to \$5,185,194 as allowable under California Public Contracts Code, the County could potentially award up to \$20.7M dollars' worth of work.

Narrative:

The JOC program is funded through the budget allocations of individual projects. Once an individual project implements the JOC order, the project will also fund the Gordian fees. For every JOC project that is awarded in the 21-21 year, a five percent (5%) license and job order development fee will be added to the project for Gordians costs, as outlined in the September 22, 2020 Board letter. Funds for these services are included 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:

Based on planned projects and performance during the last 5 years of the JOC program, staff anticipates sufficient volume to meet the minimum spend amounts based on the volume of projects meeting the JOC criteria.

Staffing Impacts:

None

Special Instructions:

Provide two (2) duplicate originals of the contracts; and a Minute Order to Susan Robertson, Capital Projects Coordinator, General Services Department.

Attachments:

Attachment 1: Three duplicate originals Job Order Contract A with Quincon, Inc.

Attachment 2: Three duplicate originals Job Order Contract B with Exbon Development, Inc.

Attachment 3: Three duplicate originals Job Order Contract C with Newton Construction & Management, Inc.

Attachment 4: Three duplicate originals Job Order Contract D with Pre Con Industries, Inc.

Authored by:

Susan Robertson, Capital Projects Coordinator, General Services Department