



## Legislation Details (With Text)

**File #:** 19-0599 **Version:** 1

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**File created:** 4/5/2019 **In control:** Board of Supervisors

**On agenda:** 5/21/2019 **Final action:** 5/21/2019

**Title:** Chief Administrative Office, Facilities Division and Procurement and Contracts Division, recommending the Board consider the following pertaining to Job Order Contracting (JOC) for as-needed General Engineering (Class A), Bid Numbers: 19-968-046, 19-968-047, and 19-968-048; and General Building (Class B), Bid Numbers: 19-968-049, 19-968-050 and 19-968-051:  
1) Award JOC Class A Construction Contracts to North Star Construction and Engineering, K.W. Emerson, Inc., and PRIDE Industries One, Inc., the three lowest responsive, responsible bidders in this category;  
2) Award JOC Class B Construction Contracts to PRIDE Industries One, Inc., Robert E. Boyer Construction, and North Star Construction and Engineering, the three lowest responsive, responsible bidders in this category;  
3) Approve and authorize the Purchasing Agent, or designee, to sign Public Works Contracts 3691 and 3692 with North Star Construction and Engineering, Contract 3693 with K.W. Emerson, Inc., Contracts 3694 and 3695 with PRIDE Industries One, Inc., and Contract 3696 with Robert E. Boyer Construction, each Contract having a term of one year, commencing ninety (90) days after contract execution or upon first Notice to Proceed, whichever occurs first, and each having a not-to-exceed amount of \$2,400,000; and  
4) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Public Contract Code section 22300, to hold Contract retention funds.

**FUNDING:** Accumulative Capital Outlay Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - JOC A - Notice of Intent to Award, 2. B - JOC B - Notice of Intent to Award, 3. C - Bid Calc Class A, 4. D - Bid Calc Class B, 5. E - JOC A - Complete Bid Docs, 6. F - JOC B - Complete Bid Docs, 7. Executed Agreement 3691, 8. Executed Agreement 3692, 9. Executed Agreement 3693, 10. Executed Agreement 3694, 11. Executed Agreement 3695, 12. Executed Agreement 3696

Date	Ver.	Action By	Action	Result
5/21/2019	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Facilities Division and Procurement and Contracts Division, recommending the Board consider the following pertaining to Job Order Contracting (JOC) for as-needed General Engineering (Class A), Bid Numbers: 19-968-046, 19-968-047, and 19-968-048; and General Building (Class B), Bid Numbers: 19-968-049, 19-968-050 and 19-968-051:  
1) Award JOC Class A Construction Contracts to North Star Construction and Engineering, K.W. Emerson, Inc., and PRIDE Industries One, Inc., the three lowest responsive, responsible bidders in this category;  
2) Award JOC Class B Construction Contracts to PRIDE Industries One, Inc., Robert E. Boyer Construction, and North Star Construction and Engineering, the three lowest responsive, responsible bidders in this category;  
3) Approve and authorize the Purchasing Agent, or designee, to sign Public Works Contracts 3691 and 3692 with North Star Construction and Engineering, Contract 3693 with K.W. Emerson, Inc.,

Contracts 3694 and 3695 with PRIDE Industries One, Inc., and Contract 3696 with Robert E. Boyer Construction, each Contract having a term of one year, commencing ninety (90) days after contract execution or upon first Notice to Proceed, whichever occurs first, and each having a not-to-exceed amount of \$2,400,000; and

4) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Public Contract Code section 22300, to hold Contract retention funds.

**FUNDING:** Accumulative Capital Outlay Fund.

### **DISCUSSION / BACKGROUND**

Job Order Contracting (JOC) is a procurement process that helps government entities complete a large number of repairs, maintenance, and renovation projects with a single competitively bid contract. Unlike traditional bidding, where each project is identified, designed, and put out to bid, JOC establishes competitively bid prices up front and eliminates the need to separately bid each project.

Contractors competitively bid unit prices. The overall contract amount (the sum of the individual projects) is expressed in a wide dollar range, such as \$10,000 to \$1,000,000. Once the contract is in place, the Facilities Division may have the contractor perform a series of individual projects as separate job orders and the prices do not require negotiation. The contractors are paid the pre-set unit prices multiplied by the competitively bid adjustment factor. The greatly reduces changes orders and disputes.

#### Class A JOC Bids:

Five Bids were received in the Class A Category. North Star Construction and Engineering, K.W. Emerson, Inc., and Pride Industries One were the lowest responsive, responsible bidders. One bid was rejected in this Category because the proposal was deemed non-responsive. According to page P-3 of the Proposal, Adjustment Factors, (Page 11 of the Contract Documents) "Bids will be rejected, as non-responsive if the 'Other Than Normal Working Hours' Adjustment Factors are not equal to or greater than the 'Normal Working Hours' Adjustment Factor."

#### Class B JOC Bids:

Five Bids were received in the Class B Category. Pride Industries One, Robert E. Boyer Construction, and North Star Construction and Engineering were the lowest responsive, responsible bidders in this Category.

Pursuant to the Conditions of the Contract, Section 6.4, "Withhold from Payments," of the Contract Documents, the County may retain five percent (5%) of the value of the work done from each Contractor payment (excluding mobilization payments) as security for the fulfillment of the Contract. Alternatively, Public Contract Code (PCC) Section 22300 provides that the Contractor may request that payment of retentions earned be made directly to an Escrow Agent. The Contractor will receive the interest earned on the investment.

### **ALTERNATIVES**

N/A

### **PRIOR BOARD ACTION**

On October 30, 2018, the Board approved Agreement #3138 with the Gordian Group to provide JOC services.

On March 5, 2019, the Board adopted and approved the Bid and Specifications and authorized advertisement for Public Works JOC Bid Numbers 19-968-046, 19-968-047, 19-968-048, 19-968-049, 19-968-050 and 19-968-051 with the Intent to award three Class A and three Class B JOC contracts to the three lowest responsive, responsible bidders in each class for a not-to-exceed amount of \$2,400,000 for each contract.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

Funding is included in the FY 2019-20 CAO Facilities Maintenance and Accumulative Capital Outlay budget request and will be included in future years. There is no change to Net County Cost. These contracts are on an as-needed basis. Last JOC contract cycle the department issued just over \$2,000,000 in work. The dollar amount utilized will vary each year based on need.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

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