



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Public Works and Parks



**Date:** November 30, 2012  
**Board Meeting Date:** December 11, 2012  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** James C. Porter, Director of Public Works and Parks

**Subject:** Job Order Contracts – Mechanical Works

**RECOMMENDATION:**

Adopt a Resolution authorizing Agreements with Agbayani Construction Corporation, Therma Corporation, and EMCOR Service Mesa Energy Systems, Inc., for the Job Order Contracts – Mechanical Works (JOC-1204, JOC-1205 and JOC-1206 respectively) each in an amount not to exceed \$4,400,000.

**BACKGROUND:**

The Board of Supervisors' Resolution No. 072171 of September 11, 2012 adopted the Construction Task Catalog, Specifications, and conformance with prevailing wages for three County of San Mateo Job Order Contracts – Mechanical Works, and authorized the publication of a Notice to Contractors, and a Call for Bids. The scope described in each separate Job Order Contract (JOC) was identical and consisted of series of construction tasks with preset Unit Prices.

Public Contract Code section 20128.5 provides that the Board of Supervisors may award individual annual "Job Order" contracts, none of which shall exceed three million dollars (\$3,000,000), adjusted annually to reflect the percentage change in the California Consumer Price Index (CPI), for repair, remodeling, or other repetitive work to be done according to unit prices. Since the statute was enacted in 1997, the application of the CPI has resulted in a current maximum amount of \$4,400,000 for individual annual job order contracts.

Job Order Contract (JOC) agreements are regularly presented to the Board as State Law limits the term of these agreements to one year. Contractors bid Adjustment Factors to be applied to the Unit Prices for specific items of work. The price of an individual project is determined by multiplying the preset Unit Prices by the appropriate quantities of work and Adjustment Factors. The Department anticipates multiple and

concurrent separate JOC agreements with Contractors that have expertise in road maintenance, facilities maintenance and other general construction tasks.

**DISCUSSION:**

Sealed bids were received in the Office of the Clerk of the Board of Supervisors and, on Tuesday, October 15, 2012, 2:30PM, were publicly opened and declared. These bids called for three separate Mechanical Works JOCs (1204, 1205 and 1206). Bidders were able to bid on any or all three of the JOCs, however, the contract documents specified that the apparent lowest responsible bidder on one contract would be declared ineligible for the others. This multiple-award restriction provides the Department with the flexibility of maintaining contracts with multiple contractors for the same general type of work, allows the Department to utilize a contractor with specific expertise in a particular area of Mechanical Works, and precludes the execution of Agreements that may exceed a bidder's resources.

The Department, through its JOC Coordinator, examined and analyzed the bids received, and found the submittals by Agbayani Construction Corporation, Therma Corporation, and EMCOR Service Mesa Energy Systems, Inc., respectively, to be the lowest responsible bids for the subject JOC agreements. The bids consist of Award Criteria Figures, based on a formula established by the County of San Mateo to determine and adopt applicable adjustment factors to the County's Construction Task Catalog for Mechanical Works Unit Costs. The Bid Results are attached to this document for reference.

County Counsel has reviewed and approved the Resolution and Agreements as to form.

Approval of this action contributes to the Shared Vision 2025 outcome of Collaborative Community by reducing the cost and time required to execute major maintenance and renovation projects throughout all county facilities.

**FISCAL IMPACT:**

The Job Order Construction Contract is a requirements agreement. Specific job orders issued under the terms of this agreement will be funded through allocations made by work authorizations established for each job order. The various individual job orders will be funded through grants, bonds, departmental sources, and general funds.

Therefore, there is no specific budget associated with the anticipated Job Order Contracts. In no case will the individual aggregate agreement exceed \$4,400,000, nor be less than \$50,000 each.

Attachment: Exhibit "A" - Bid Results

## Exhibit "A" – Bid Results

**COUNTY OF SAN MATEO - Department of Public Works and Parks**  
**JOB ORDER CONTRACTING**  
 Bid Opening Results - October 15, 2012      AWARD CRITERIA FIGURE

MECHANICAL WORKS Bidders	JOC-1204	JOC-1205	JOC-1206	PROPOSED ACTION
AGBAYANI	1.0000	1.0000	1.0000	Recommend
AMI	1.6413	1.6413	1.6413	
EMCOR	1.5250	1.5250	1.5250	Recommend
THERMA	1.2768	1.2520	1.1969	Recommend
WESTERN ALLIED	1.6850	1.6850	1.6850	

Note: ALL bids were verified for accuracy of factors presented as well as meeting general bid requirements.  
 Apparent Low Bidder