



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Public Works



Date: May 29, 2014
Board Meeting Date: July 1, 2014
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: James C. Porter, Director of Public Works

Subject: Agreement with The Gordian Group for the Job Order General Construction System

RECOMMENDATION:

Adopt a Resolution authorizing:

- A) The President of the Board of Supervisors to execute an agreement with The Gordian Group for the maintenance and support of Progen, the Job Order Contracting System, for the term of August 12, 2014 through August 11, 2017, in an amount not to exceed \$500,000; and
- B) The Director of Public Works and/or his designee, to execute individual and/or separate Job Orders and incur fees under this agreement which fees, in aggregate, shall not exceed \$500,000.

BACKGROUND:

Job Order Contracting (JOC) is a task-based method of project delivery whereby a general contractor agrees to perform myriad construction tasks for a set fee. JOC has been utilized extensively at the Federal, State and Local government levels throughout the Country for over 20 years.

On July 26, 2011, your Board approved Resolution No. 071562 which authorized the execution of an agreement with The Gordian Group to develop, implement and support a JOC System, Progen, for the Department of Public Works.

The Department of Public Works has made increasing and substantial use of this System, since its implementation. Over \$20 million in projects have been completed under the program in the past five years.

DISCUSSION:

The Department is currently using The Gordian Group's proprietary software system, Progen, for seven regular JOC's. The System has been customized to fit the County's JOC needs. The contracts will be completed in February 2015.

The Department is requesting a waiver of the Request for Proposals process because The Gordian Group remains the sole source provider of products and services for Progen. A listing of agencies which have recently conducted RFP's and awarded The Gordian Group sole source contracts, is attached for reference.

The Contractor has assured compliance with the County's Contractor Employee Jury Service Ordinance, as well as all other provisions that are required by County ordinance and administrative memoranda, including but not limited to insurance, hold harmless, non-discrimination and equal benefits.

County Counsel has reviewed and approved the Resolution and Agreement 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.

PERFORMANCE MEASURE(S):

Measure	FY 2013-14 Projected	FY 2014-15 Projected
Number of Capital and FCIS projects completed under JOC	29	30

FISCAL IMPACT:

The term of this Agreement is August 12, 2014 through August 11, 2017. The not to exceed amount is \$500,000.

The cost of maintenance and support for this System will remain a fixed, constant fee of 1.95% over the cost of each individual Job Order, not to exceed \$500,000 in aggregate.

The fees payable under the terms of this Agreement are funded through allocations made by work authorizations established for each job order. The various individual job orders are funded through grants, bonds, departmental sources, and the General Fund. Fees payable to The Gordian Group are included in each project's budget. There is no specific budget associated with the Job Order Contracting System.

Attachment: Sole Source Justification for the Gordian Group

Sole Source Justification for The Gordian Group

The Gordian Group (Gordian) is the only firm in the nation that provides the full range of products and services necessary to develop, implement and support Job Order Contracting (JOC) programs for the County of San Mateo.

The Gordian JOC Solution is a highly specialized and proprietary solution consisting of the following components:

- eGordian web-based JOC applications configured to meet the needs of the County,
- Construction Task Catalog customized to include the construction tasks required by the County, with task prices based on the County's local cost of labor, materials and equipment,
- Extensive implementation services and support materials to train the County and construction contractor staff to properly utilize the system, and
- On-going technical maintenance and support services during the term of the contract, including 24/7 tollfree software support.

Gordian does not rely on third party vendors and other service providers.

Gordian's JOC Applications – A primary feature of the Gordian JOC Solution is the proprietary, web-based eGordian JOC information management system. eGordian JOC applications have the functionality to completely manage the JOC process, from the contractor's preparation of a Price Proposal, to the County's review of the Price Proposal, to issuing the Job Order, to tracking M/WBE participation.

Construction Task Catalog – More important than the software is the Construction Task Catalog that Gordian provides to the County. The Construction Task Catalog is the only unit price book available that is developed and maintained specifically for JOC users.

Gordian Selected as the Sole Responsive Responsible Respondent

Gordian has been awarded numerous contracts on a sole source basis or as the only responsive and responsible respondent in a competitive procurement. A list of contracts awarded to Gordian during the past few years on a sole source basis or as the sole responsive responsible respondent is presented on the next page.

Based on our research, we believe awarding a sole source contract to The Gordian Group is justified because no other firm exists that has the qualifications and experience to provide the products and services necessary to implement and support a successful JOC program for the County of San Mateo. Further, since The Gordian Group is the current provider of the County of San Mateo's JOC program, a sole source contract would enable the County to continue its JOC program and utilize its existing JOC contracts without interruption.

<u>Agency Name</u>	<u>RFP Date</u>	<u>Contract Date</u>
United States Postal Service (Nationwide)	Sole Source	02-24-05
University of California (Statewide System)	06-28-07	10-01-07
Sacramento County, CA	Sole Source	01-15-08
San Francisco Public Utility Commission	06-16-08	07-22-08
Chicago Transit Authority	Sole Source	08-18-08
San Francisco Recreation & Parks Department	08-19-08	09-30-08
Lake County, IL	06-13-08	10-17-08
City Colleges of Chicago	08-28-08	11-07-08
San Francisco Municipal Transportation Agency	Sole Source	12-01-08
City of Bellevue, WA	03-2010	02-02-09
California State University (Statewide System)	11-19-08	02-23-09
Los Angeles Unified School District	04-20-09	10-01-09
Chicago Public Schools	Sole Source	10-16-09
City of Fresno, CA	01-07-09	12-17-09
Cornell University, NY	Sole Source	05-25-10
California Administrative Office of the Courts	Sole Source	06-11-10
Orange County Parks, CA	03-01-10	06-29-10
City of Irvine, CA	Sole Source	07-01-10
Metro. Water Reclamation Dist. of Chicago	Sole Source	07-08-10
Harris County, TX	02-08-10	07-27-10
Harris County Hospital District, TX	02-08-10	08-06-10
City of Naperville, IL	09-15-08	08-18-10
Los Angeles County Internal Services Dept.	03-01-10	09-12-10
Miami-Dade College, FL	Sole source	09-22-10
Arizona Dept. of Administration	05-07-10	09-24-10
Utah Division of Purchasing	10-25-10	01-01-11
San Luis Obispo County GSA, CA	Sole source	05-24-11
Alameda County GSA, CA	Sole source	06-01-11
Alameda County PWA, CA	Sole source	07-26-11
San Francisco Dept. of Public Works	02-01-12	08-11-11
San Mateo County, CA	Sole source	08-12-11
Solano County, CA	Sole source	09-26-11

University of Illinois, Chicago	07-07-11	10-17-11
Broward County, FL	Sole source	12-13-11
National Joint Powers Alliance (Nationwide)	09-29-11	12-20-11
Housing Authority of the City of Baltimore	02-28-11	01-01-12
City of Philadelphia	02-28-11	01-01-12
NYC Housing Authority-Technical Services	xxxxx	01-14-11
Stanford University	Sole source	01-18-12
NYC Housing Authority-Capital Programs	Solesource	01-30-12
Keystone Purchasing Network, PA	10-03-11	02-15-12
Los Angeles County CDC	08-11-10	04-03-12
NYC School Construction Authority	Sole source	04-20-12
Ventura County PWA	Sole source	04-24-12
Cook County, IL	12-05-11	05-14-12
University of North Texas	Sole source	06-05-12
University of Illinois, Urbana-Champaign	12-05-11	07-01-12
Pinellas County, FL	Sole source	07-06-12
San Francisco Airport Commission	04-30-12	08-07-12
NYS Office of General Services	02-01-12	08-09-12
Texas Tech University	Sole source	08-23-12
San Diego County, CA	Sole source	11-01-12
Loudoun County, VA	Sole source	11-05-12
NYC Dept. of Design & Construction	02-05-12	11-08-12
Sonoma County DGS, CA	10-12-12	01-29-13
Tarrant County College	Sole source	02-18-13
City of Miami	Sole source	02-28-13
Kern County, CA	Sole source	03-14-13
Monterey County Public Works	Sole source	04-09-13
City of Kirkland	Sole source	04-30-13
Jackson Health Systems	Sole source	08-26-13
<u>Community & Economic Development</u>		
Association of Cook County	Sole source	10-01-13
Clovis Municipal School District	Sole source	10-04-13
WorkSafeBC	Sole source	11-01-13
El Dorado County, CA	Sole source	11-05-13
Lake County, IL	Sole source	12-27-13

San Diego Assoc. of Governments	Sole source	01-01-14
County of Fresno	Sole source	04-28-14