

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION

AUTHORIZING: A) JOB ORDER CONTRACT AGREEMENTS WITH DEVANEY ENGINEERING, INC., AGBAYANI CONSTRUCTION CORPORATION, AND YERBA BUENA ENGINEERING & CONSTRUCTION, INC. FOR ENGINEERING, CONSTRUCTION, ROADS, AND UTILITIES FOR CAPITAL PROJECTS, FOR THE TERM OF MARCH 23, 2021 THROUGH MARCH 22, 2022, EACH IN AN AMOUNT NOT TO EXCEED \$3,000,000; AND B) THE CONSTRUCTION TASK CATALOGS, SPECIFICATIONS, AND CONFORMANCE WITH PREVAILING WAGE SCALE REQUIREMENTS FOR ENGINEERING, CONSTRUCTION, ROADS, AND UTILITIES FOR CAPITAL PROJECTS JOB ORDER CONTRACTS; AND C) THE DIRECTOR OF PUBLIC WORKS, OR DESIGNEE, TO ISSUE WORK/JOB ORDERS, EXECUTE CHANGE/REVISION ORDERS, AND MAKE FINANCIAL AND ADMINISTRATIVE CHANGES TO THE EXECUTED JOB ORDER CONTRACT AGREEMENTS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, this Board of Supervisors did, on November 19, 2013, adopt Resolution No. 072896, which authorized a streamlined process for Job Order Contracts (JOC), which allows for the preparation of task catalogs, specifications, and bid documents in conformance with prevailing wage scale requirements for JOCs, which may be adopted by the Board at the time the resulting contract is considered for award; and

WHEREAS, Task Catalogs and Specifications were approved by the Director of Public Works in February 2021, for the Engineering, Construction, Roads, and Utilities for Capital Projects Job Order Contracts; and

WHEREAS, the Task Catalogs and Specifications require that the contractors performing the work are paid no less than the general prevailing wages, as established by the Department of Industrial Relations, in the locality in which said work is to be performed for each type of workman needed to execute the contract; and

WHEREAS, 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 \$5,000,000 for annual JOCs; and

WHEREAS, the Department of Public Works (Department) issued a call for sealed proposals to be received at the County Manager’s Office/Clerk of the Board of Supervisors, Hall of Justice and Records, 400 County Center, Redwood City, California, until the hour of 2:30 p.m., Thursday, March 4, 2021; and

WHEREAS, the Department did cause the notice inviting sealed proposals to be published two times in local newspapers in San Mateo County, obtained an affidavit of said publication, and also posted to various regional, on-line Plan Rooms; and

WHEREAS, the Deputy Clerk of this Board of Supervisors did, in public on March 4, 2021, at 2:30 p.m., open and examine all sealed bids that were received in the specified time for doing the work referred; and

WHEREAS, this Board of Supervisors has directed the Director of Public Works to analyze said sealed proposals, and has, in open session, fully reviewed and considered said proposals and the analysis thereof; and

WHEREAS, Devaney Engineering, Inc., Agbayani Construction Corporation, and Yerba Buena Engineering & Construction, Inc. submitted the lowest responsible bids for JOC-2120, JOC-2121, and JOC-2122 for Engineering, Construction, Roads, and Utilities

for Capital Projects, and those bids consisted of an adjustment factor, which is a multiplier to the adopted County's Construction Task Catalogs preset unit prices.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. The Task Catalogs and Specifications dated February 2021, for Engineering, Construction, Roads, and Utilities for Capital Projects Job Order Contracts, are hereby approved and adopted as the Tasks Catalogs and Specifications to be adhered to in letting and performing the work under contracts for the improvements described therein.
2. It is in the best interest of the County of San Mateo to award:

**Job Order Contract (JOC-2120) – Engineering, Construction, Roads,
and Utilities for Capital Projects to:**

Devaney Engineering, Inc.

1641 Lombard St.

San Francisco, CA 94123

**Job Order Contract (JOC-2121) – Engineering, Construction, Roads,
and Utilities for Capital Projects to:**

Agbayani Construction Corporation

88 Dixon Court

Daly City, CA 94014

**Job Order Contract (JOC-2122) – Engineering, Construction, Roads,
and Utilities for Capital Projects to:**

Yerba Buena Engineering & Construction, Inc.

1340 Egbert Ave

San Francisco, CA 94124

3. The County of San Mateo shall enter into a written contract with these companies to perform said work as required by the Task Catalogs and Specifications adopted and approved by this Board of Supervisors, which are on file in the office of the Director of Public Works of the County of San Mateo.
4. The President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute agreements with Devaney Engineering, Inc., Agbayani Construction Corporation, and Yerba Buena Engineering & Construction, Inc. for Engineering, Construction, Roads, and Utilities for Capital Projects for the doing of said work, subject to the Department of Public Works' receipt and approval of the Faithful Performance Surety Bonds ("Performance Bond") and the Labor and Material Surety Bonds ("Payment Bond") required to be posted by the said Contractor with the County of San Mateo.
5. All payments to the Contractors shall be in accordance with the Task Catalogs and Specifications, and other contract documents. Aggregate payments to the Contractors shall not exceed the sum of \$3,000,000 for each JOC contract, for a total fiscal obligation not-to-exceed \$9,000,000.

6. The Clerk of the Board of Supervisors, County of San Mateo, shall be, and is hereby, authorized and directed to attest the signature of the President of this Board of Supervisors to said written agreements.
7. The Director of Public Works, or designee, and is hereby authorized and directed to issue and execute Job/Work Orders and Change/Revision Orders, as described herein.
8. The Director of Public Works, or designee, is hereby authorized to make financial and administrative changes to executed Job Order Contract agreements and execute contract amendments which modify the contract term and/or services so long as the modified term or services is/are within the adopted fiscal provisions.

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