



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 21-246

Board Meeting Date: 3/23/2021

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: James C. Porter, Director of Public Works
Subject: On-Call Job Order Contract Agreements and Adoption of the Job Order Contracts Task Catalog

RECOMMENDATION:

Adopt a 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 executed Job Order Contract agreements.

BACKGROUND:

On November 19, 2013, this Board adopted Resolution No. 072896, which authorized a streamlined process for Job Order Contracts (JOCs), 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 this Board at the time the resulting contract is considered for award.

Public Contract Code Section 20128.5 authorizes the Board of Supervisors to award individual annual JOCs for repair, remodeling, or other repetitive work to be done according to unit prices, in an amount not to exceed \$3,000,000 (adjusted annually based on changes in the California Consumer Price Index). 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. Contractors bid adjustment factors are to be applied to the Unit Prices for specific items of work. The cost of an individual project is determined by multiplying the preset Unit Prices by the appropriate quantities of work and adjustment factors.

The Task Catalogs and Specifications were approved by the Director of Public Works in February 2021.

DISCUSSION:

The Department of Public Works (Department) provided notice inviting sealed proposals which was published two times in local newspapers in San Mateo County. Notice was also posted to various regional, on-line Plan Rooms.

On February 12, 2021, a mandatory pre-bid meeting was held with eight contractors in attendance. On February 25, 2021 a second pre-bid meeting was held with one contractor in attendance. On Thursday, March 4, 2021 at 2:30 p.m., sealed bids were received, accepted and subsequently referred to the Department in consideration for Engineering, Construction, Roads, and Utilities for Capital Projects JOCs. Eligible licensed contractors were able to bid on any of the JOCs by submitting a single proposal. The bid documents call for up to three JOCs for Engineering, Construction, Roads, and Utilities for Capital Projects, and the lowest responsive and responsible bidder on one contract category is declared ineligible for the others within that same category.

The Department received five bids for Engineering, Construction, Roads, and Utilities for Capital Projects. The Department has examined the bids received and determined the lowest responsive and responsible bidders. The Department recommends three agreements be awarded for Engineering, Construction, Roads, and Utilities for Capital Projects.

The Department will issue individual Work Orders including a scope of work and a not-to-exceed amount to the contractor(s). The not-to-exceed amount for each individual Work Order will vary; however, their cumulative sum will not exceed the maximum amount of the respective agreement(s). Any increase above the amount or term of the agreement(s) would be submitted to this Board for consideration.

County Counsel has reviewed and approved the resolution and agreements as to form.

FISCAL IMPACT:

The terms of these agreements are from March 23, 2021 through March 22, 2022. The total maximum fiscal obligation for each agreement is \$3,000,000 for Engineering, Construction, Roads, and Utilities for Capital Projects with a total maximum fiscal obligation for all agreements combined is \$9,000,000. Total cost for the various Job Order Contracts is included in the Fiscal Year 2020-21 Adopted Budget. There is no additional impact to the General Fund.

Attachment: Exhibit A - Bid Results