



# Monterey County

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## Board Report

Legistar File Number: A 15-361

November 03, 2015

**Introduced:** 10/21/2015

**Current Status:** Consent Agenda

**Version:** 1

**Matter Type:** BoS Agreement

- a. Award Roads & Bridges Job Order Contracts (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million to the lowest responsive bidders as follows: 2015-01 Sea Pac Engineering, Inc.; 2015-02 Granite Rock Company; and 2015-03 Granite Construction Company;
- b. Award Facilities Job Order Contract (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million to the lowest responsive bidders as follows: 2015-01 Pueblo Construction, Inc.; 2015-02 Sea Pac Engineering, Inc.; and 2015-03 Staples Construction Company, Inc.;
- c. Approve the Performance and Payment Bonds for Roads & Bridges JOC in the amount of \$2 Million each by Sea Pac Engineering, Inc.; Granite Rock Company; and Granite Construction Company;
- d. Approve the Performance and Payment Bonds for Facilities JOC in the amount of \$2 Million each by Pueblo Construction, Inc.; Sea Pac Engineering, and Staples Construction Company, Inc.; and
- e. Authorize the RMA - Director of Public Works to execute the Roads & Bridges and Facilities Job Order Contracts.

### **RECOMMENDATIONS:**

It is recommended that the Board of Supervisors:

- a. Award Job Order Contract Roads & Bridges 2015-01 contract to Sea Pac Engineering, Inc., the lowest responsible and responsive bidder for Roads & Bridges Project JOC, with a bid award criteria figure of 1.0418, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
- b. Award Job Order Contract Roads & Bridges 2015-02 contract to Granite Rock Company, the lowest responsible and responsive bidder for Roads & Bridges Project JOC, with a bid award criteria figure of 1.1040, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
- c. Award Job Order Contract Roads & Bridges 2015-03 contract to Granite Construction Company, the lowest responsible and responsive bidder for Roads & Bridges Project JOC, with a bid award criteria figure of 1.1481, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
- d. Award Job Order Contract Facilities 2015-01 contract to Pueblo Construction, Inc., the lowest responsible and responsive bidder for Facilities Project JOC, with a bid award criteria figure of 0.9110, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
- e. Award Job Order Contract Facilities 2015-02 contract to Sea Pac Engineering, Inc., the lowest responsible and responsive bidder for Facilities Project JOC, with a bid award criteria

- figure of 0.9416, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
- f. Award Job Order Contract Facilities 2015-03 contract to Staples Construction Company, Inc., the lowest responsible and responsive bidder for Facilities Project JOC, with a bid award criteria figure of 1.0967, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million;
  - g. Approve the Performance and Payment Bonds executed and provided by Sea Pac Engineering, Inc. in the amount of \$2 Million each;
  - h. Approve the Performance and Payment Bonds executed and provided by Granite Rock Company in the amount of \$2 Million;
  - i. Approve the Performance and Payment Bonds executed and provided by Granite Construction Company in the amount of \$2 Million;
  - j. Approve the Performance and Payment Bonds executed and provided by Pueblo Construction, Inc. in the amount of \$2 Million;
  - k. Approve the Performance and Payment Bonds executed and provided by Sea Pac Engineering, Inc. in the amount of \$2 Million;
  - l. Approve the Performance and Payment Bonds executed and provided by Staples Construction Company, Inc. in the amount of \$2 Million; and
  - m. Authorize the RMA - Director of Public Works to execute Job Order Contract Roads & Bridges 2015-01 with Sea Pac Engineering, Inc.; Job Order Contract Roads & Bridges 2015-02 with Granite Rock Company; Job Order Contract Roads & Bridges 2015-03 with Granite Construction Company; Job Order Contract Facilities 2015-01 with Pueblo Construction, Inc.; Job Order Contract Facilities 2015-02 with Sea Pac Engineering, Inc.; and Job Order Contract Facilities 2015-03 with Staples Construction Company, Inc.

**SUMMARY:**

The recommended action allows for the issuance of three one-year term Roads & Bridges JOC 2015 contracts and three one-year term Facilities JOC 2015 contracts and the approval of the respective Performance and Payment Bonds executed and provided by the contractors.

**DISCUSSION:**

Public Contract Code Section 20128.5 provides that counties may award annual contracts for repair, remodeling, or other repetitive work to be done according to unit prices. This is commonly referred to as Job Order Contracting (JOC), and is typically done by developing a construction task catalog that is then competitively bid. JOC is an indefinite quantity contract pursuant to which the Contractor will perform a variety of projects, consisting of specific construction tasks, providing an alternative procurement method for completing public works projects, which improves economy and efficiency in completing many public works projects, including urgent and time-sensitive projects. The price of an individual project will be determined by multiplying the preset unit prices and the appropriate quantities by the appropriate adjustment factor. The adjustment factor will vary depending upon the location of the work, and the time at which the work will be performed (normal working hours versus other than normal working hours).

On April 9, 2013, the Board of Supervisors approved an Agreement between the County of Monterey and The Gordian Group, Inc. to provide assistance to the County in developing a Job Order Contracting (JOC) system and on September 17, 2013, adopted the Monterey County Job

Order Contracting Policy Guidelines constituting the order of the Board approving Job Order Contracts pursuant to Public Contract Code Section 20128.5. On August 25, 2015, the Board approved the Monterey County Job Order Contracting Construction Task Catalogs for Roads & Bridges and Facilities (August 2015); Roads & Bridges and Facilities JOC 2015 Project Manuals; and Monterey County Technical Specifications for Roads & Bridges and Facilities (August 2015), and authorized advertising of a Notice to Contractors for their respective Bid Nos.: Roads & Bridges 2015-01, 2015-02, and 2015-03, and Facilities 2015-01, 2015-02, and 2015-03.

The JOC 2015 Projects were duly advertised and bids were opened on September 24, 2015. The lowest responsive and responsible bidder, determined by the award criteria figure, for JOC Roads & Bridges 2015-01 was Sea Pac Engineering, Inc.; for JOC Roads & Bridges 2015-02 was Granite Rock Company; for JOC Roads & Bridges 2015-03 was Granite Construction Company; for JOC Facilities 2015-01 was Pueblo Construction, Inc.; JOC Facilities 2015-02 was Sea Pac Engineering, Inc.; and for JOC Facilities 2015-03 Staples Construction Company, Inc.. Each Contractor has certified to make a good-faith effort to employ Monterey Bay Area residents on each Job Order proposal in compliance with Section 5.08.120 of the Monterey County Code. Each contractor has an office located within the Monterey Bay Area.

For the Roads & Bridges JOC 2015 and Facilities JOC 2015, Resource Management Agency-Public Works (RMA-PW) recommends awarding six contracts to five separate contractors respectively to allow RMA-PW the option to use the alternate contractors if a contractor is deemed nonresponsive or has poor performance as well as to enable parallel project work to be performed.

JOC 2015 contracts will be effective upon award and provide a 12-month period for the issuance of job orders. The 2014 JOC contracts will have reached, or are anticipated to reach, their Maximum Contract Value (MCV) at the time of issuance of the 2015 JOC contracts. RMA-PW plans to continue issuing job orders to enable the 2014 JOC contractors to attain their MCV to the extent practical. The JOC 2015 contracts awarded to each of the five contractors pursuant to JOC offer a minimum contract value of \$25,000 and maximum value of \$4.59 million. Due to that range, contractors were required to provide performance and payment bonds in the amount of \$2 Million in order to provide for JOC efficiency, maintain control of contractor performance, as well as limit potential risk to the County. At the time that cumulative Job Orders in excess of \$2 million are anticipated, RMA-PW will return to the Board for approval of increased payment and performance bonds to cover the amount of the anticipated job orders.

Per the JOC Policy, any Job Order that exceeds \$1 Million will be brought to the Capital Improvement Committee (CIC) prior to issuance of a notice to proceed. RMA-PW will provide quarterly JOC status reports to the CIC summarizing issued Job Orders, including scope, cost, schedule, and source of previously appropriated/expended funds. The JOC contracts will provide another mechanism to accomplish work that fits within the JOC guidelines. Projects that do not meet JOC criteria or are not a good fit for JOC will continue to be completed using other procurement processes, such as the typical design/bid/build process.

**OTHER AGENCY INVOLVEMENT:**

RMA-PW coordinated preparation of the JOC process and the standard agreement language with Contracts/Purchasing, County Counsel, Auditor-Controller, and Risk Management as to form and the required legal, fiscal, and insurance provisions. The Offices of the County Counsel and Contracts/Purchasing attended the bid opening and reviewed all bids for conformance with applicable regulations. RMA-PW reviewed the bids for responsiveness. The Offices of the County Counsel, Auditor-Controller, and Risk Management have reviewed and approved the contract documents as to form and legality, fiscal terms, and insurance provisions, respectively.

**FINANCING:**

There is no impact to the General Fund. If approved, the six JOC contracts, each with a minimum contract value of \$25,000 and maximum contract value of \$4.59 Million, will be issued, for an aggregate cap total of \$27.54 Million. Total expenditures will not exceed the FY2015-16 and/or FY 2016-17 Adopted Budgets. Roads & Bridges JOC projects are budgeted in the Road Fund 2 and Facilities JOC projects are budgeted in Fund 401 and Fund 402. Future fiscal years will be budgeted appropriately. A five-percent (5%) License Fee to utilize the JOC program is payable to The Gordian Group upon issuance of every Job Order to a JOC Contractor.

Prepared by: Dave Pratt, Project Manager II, (831) 796-6091

Approved by: Robert K. Murdoch, P.E., RMA-Director of Public Works

Approved by: Carl P. Holm, RMA Director

Dated: October 26, 2015

Attachments: Bid Summaries (Roads & Bridges Project No. 2015-01, 2015-02, & 2015-03; Facilities 2015-01, 2015-02, & 2015-03); Contract Agreements and Performance and Payment Bonds (Sea Pac Engineering, Inc.(2); Granite Rock Company; Granite Construction Company, Pueblo Construction, Inc., Staples Construction Company, Inc.) (Attachments on file with the Clerk of the Board)