



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: A 21-417 **Name:** Authorize Contracts Purchasing Officer/Supervisor to execute non-standard agreement w/The Gordian Group

Type: BoS Agreement **Status:** Passed

File created: 7/16/2021 **In control:** Board of Supervisors

On agenda: 7/27/2021 **Final action:** 7/27/2021

Title: a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Non-Standard Agreement with The Gordian Group, Inc. and approve the recommendation of the PWFP Director to accept all non-standard provisions in the Agreement, including insurance terms, to extend the JOC program under Sourcewell Agreement 050421-GCI through June 7, 2025 (Attachment A); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to the Standard Agreement to match any term extension of Sourcewell Agreement 050421-GCI through June 7, 2025, subject to review and approval by the Office of the County Counsel.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Agreement, 3. Completed Board Order Item No. 48

Date	Ver.	Action By	Action	Result
7/27/2021	1	Board of Supervisors	approved	Pass

a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Non-Standard Agreement with The Gordian Group, Inc. and approve the recommendation of the PWFP Director to accept all non-standard provisions in the Agreement, including insurance terms, to extend the JOC program under Sourcewell Agreement 050421-GCI through June 7, 2025 (Attachment A); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to the Standard Agreement to match any term extension of Sourcewell Agreement 050421-GCI through June 7, 2025, subject to review and approval by the Office of the County Counsel.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Non-Standard Agreement with The Gordian Group, Inc. and approve the recommendation of the PWFP Director to accept all non-standard provisions in the Agreement, including insurance terms, to extend the JOC program under Sourcewell Agreement 050421-GCI through June 7, 2025 (Attachment A); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to the Standard Agreement to match any term extension of Sourcewell Agreement 050421-GCI through June 7, 2025, subject to review and approval by the Office of the County Counsel.

SUMMARY:

The Department of Public Works, Facilities & Parks is one of the implementers of the County’s Job Order Contracting (JOC) program for the County. The County contracts with The Gordian Group, Inc. (Gordian) to provide the JOC system. The Gordian contract is procured through a cooperative award made by Sourcewell (formally National Joint Powers Association). The previous cooperative agreement 071415-GCI has expired,

and the County must execute a new Agreement with Gordian to match the term of the replacement Sourcewell agreement 050421-GCI.

DISCUSSION:

California Public Contract Code Section (PCC) 20128.5 provides that counties may award annual contracts for repair, remodeling, or other repetitive work to be done according to unit prices. This process is commonly referred to as JOC and is typically done by developing a construction task catalog that is then competitively bid. JOC improves economy and efficiency in completing many public works projects, including urgent and time sensitive projects.

On April 9, 2013, the Board of Supervisors approved Agreement No. A-12434 with Gordian to provide the County with a JOC system with an extensive catalog of construction tasks and associated technical specifications that contain over 260,000 individual items, effective from the date of execution of the Agreement for a term through and including April 1, 2016, with the option to extend the Agreement for two (2) additional one (1) year periods. Following expiration of this agreement, Sourcewell (formally National Joint Powers Association) Contract 071415-GCI was utilized to continue the program. Staff recommend services be continued under a new Agreement between the County and Gordian, procured through Sourcewell agreement 050421-GCI.

The JOC program currently provided to the County by The Gordian Group, Inc. is referred to as the JOC Complete Solution®, which includes assistance with developing each job order from identification to job order issuance.

In addition to job order development services, the County has identified the need for The Gordian Group, Inc. to provide the JOC Complete Solution Plus™ option, which includes construction management services to manage job orders from job order issuance to completion of the punch list to job order close-out, construction estimating services, and project budgeting and planning, on a project-by-project basis as requested by the County.

A five percent (5%) License Fee to utilize the JOC Program is payable to The Gordian Group, Inc. only if and when a Job Order is issued to a JOC Contractor. Optionally, as needed, the County may utilize JOC Project Management services for an additional 5.95% fee. The Gordian Group, Inc. fees are contained in the overall eligible project budgets.

To date, the County has issued 968 JOC Projects totaling \$79,699,850. The Gordian Group, Inc. License Fee and project management fees totaled \$4,649,527 or an overall average of five and one-half percent (5.5%) of the total construction contract value to date. This fee is lower than the industry standard of ten percent (10%) for Construction Management fees.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Manager and Auditor-Controller's Office have reviewed and approved this Agreement as to form, indemnification and insurance, and fiscal provisions, respectively. The Agreement includes minor revisions to the County standard insurance provisions. The PWFDP Director recommends the Board approve this Agreement with all revised terms and conditions.

FINANCING:

Funds for these services are contained within the approved budget allocations of each individual department that may choose to utilize the JOC services. Expenditures will depend on the actual services requested by individual County departments.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The JOC Program helps with providing efficient and effective government operations by allowing improved processing for smaller and more urgent projects. Monterey County has multiple documents to help identify and address critical infrastructure needs (Pavement Management Plan, Americans with Disabilities Act [ADA] Transition Plan, Facility Asset Report, Municipal Climate Action Plan, etc.). Taking these documents into account, a Five-Year Capital Improvement Program is adopted each year to efficiently allocate resources for projects with budgets over \$100,000 to help sustain the infrastructure. The JOC Program projects include improvements to health and safety facilities. Provision of adequate County facilities and infrastructure improves the quality of life for County residents and supports economic development results.

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

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Lindsay Lerable, Chief of Facilities
Shawne Ellerbee, Assistant Director of Public Works, Facilities & Parks

Approved by: Randell Ishii, MS, PE, TE, PWFP Director

The following attachments are on file with the Clerk of the Board:

Attachment A - Agreement