



Recommended actions include the adoption of the 2020 Monterey County Job Order Contracting (JOC) Task Catalogs for the JOC 2020 contracts (2020 JOC Program), and advertising for bids (2020 JOC Program). Considering the many capital projects slated for Fiscal Years (FYs) 2020-21 and 2021-22, it is recommended that three (3) Roads & Bridges and three (3) Facilities Job Order Contracts be issued each for \$5,098,418 with \$25,000 worth of work guaranteed in each contract.

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. The County's JOC program was initially approved and established by the Board of Supervisors (Board) on or about September 17, 2013 pursuant to Board Resolution No. 2013-305 - Resolution Approving the Job Order Contracting Policy Guidelines and Authorizing Issuance of Job Orders Pursuant to Job Order Contracting Policy Guidelines. Per Board Resolution No. 2013-305 said Policy Guidelines apply to all County departments and agencies that process Job Order Contracts and authorize the following Department Heads to process and approve Job Orders under JOC:

- Director of the Resource Management Agency (RMA);
- Director of Public Works;
- Director of the Parks Department;
- Chief Executive Officer of the Natividad Medical Center (NMC).

In April 2013, the Board approved an Agreement between the County of Monterey and The Gordian Group, Inc. to provide the County with a JOC System. The Gordian Group, Inc. JOC System uses an extensive catalog of construction tasks and associated technical specifications containing over 260,000 individual items specifically designed for Monterey County. Per PCC Section 20128.5, the Board may award individual annual contracts which shall not exceed the statutory maximum contract value. Per PCC Section 20128.5, each awarded contract has a maximum contract value (MxCV) that is 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. The percentage change in the CPI is calculated and provided by the Department of Industrial Relations (DIR). Per DIR's annual determination, the MxCV for JOC contracts was increased from \$4,949,291 in 2019 to \$5,098,418 in 2020. County JOC specifications provide for a one (1) year term with \$25,000 worth of work guaranteed for each individual contract.

County JOC specifications require Contractors to provide a letter from a bonding company stating their ability to obtain Payment and Performance Bonds for the MxCV. This year, for Facilities Bids, staff recommends that the County require the successful bidders to furnish an initial payment bond and a performance bond for approximately One Hundred Percent (100%) of the MxCV, each in the amount of \$5,098,418. The initial bonding requirement for Roads and Bridges Contracts remains set at One Hundred Percent (100%) of the MxCV because it is anticipated that Roads and Bridges Contractors may reach the MxCV cap earlier than Facilities Contractors. For Roads and Bridges bids, successful bidders shall furnish payment bonds and performance bonds, each in the amount of the MxCV of \$5,098,418 which bonds shall remain in force for the duration of the annual contract term and until completion of all outstanding Job Order(s).

Since its inception in 2013, the JOC program has proven of value to RMA-Public Works, Parks and Facilities by improving economy and efficiency in completing several public works projects, including urgent and time sensitive projects. Since 2013, the County has issued 837 JOC projects totaling \$63,601,211 (including 328 Roads and Bridges projects totaling \$26,996,314 and 509 facilities projects totaling \$36,604,897). The JOC Program has enabled the County to implement a higher volume of maintenance, repair, and remodeling projects

which would otherwise not be possible due to limited project management staff time.

Following the selection of successful bidders, RMA-Public Works, Parks and Facilities recommends awarding three (3) separate Roads and Bridges Contracts and three (3) separate Facilities Contracts to allow RMA-Public Works, Parks and Facilities the option to use alternate contractors in the event that any of the selected contractors is/are deemed nonresponsive or has/have poor performance. Any Job Order that would exceed \$1 million will be brought to the Capital Improvement Committee (CIC) and Budget Committee prior to issuing the Notice to Proceed. The contracts will apply to eligible projects during FYs 2020-21 and 2021-22. The individual annual JOC contracts will be issued for a 12-month contract period. Any capital and/or facilities maintenance repair project that falls into the following fiscal year will be budgeted. RMA-Public Works, Parks and Facilities will continue to provide quarterly JOC status reports to the CIC which would include scope, cost, schedule, source of previously appropriated/expended funds, and contractor evaluations.

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 837 JOC Projects totaling \$63,601,211. The Gordian Group, Inc. License Fee and project management fees totaled \$3,534,104 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.

A "Notice to Bidders" will be duly advertised in a newspaper of general circulation per PCC 20150.8. JOC 2020 contracts are anticipated to be awarded in October 2020. Specific eligible projects have not yet been identified.

The County's JOC procurement process requires the RMA to first seek Board approval to adopt plans and specifications and advertise for bids followed by a second request for Board approval to award selected contractors. PCC 20128.5 requires Board approval to award contracts to selected contractors.

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Manager and Auditor-Controller's Office have reviewed and approved the Project Specifications as to form, insurance and indemnification, and fiscal provisions, respectively.

#### FINANCING:

The 2020 JOC Program would provide for six (6) individual Job Order Contracts with a cap of \$5,098,418 for a total of \$30,590,508 - three (3) for Roads & Bridges and three (3) for Facilities. Expenditures will be within and not exceed the FY 2020-21 or FY 2021-22 Adopted Budgets. Funding for JOC projects, including applicable The Gordian Group, Inc. fees, is contained within the adopted FY 2020-21 budget allocations for various funds; Fund 402 - Capital Projects, Fund 404 - Facilities Master Plan Projects, Fund 002 - Road Fund, the respective County Service Area or County Sanitation District fund, and the individual department authorizing the project.

#### 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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Approved by: Carl P. Holm, AICP, RMA Director

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

Attachment A.1 - Monterey County 2020 JOC Roads & Bridges Construction Task Catalog

Attachment A.2 - Monterey County 2020 Facilities Construction Task Catalog

Attachment B - JOC 2020 Roads & Bridges Project Specifications

Attachment C - JOC 2020 Facilities Project Specifications

Attachment D.1 - Monterey County 2020 JOC Roads & Bridges Technical Specifications

Attachment D.2 - Monterey County 2020 Facilities Technical Specifications

Exhibit 1: JOC System License and Fee Agreement

Exhibit 2: Contractor Evaluation

Exhibit 3: CDBG Standard Provisions & Requirements

Exhibit 4: Federal Provisions-Caltrans Local Assistance Manual

Exhibit 5: FEMA Standard Provisions and Requirements

Exhibit 6: Monterey County Cabling Specifications

Exhibit 7: Notice to Bidders