



Board Report

File #: RES 13-058, **Version:** 1

Consider Adoption of a Resolution to:

- a. Approve the Job Order Contracting Policy Guidelines constituting the order of the Board approving Job Order Contracts pursuant to Public Contract Code Section 20128.5;
- b. Authorize the Director of Resource Management Agency, Director of Public Works, Director of Parks, and the Chief Executive Officer of Natividad Medical Center to process and approve Job Orders; and
- c. Approve the Revised Role and Responsibilities of the Board of Supervisor's Capital Improvement Committee (CIC).

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Approve the Job Order Contracting Policy Guidelines constituting the order of the Board approving Job Order Contracts pursuant to Public Contract Code Section 20128.5;
- b. Authorize the Director of Resource Management Agency, Director of Public Works, Director of Parks, and the Chief Executive Officer of Natividad Medical Center to process and approve Job Orders; and
- c. Approve the Revised Role and Responsibilities of the Board of Supervisor's Capital Improvement Committee (CIC).

SUMMARY/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, and is typically done by developing a construction task catalog that is then competitively bid. Job Order Contracting improves economy and efficiency in completing many public works projects, including urgent and time sensitive projects.

In April 2013, the Board of Supervisors approved an Agreement between the County of Monterey and The Gordian Group, Inc. to provide the County with a Job Order Contracting (JOC) system. The JOC system proposed by The Gordian Group, Inc. uses an extensive catalog of construction tasks and associated technical specifications that contains over 260,000 individual items. The catalog(s) that The Gordian Group, Inc. developed are specifically designed for Monterey County. Each task within the catalogs is priced by The Gordian Group, Inc. in consideration of up-to-date local construction costs (labor, equipment and materials) and are specifically tailored for local needs and conditions. The Gordian Group, Inc. has prepared for, and has participated in, informational meetings with representatives from the Building Trades Councils, local unions and the construction community of the County of Monterey, County of Santa Cruz, and San Benito County during the development and implementation of the proposed JOC program.

On July 11, 2013 and on September 4, 2013, the Capital Improvement Committee of the Board of Supervisors recommended that its Role and Responsibilities be revised to reflect its role in respect of the County's Job Order Contract program. Those revisions are attached and include that prior Capital Improvement Committee

review and consideration is required for a Job Order with a project value greater than \$1,000,000 per job order, per Job Order Contract. The Committee may refer Job Orders with a project value of \$1,000,000 to the Board of Supervisors. The Committee shall also have those responsibilities ascribed to it under the Job Order Policy Guidelines adopted by the Board, as they may be amended from time-to-time.

On July 30, 2013, the Board of Supervisors adopted the Monterey County Construction Task Catalogs, Roads & Bridges and Facilities Project Manuals, and Monterey County Technical Specifications and authorized the advertisement of the Notice to Contractors. On August 27, 2013, the Board of Supervisors adopted the Monterey County Construction Task Catalog, Project Manual and Technical Specifications for the Natividad Medical Center projects and authorized the advertisement of the Notice to Contractors.

In order to insure that all County departments and agencies use the JOC program in an appropriate and consistent manner, Job Order Contracting Policy Guidelines were developed and are attached for reference. The purpose and scope of these Policy Guidelines is to provide an overview of the general guiding principles and regulatory requirements that form the basic foundation of the County's JOC process.

The attached Policy Guidelines, together with the resolution approving it, constitute the order of the Board of Supervisors required under California Public Contracts Code Section 20128.5. In accordance with Section 20128.5, no job shall be performed under a Job Order Contract approved by the Board, except as approved by persons authorized by the Board, acting in accordance with these Policy Guidelines.

These Policy Guidelines apply to all County departments and agencies that process Job Order Contracts and authorizes 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).

Additionally, the Contracts-Purchasing Officer will be authorized to approve Job Orders in cases of emergency only. The head of each Department and Agency (hereinafter referred to as "Department Heads") authorized to process the JOC shall designate a departmental Project Manager (PM) responsible for ensuring compliance with the provisions of this Policy.

OTHER AGENCY INVOLVEMENT:

Resource Management Agency-Public Works has coordinated preparation of the JOC process and the standard agreement language with the Parks Department, Natividad Medical Center, Contracts/Purchasing, County Counsel, Auditor-Controller, and Risk Management as to form and the required legal, fiscal and insurance provisions. These guidelines were presented to the Board Capital Improvement Committee on September 4, 2013.

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. There are no upfront costs to develop the JOC program for Monterey County. A five percent (5%) License Fee to utilize the JOC program is payable only if and when a Job Order is issued to a JOC Contractor.

Prepared by: Paul H. Greenway, Assistant Director of Public Works, (831) 755-4800

Approved by:

Robert K. Murdoch, P.E., Public Works Director

Approved by:

Benny J. Young, RMA Director

Dated: September 6, 2013

Attachments: JOC Resolution; Attachment 1-Job Order Contracting Policy Guidelines; CIC Resolution; CIC Resolution-Exhibit 1 (Attachments on file with the Clerk of the Board)