

County of Santa Clara
Roads and Airports Department



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DATE: August 15, 2017

TO: Board of Supervisors

FROM: Harry Freitas, Director, Roads and Airports

SUBJECT: Report on Bids and Contract Award for Job Order Contracts (JOC)

RECOMMENDED ACTION

Consider recommendations relating to Bids for construction under Job Order Contracts (JOC) RAD-2017-01, RAD-2017-02, and RAD-2017-03.

Possible action:

- a. Award contract RAD-2017-01 to Wattis Construction Company, Inc., for the Award Criteria Figure of 1.0535 with a minimum contract amount of \$50,000, a maximum contract amount of \$1,500,000, and a maximum contract duration of one year.
- b. Award contract RAD-2017-02 to Granite Rock Company for the Award Criteria Figure of 1.0880 with a minimum contract amount of \$50,000, a maximum contract amount of \$4,500,000, and a maximum contract duration of one year.
- c. Award contract RAD-2017-03 to Wattis Construction Company, Inc. for the Award Criteria Figure of 1.1015 with a minimum contract amount of \$50,000, a maximum contract amount of \$4,500,000, and a maximum contract duration of one year.
- d. Authorize Director, Roads and Airports Department, or designee, to issue individual job orders, and to approve change orders to job orders within the parameters specified in the contracts.
- e. Authorize Director, Roads and Airports Department, to accept individual job orders as complete and execute Notices of Completion.

FISCAL IMPLICATIONS

The three Job Order Contracts (JOC) is intending to seek funding through a General Fund Loan. On August 29, 2017, the Department will award two additional Job Order Contracts and will bring forward an Appropriation Modification (F-85) to fund all of the JOC contracts. The Department is finalizing the total amount of General Fund that will be needed to fund the projects. If the Department performs work for other County departments using the JOC, all contract costs would be paid by the requesting departments and Roads' staff costs would be

recovered via intra-County transfers.

CONTRACT HISTORY

On June 20, 2017, the Board of Supervisors authorized the County Executive to advertise for bids to the existing pool of pre-qualified Job Order Contract (JOC) contractors for RAD-2017-01; and to determine a pool of pre-qualified contractors based on Pre-qualification Questionnaire Package (PQP) evaluations, and authorized staff to advertise the Contract Documents and set the bid opening dates for RAD-2017-02 and RAD-2017-03.

A mandatory Pre-Bid Conference was conducted on July 10, 2017, to discuss the JOC process and respond to bid questions with the contractors determined to be pre-qualified. Bids were received and opened by the Clerk of the Board on July 20, 2017 for RAD-2017-01 and RAD-2017-02, and on July 27, 2017 for RAD-2017-03.

Consistent with the Project Labor Agreement (PLA) policy adopted by the Board of Supervisors, individual Job Orders exceeding \$2 Million will be subject to the Santa Clara County Project Labor Agreement (PLA) between the County of Santa Clara and San Benito Counties Building and Construction Trades Council (SBCT) and the Signatory Unions approved by the Board of Supervisors on January 24, 2017. For such individual projects, the Contractor will be required to enter into an "Agreement to be Bound" by the Santa Clara County PLA, including future amendments.

REASONS FOR RECOMMENDATION

On June 20, 2017, the Department advised the Board that a General Fund loan would be needed to fund the storm damage repairs. The most expeditious way to complete many of the storm damaged sites is via Job Order Contracts. On August 29, 2017, the Department will present the Board with two more JOC contracts for award, an Appropriation Modification (F-85) to fund the contracts, and an MOU between the Finance Agency and the Roads Department outlining the terms of the loan.

Per the California Public Contracting Code, the County may award individual annual contracts not to exceed an amount determined annually. The current not-to-exceed total for any one JOC contract in the State of California is \$4,766,377. Staff completed a prequalification process for RAD-2017-01 at \$1,500,000 prior to the Board of Supervisors approving the general fund loan financing plan. As a result RAD-2017-01 was sized at \$1,500,000 and the other two contracts at \$4,500,000 for compliance with statutory limits and convenience.

The JOC process is a flexible, expeditious contracting method used to accomplish Roads & Airports routine maintenance and repair projects. Individual projects that may be performed by the Job Order Contractor have been previously approved and budgeted as part of the Department's Master Capital Projects Plan and annual budget process. The JOC Contracts will be utilized to expeditiously address many of the storm damaged roads prior to the 2018 winter. The storm damage repair is anticipating FEMA reimbursement of 75% for approved permanent repairs. FEMA has reviewed the County's JOC contract process and deemed it an acceptable construction contract procurement process.

The Contract Documents are comprised of a Construction Task Catalog (CTC), Task

Specifications and Special Provisions. The unit price for each task is established based on local prices for material, labor and equipment. Contractors bid one adjustment factor to the CTC prices for work performed during normal working hours and one adjustment factor for work outside of normal working hours. These two adjustments factors, which include the contractor's overhead and profit, are then weighted using an Award Criteria Formula to determine the Award Criteria Figure. An annual contract is then awarded to the responsible bidder submitting the lowest responsive Award Criteria Figure.

The existing prequalification list of two contractors for Job Order Contracts up to \$1.5M is valid through September 27, 2017. On July 20, 2017 two bids were received for RAD-2017-01 with the following Award Criteria Figures:

1. Wattis Construction Company, Inc.: 1.0535
2. Granite Rock Company: 1.0680

The Department has reviewed the bids and determined both were responsive. The Department recommends awarding the JOC contract to the lowest responsive bidder, Wattis Construction Company, Inc., for the minimum contract amount of \$50,000 and a maximum contract amount of \$1,500,000.

The pre-qualification process and evaluation of a total of four Pre-qualification Questionnaire Packages submitted resulted in the determination that four contractors were qualified. On July 20, 2017 four bids were received for RAD-2017-02 with the following Award Criteria Figures:

1. Granite Rock Company: 1.0880
2. Wattis Construction Company, Inc.: 1.1225
3. Granite Construction: 1.1690
4. Gordon N. Ball: 1.2140

The Department has reviewed the bids and determined four were responsive. The Department recommends awarding the JOC contract to the lowest responsive bidder, Granite Rock Company, for the minimum contract amount of \$50,000 and a maximum contract amount of \$4,500,000.

The pre-qualification process and evaluation of a total of four Pre-qualification Questionnaire Packages submitted resulted in the determination that four contractors were qualified. On July 27, 2017 four bids were received for RAD-2017-03 with the following Award Criteria Figures:

1. Wattis Construction Company, Inc: 1.1015
2. Granite Construction: 1.1240
3. Gordon N. Ball: 1.1580
4. Granite Rock Company: 1.2100

The Department has reviewed the bids and determined four were responsive. The Department recommends awarding the JOC contract to the lowest responsive bidder, Wattis Construction

Company, Inc., for the minimum contract amount of \$50,000 and a maximum contract amount of \$4,500,000.

CHILD IMPACT

The recommended action will have a positive impact on children or youth.

SENIOR IMPACT

The recommended action will have a positive impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

The contracts will not be awarded and projects to repair storm damaged roads and infrastructure will not be executed by the JOC process.

STEPS FOLLOWING APPROVAL

1. Notify Jeri Arstingstall and David Parks – Roads & Airports Department, Infrastructure Development Division, that the Board President has signed the contract and arrange for pick-up of the document.
2. Send notification of completed processing to: Ron Jackson, Dawn Cameron, David Parks, Khoa Vo, Albert Eydam and Jeri Arstingstall - Roads & Airports Department, Infrastructure Development Division, and Tony Arata, Pam Rebillot, Kelly Roberts - Roads and Airports Department – Administration Division.

LINKS:

- **Linked To:** 87086 : Consider recommendations relating to repair of storm damaged roads resulting from January 2017 Storm (FEMA #DR-4301) and February 2017 Storm (FEMA #DR-4308). (Roads and Airports Department)

ATTACHMENTS:

- F85-29 (PDF)
- Correction Memo (PDF)
- Executed Contract No. 17-25 (PDF)
- JOC-RAD-2017-02 - Addendum No. 2 (PDF)
- JOC-RAD-2017-02 Unsuccessful Bid Letters (PDF)
- JOC-RAD-2017-01 Addendum No. 1 (PDF)
- JOC-RAD-2017-02 Addendum No. 1 (PDF)
- JOC-RAD-2017-03 Addendum No. 1 (PDF)
- JOC-RAD-2017-01 Addendum No. 3 (PDF)
- JOC-RAD-2017-01 Addendum No. 2 (PDF)
- JOC-RAD-2017-01 Unsuccessful Bid Letter (PDF)
- Executed Contract No. 17-24 (PDF)
- JOC-RAD-2017-03 Addendum No. 2 (PDF)
- JOC-RAD-2017-03 Unsuccessful Bid Letters (PDF)
- Executed Contract No. 17-26 (PDF)