



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: November 2, 2021

Subject: AWARD Job Order Contracts # 017, 018, 019 & 020 for Repair, Remodeling, and other Repetitive Work (WW1006)

**RECOMMENDATION(S):**

(1) APPROVE contract General Conditions, Technical Specifications, and the Construction Task Catalog for Job Order Contracts 017, 018, 019 & 020.

(2) DETERMINE that Mark Scott Construction, Inc., Aztec Consultants, Inc., MIK Construction, Inc., and MVP Construction, LLC, submitted the lowest responsive and responsible bids for the award of the job order contracts.

(3) AWARD a job order construction contract for repair, remodeling, and other repetitive work to be performed pursuant to the Construction Task Catalog to each of Mark Scott Construction, Inc., Aztec Consultants, Inc., MIK Construction, Inc., and MVP Construction, LLC, each in the amount of \$3,000,000, for a term of one year each (commences ninety (90) days after contract execution or upon the first Notice to Proceed whichever comes first for each contract), and DIRECT that the Public Works Director, or designee, prepare the contracts.

(4) DIRECT that Mark Scott Construction, Inc., Aztec Consultants, Inc., MIK Construction, Inc., and MVP Construction, LLC, shall each submit two good and sufficient security bonds

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/02/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Candace Andersen, District II  
Supervisor  
Diane Burgis, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor

ABSENT: Federal D. Glover, District V  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 2, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy

Contact: Ramesh Kanzaria  
925-957-2480

cc:

(performance and payment bonds) in the amount of \$3,000,000 each.

## RECOMMENDATION(S): (CONT'D)

(5) ORDER that, after each contractor has signed the job order contract and returned it, together with the bonds, evidence of insurance, and other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for the Board.

(6) ORDER that, upon signature of the job order contract by the Public Works Director, or designee, any bid bonds posted by such bidder are to be exonerated and any checks or cash submitted for security shall be returned.

(7) AUTHORIZE the Public Works Director, or designee, to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for monies withheld by the County to ensure performance under the contracts, pursuant to Public Contract Code Section 22300.

(8) AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.

(9) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Section 4107 and 4110.

(10) DECLARE that, should the award of the contract to Mark Scott Construction, Inc., Aztec Consultants, Inc., MIK Construction, Inc., and MVP Construction, LLC, be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject the bids received.

## FISCAL IMPACT:

Job orders under the job order contracts will only be issued when there is an approved project and funding. The contract value can range from a minimum of \$25,000 to a maximum of \$3,000,000.

## BACKGROUND:

In order to be efficient in delivering projects, the County needs to employ a variety of project delivery methods. One such method is Public Contract Code Section 20128.5, which authorizes counties to award one or more individual annual contracts for repair, remodeling, or repetitive work to be done according to unit prices. Once an annual contract is awarded, individual projects are then done through written job orders performed by the job order contractor at the unit prices bid for the annual contract. Such job order contracting (JOC) is a project delivery tool that has been proven to reduce costs, save time, and increase productivity.

The JOC Program has been a valuable construction project delivery tool for the term of the

JOC contracts. As the expiration date and maximum contract amounts have or are reached for the existing job order contracts, other projects are still eligible to be accomplished under the JOC program. On September 14, 2021, the Board of Supervisors authorized the Public Works Director, or designee, to solicit for job order contracts for repair, remodeling, and other repetitive work, and bring to the Board recommendations to award four contracts. Bids were invited by the Public Works Director and on October 14, 2021, the Public Works Director received 6 bids for the job order contracts. The scope for the work performed under the job order contracts will be determined by individual job orders using the Construction Task Catalog. The four lowest responsive bidders are being recommended for contract award. The contracts are being awarded based on the lowest Award Criteria Figure (ACF) that is calculated by each bidder using the award criteria figure formula percentages required by each job order using adjustment factors called out in the bidding documents. Bid documents for Job Order Contracts 017, 018, 019 and 020, including construction task catalog and construction specifications for typical work, were prepared for the Public Works Department by the County's job order contracting consultant, The Gordian Group, Inc. The general prevailing wage rates are on file with the Clerk of the Board of Supervisors and will be the minimum rates paid on the projects covered by the annual Job Order Contracts. Bids for Job Order Contracts 017, 018, 019 and 020 were received and opened by the Public Works Department on October 14, 2021 and the bid results are as follows:

<b>BIDDER</b>	<b>AWARD CRITERIA</b>
Mark Scott Construction, Inc.	1.1341
Aztec Consultants, Inc.	1.1358
MIK Construction, Inc.	1.1900
MVP Construction, LLC	1.2075
Rodan Builders, Inc.	1.2590
Staples Construction, Inc.	1.4496

Staff has determined that the four lowest bids received from Mark Scott Construction, Inc., Aztec Consultants, Inc., MIK Construction, Inc., and MVP Construction, LLC, are responsive. The Public Works Director recommends the Board award the job order contracts for this project to Mark Scott Construction, Inc. (JOC 017), Aztec Consultants, Inc. (JOC 018), MIK Construction, Inc. (JOC 019) and MVP Construction, LLC (JOC 020), for job order contracts in amounts not less than \$25,000 nor more than \$3,000,000.

California Environmental Quality Act (CEQA) requirements will be determined and addressed on a project-by-project basis as projects occur. Each of the job order contractors will perform outreach required under the County's Outreach Program for the work to be performed under each job order in excess of \$175,000.

**CONSEQUENCE OF NEGATIVE ACTION:**

If these JOC bid solicitations are not approved and authorized, the County will not have the resources to complete deferred maintenance projects as described in the Facilities Life-cycle Investment Program (FLIP) report and other County construction projects involving repair, remodeling, and other repetitive work.