



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Department of Public Works

DATE: August 31, 2009
BOARD MEETING DATE: September 15, 2009
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: James C. Porter, Director of Public Works
SUBJECT: Amendment to the Agreement with Sea Pac Engineering, Inc. for Job Order Contract General Construction Contract

RECOMMENDATION:

Adopt a resolution:

1. Authorizing the President of the Board of Supervisors to execute an amendment to the Job Order Contract Agreement with Sea Pac Engineering, Inc., to increase the County's maximum fiscal obligation thereunder to \$4,000,000; and
2. Authorizing the Director of Public Works or the Director's designee, to issue and execute on behalf of the County of San Mateo, individual and/or separate Job Orders under the Job Order Contract Agreement, which Job Orders in aggregate, do not exceed \$4,000,000 for the term of the agreement.

BACKGROUND:

Public Contract Code section 20128.5 provides that the board of supervisors may award individual annual "job order" contracts, none of which shall exceed three million dollars (\$3,000,000), 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. Since the statute was enacted in 1997, the application of the CPI has resulted in a maximum amount in excess of \$4,000,000 for annual job order contracts.

The Board adopted Resolution Number 070072 on February 11, 2009, which adopted plans and specifications, including conformance with prevailing wage requirements, and called for sealed bids for the above referenced project.



The Board adopted Resolution Number 070065 on April 28, 2009, authorizing the execution of an agreement with Sea Pac Engineering, Inc., in an amount not to exceed \$1,000,000 for Job Order Contract (JOC) services and authorized the Director of Public Works and his designee, to issue and execute on behalf of the County of San Mateo individual and/ or separate job orders under this contract which job orders in aggregate, do not exceed \$1,000,000.

The current contract provides that the maximum contract value may be increased by the written agreement of the parties up to the maximum amount authorized by Public Contract Code Section 20128.5, which amount, when adjusted by the CPI as permitted by section 20128.5, is currently in excess of \$4,000,000.

DISCUSSION:

This JOC is an indefinite quantity one-year contract pursuant to which the Contractor will perform a variety of projects, consisting of specific construction tasks, at different locations. To date, the JOC process has proven to be time efficient and successful in easily obtaining bids, completing County projects, and reducing the time required to bring projects to the Board on an individual basis.

County Counsel has reviewed and approved the Resolution and Amendment to the Agreement as to form.

Approval of this Agreement contributes to the Shared Vision 2025 outcome of Collaborative Community by reducing the cost and time required to execute major maintenance and renovation projects throughout all county facilities.

FISCAL IMPACT:

The JOC is a requirements contract. Specific job orders issued under the terms of this agreement will be funded through allocations made by work authorizations established for each job order. The various individual job orders will be funded through grants, bonds, departmental sources, and general funds.

Therefore, there is no specific budget associated with the JOC or this amendment, as funds normally allocated from pertinent budgets would otherwise be disbursed by other contracting modes currently in use. In no case will the aggregate contract amount exceed \$4,000,000, nor be less than \$50,000 for the period April 28, 2009 through April 27, 2010.

Attachment: Contract Amendment