



San Bernardino County

Legislation Text

File #: 5136, Agenda Item #: 58

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

November 16, 2021

FROM

TERRY W. THOMPSON, Director, Real Estate Services Department - Project Management

SUBJECT

Award General Building, General Engineering, and Mechanical Job Order Contracts

RECOMMENDATION(S)

1. Approve the following Addenda to the Bid Documents:
 - a. Addendum No. 1 to the Bid Documents for General Building Job Order Contractor, dated July 28, 2021, which revised the pre-bid meeting date from Tuesday, July 27, 2021 to Wednesday, August 4, 2021.
 - b. Addendum No. 1 to the Bid Documents for General Engineering Job Order Contractor, dated July 28, 2021, which revised the pre-bid meeting date from Tuesday, July 27, 2021 to Wednesday, August 4, 2021.
 - c. Addendum No. 1 to the Bid Documents for Mechanical Job Order Contractor, dated July 28, 2021, which revised the pre-bid meeting date from Tuesday, July 27, 2021 to Wednesday, August 4, 2021.
 - d. Addendum No. 2 to replace the Bid Proposal for General Building Job Order Contractor with the revised Bid Proposal reflecting the revised Bid Opening date of Tuesday, August 24, 2021 at 11:00am, and answered a contractor question.
 - e. Addendum No. 2 to replace the Bid Proposal for General Engineering Job Order Contractor with the revised Bid Proposal reflecting the revised Bid Opening date of Tuesday, August 24, 2021 at 11:00am, and answered a contractor question.
 - f. Addendum No. 2 to replace the Bid Proposal for Mechanical Job Order Contractor with the revised Bid Proposal reflecting the revised Bid Opening date of Tuesday, August 24, 2021 at 11:00am, and answered a contractor question.
2. Find the bid proposal from Exbon Development Inc., to be nonresponsive for failure to properly follow the instructions for bid pricing (Zone 2, Adjustment Factor 5 must be 30% higher than Zone 1, Adjustment Factor 1) as required in the Bid Proposal.
3. Approve Job Order Contract with PUB Construction, Inc., in an amount not to exceed \$3,000,000, to provide General Building Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
4. Approve Job Order Contract with Angeles Contractor, Inc., in an amount not to exceed \$3,000,000, to provide General Building Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
5. Approve Job Order Contract with SJD&B, Inc., in an amount not to exceed \$3,000,000, to provide General Building Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.

6. Approve Job Order Contract with Horizons Construction Company International, Inc., in an amount not to exceed \$3,000,000, to provide General Building Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 7. Approve Job Order Contract with Golden Gate Construction, in an amount not to exceed \$3,000,000, to provide General Building Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 8. Approve Job Order Contract with PUB Construction, Inc., in an amount not to exceed \$2,000,000, to provide General Engineering Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 9. Approve Job Order Contract with Angeles Contractor, Inc., in an amount not to exceed \$1,000,000, to provide General Engineering Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 10. Approve Job Order Contract with SJD&B, Inc., in an amount not to exceed \$1,000,000, to provide General Engineering Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 11. Approve Job Order Contract with Horizons Construction Co. Int'l Inc., in an amount not to exceed \$1,000,000, to provide General Engineering Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 12. Approve Job Order Contract with Sol Construction, Inc., in an amount not to exceed \$1,000,000, to provide General Engineering Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 13. Approve Job Order Contract with D. Burke Mechanical Corp., in an amount not to exceed \$3,000,000, to provide Mechanical Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 14. Approve Job Order Contract with ABM Building Solutions, LLC, in an amount not to exceed \$3,000,000, to provide Mechanical Job Order Contract services throughout the County for the period of November 16, 2021 through November 15, 2022.
 15. Grant discretionary authority to the Director of the Real Estate Services Department, Assistant Director of the Real Estate Services Department - Project Management Division, Supervising Project Managers, and Project Managers to approve any and all plans, specifications, and project descriptions for projects performed by Job Order Contract contractors, including but not limited to, building repairs/remodels, parking lot repair, roadway rehabilitation, Americans with Disabilities Act upgrades, utility improvements, landscape, signage, roof rehabilitations, and electrical system improvements, as these individuals shall determine are necessary.
 16. Authorize the Director of the Real Estate Services Department, the Assistant Director of the Real Estate Services Department - Project Management, or the Supervising Project Manager to issue individual job orders under the job order contracts.
 17. Authorize the Director of the Real Estate Services Department to accept the work when 100% complete, and execute and file the Notice of Completion for Projects/Job Orders.
- (Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

The Recommendations in this item will not result in the use of additional Discretionary General Funding (Net County Cost). These unencumbered contracts will be funded from projects approved as part of the Capital Improvement Program (CIP), or reimbursed from the departments who initiate projects with their own or other funding.

BACKGROUND INFORMATION

Public Contract Code Section 20128.5 authorizes the County to use Job Order Contract (JOC) Services to rapidly engage contractors to perform the repair, renovation, remodeling, or other repetitive work at existing public facilities utilizing a unit price structure. Experience with this process has shown that JOC offers several advantages over traditional procurement methods for construction services including the savings of time and costs related to not developing detailed bid documents, advertising a project, and obtaining individual project related construction contract approval. The recommended contracts will allow the Real Estate Services Department - Project Management (RES-D-PM) to continue the savings of time, effort and cost through the JOC program thereby achieving the County and Chief Executive Officer's goals and objectives to operate in a fiscally-responsible and business-like manner and improve County government operations.

PROCUREMENT

On July 13, 2021 (Item No. 45), the Board of Supervisors (Board) authorized RES-D-PM to advertise for competitive bids for five General Building JOC contracts with a value of \$3,000,000 each, three General Engineering JOC Contracts with a value of \$2,000,000 each, and two Mechanical JOC contracts with a value of \$3,000,000 each. On July 16, 2021, RES-D-PM advertised for bids in the Daily Press, seven Plan Rooms, and on San Bernardino County's Electronic Procurement Network (ePro) in accordance with the County's formal bidding procedures. On August 4, 2021, 31 contractors attended the mandatory pre-bid meeting.

Bids received are based on the bid adjustment factor, which the contractor will multiply against "pre-priced" unit costs (compiled in a project task catalog), which is part of the contract. In addition, the lowest bid is determined by a formula applied to the eight bid factors submitted, which vary based upon the location, time of day, and response time required for the project. The adjustment factor represents all of the contractor's costs (indirect and direct) and profit not included in the pre-priced unit costs.

On August 24, 2021 the following 11 bids were received for the General Building JOC:

| Contractor | Location | Bid Factor |
|--------------------------------------|----------------------|-------------------------|
| PUB Construction, Inc. | Diamond Bar, CA | 0.7998 |
| Angeles Contractor, Inc. | City of Industry, CA | 0.8000 |
| SJD&B, Inc. | Walnut, CA | 0.8000 |
| Horizons Construction Co. Int'l Inc. | Orange, CA | 0.8000 |
| Golden Gate Construction | Norwalk, CA | 0.8536 |
| MIK Construction Inc. | Whittier, CA | 0.8746 |
| Harry H. Joh Construction, Inc. | Paramount, CA | 1.0493 |
| Vincor Construction Incorporated | Brea, CA | 1.0781 |
| Olympos Construction | Simi Valley, CA | 0.9270 Nonresponsive |
| Exbon Development, Inc. | Garden Grove, CA | 0.7940 Nonresponsive |
| Dalke & Sons Construction, Inc. | Riverside, CA | 1.0817 Nonresponsive |

RES-D-PM recommends that the Board find the bid proposals of Exbon Development, Inc., Olympos Construction, and Dalke & Sons Construction, Inc. be found nonresponsive for failure to properly follow the instructions for bid pricing (Zone 2, Adjustment Factor 5 must be 30% higher than Zone 1, Adjustment Factor 1) as required in the Bid Proposal.

On August 26, 2021, RES-D-PM sent notification of disqualification to Exbon Development, Inc. via electronic

mail and United States Postal Service Certified Mail. On August 31, 2021, Exbon responded claiming a clerical error was made. RESD-PM maintains its original finding that Exbon's bid proposal is nonresponsive, as a mathematical error impacting prices is material and may not be waived. RESD-PM also considered the bids of Olympos Construction and Dalke & Sons Construction, Inc., to be nonresponsive due to the failure to properly follow the instructions for bid pricing, however, there is no need for Board action as to these bidders. They would not have been awarded a contract, as other contractors had lower bid factors.

Due to Exbon Development Inc., being nonresponsive, RESD-PM recommends that the Board award the five \$3,000,000 unencumbered General Building JOC contracts to: PUB Construction, Inc.; Angeles Contractor, Inc.; SJD&B, Inc.; Horizons Construction Co. Int'l Inc.; and Golden Gate Construction, the lowest responsive and responsible bidders.

On August 24, 2021, the following seven bids were received for the General Engineering JOC:

| Contractor | Location | Bid Factor |
|--------------------------------------|----------------------|-------------------|
| PUB Construction, Inc. | Diamond Bar, CA | 0.7998 |
| Angeles Contractor, Inc. | City of Industry, CA | 0.8000 |
| SJD&B, Inc. | Walnut, CA | 0.8000 |
| Horizons Construction Co. Int'l Inc. | Orange, CA | 0.8000 |
| Sol Construction, Inc. | Riverside, CA | 0.8000 |
| MIK Construction, Inc. | Whittier, CA | 0.8535 |
| Olympus Construction | Simi Valley, CA | 0.9803 |

Due to four contractors having identical bid factors, RESD-PM recommends that the Board award one \$2,000,000 unencumbered General Engineering JOC contract to PUB Construction, Inc., the lowest responsive and responsible bidder, and four \$1,000,000 unencumbered General Engineering JOC contracts to: Angeles Contractor, Inc., SJD&B, Inc., Horizons Construction Co. Int'l Inc., and Sol Construction, Inc., the next lowest responsive and responsible bidders.

On August 24, 2021, the following four bids were received for the Mechanical JOC:

| Contractor | Location | Bid Factor |
|------------------------------------|-----------------|-------------------|
| D. Burke Mechanical Corp. | Norco, CA | 0.9590 |
| ABM Building Solutions | Tustin, CA | 0.9969 |
| Los Angeles Air Conditioning, Inc. | La Verne, CA | 0.9999 |
| Mesa Energy Systems, Inc. | Irvine, CA | 1.0990 |

RESD-PM recommends that the Board award two \$3,000,000 unencumbered Mechanical JOC contracts to: D. Burke Mechanical Corp. and ABM Building Solutions, the lowest responsive and responsible bidders.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on October 4, 2021; Purchasing Department (Bruce Cole, Supervising Buyer, 387-2148) on October 6, 2021; Real Estate Services - Project Management (Kevin Ryan, Assistant Director, 387-5000) on October 21, 2021; Real Estate Services Department (Jennifer Costa, Assistant Director, 387-5000) on October 20, 2021; Finance (Wen Mai, Principal Administrative Analyst, 387-4020) on October 25, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on October 31, 2021.

(MV: 387-5225)