



**EAST BAY REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING  
AGENDA STAFF REPORT**

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<b>DATE</b>	May 21, 2024
<b>TITLE</b>	Authorization to Award a Professional Services Agreement for Job Order Contracting (JOC) Program Management Services to the Gordian Group, Inc. in the Amount Not-to Exceed \$800,000: District-wide
<b>DIVISION</b>	Acquisition, Stewardship, and Development
<b>FROM</b>	Ren Bates, Chief of Design & Construction Ken Wysocki, Assistant General Manager of Acquisition, Stewardship and Development
<b>APPROVED</b>	Sabrina Landreth, General Manager 

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors authorize the execution of a professional services agreement for Job Order Contracting (JOC) program management services with The Gordian Group, Incorporated (Gordian) of Greenville, South Carolina, for a contract term of three (3) years in the amount not-to-exceed \$800,000.

**BACKGROUND**

Job Order Contracting is one of the procurement methods the East Bay Regional Park District (Park District) uses for competitively bid construction contract work. A JOC contract is akin to having an on-call general contractor who will perform work according to an established set of fixed unit prices with a competitively bid price factor applied. The District's determination of which projects to implement by staff and which projects to complete using outside contractors is independent from and unrelated to the District's use of the JOC program. The JOC method is used only for projects that the District has already determined are appropriate to put out for competitive bidding, typically due to the size and complexity of a project or staff capacity. In 2017, the Park District developed its job order contracting program and the Board of Directors adopted a JOC policy. The Board amended the policy in May 2019 by Board Resolution 2019-05-111.

Job Order Contracting has proven effective in delivering projects including on-going routine paving, roofing, dredging, storm cleanup, infrastructure replacement, building renovations, and capital repairs. Most of the current JOC contracts will expire this year and staff anticipates going out to bid later this year for the next round of contracts. Given the number of projects identified that are eligible to utilize the JOC procurement method, and with the current Gordian contract expiring at the end of the year, a new JOC program management services contract is needed.

A Request for Proposals (RFP) for consulting services was developed and was issued on March 4, 2024. The Park District received two responsive proposals by the March 29, 2024 deadline. The Gordian Group was scored higher by the selection committee based upon a proposal that showed a more comprehensive understanding and approach to the District's JOC program, a project team

that had sufficient resources and capacity, and stronger references.

The consultant's scope of services includes creating a construction task catalog based upon local material costs and prevailing wage labor rates, assisting with contract document development and bidding, coordinating mandatory pre-bid meetings, assisting staff with the management of the JOC program and acting as representative in soliciting and assisting in reviewing pricing from the contractors awarded JOC contracts.

## **ANALYSIS**

Job Order Contracting has proven to be an effective method of delivering repair, replacement and renovation projects. Most of the existing JOC contracts will term out this year and staff would like to rebid another round of contracts later this summer. Additionally, the Park District's current JOC consultant contract terms out at the end of this year.

Staff does not have the resources to create a construction task catalog and utilizing a consultant has given the Park District the opportunity to run a JOC program. Hiring a consultant helps Park Staff deliver projects for the District.

The Gordian Group scored higher by the selection committee and staff recommends the Board authorize the award of contract for JOC program management services to them.

## **FISCAL IMPACT**

Funds for these services are contained within the approved budget appropriations of each individual project for which the Park District may choose to utilize JOC as the contract method. There are no upfront costs to develop the JOC documents for the Park District. Gordian charges a 1.95% license fee and a 3.05% Job Order Development Fee (total fees = 5%) if and when a job order is issued to a JOC contractor, based upon the value of the work.

Example of fee calculations:

If the Park District completes \$1 million worth of projects using JOC, Gordian's fee would equate to \$50,000 ( $\$1,000,000 \times .05$ )

The Park District has typically bid JOC Contracts with Not to Exceed limits of \$2,000,000 and has bid multiple contracts. Anticipating bidding another round of 8 contracts later this year, this is the basis for the not to exceed amount of the proposed contract.

The Park District is not immediately encumbering \$800,000 for this contract. Funds are encumbered as Job Orders are issued. Funding for Job Orders must be available in the associated project's budget or operating funds before the work may begin.

## **ATTACHMENTS**

None.



**EAST BAY REGIONAL PARK DISTRICT  
RESOLUTION NO. 2024 – 05 -  
MAY 21, 2024**

**AUTHORIZATION TO AWARD A PROFESSIONAL SERVICES AGREEMENT FOR  
JOB ORDER CONTRACTING (JOC) PROGRAM MANAGEMENT SERVICES TO  
THE GORDIAN GROUP, INC. IN THE AMOUNT NOT-TO EXCEED \$800,000:  
DISTRICT-WIDE**

**WHEREAS**, the East Bay Regional Park District’s (Park District) Board of Directors adopted a Job Order Contracting (JOC) Policy on September 5, 2017, by Board Resolution No. 2017-09-238; and updated that policy in May 2019 by Board Resolution 2019-05-111; and

**WHEREAS**, the Park District desires to continue a Job Order Contracting Program; and

**WHEREAS**, on March 4, 2024 the Park District issued a Request for Proposals (RFP) for Job Order Contracting Consulting Services; and

**WHEREAS**, two responsive proposals were received by the March 29, 2024 deadline; and

**WHEREAS**, the selection committee scored higher based on the criteria in the RFP; and

**WHEREAS**, terms and conditions were successfully negotiated for Job Order Contract Program consulting services; and

**WHEREAS**, no additional funds will be encumbered for the increase at this time and will only be encumbered as Job Orders are issued and as funds are available within the related project or operating budgets;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the East Bay Regional Park District hereby authorizes the award of a professional services agreement to the Gordian Group, Inc. for a total not-to-exceed amount of \$800,000 for JOC Program management consulting services as presented to the Board on May 21, 2024; and

**BE IT FURTHER RESOLVED**, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, and adopted May 21, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

