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**Title:** Actions pertaining to amending Job Order Contracting Agreements necessary to complete such projects as the Animal Center Shade and Turf, Police Department Vehicle Training Course Repairs, Woodward Park Diesel Tank Installation and Fire Station 11 Motorized Gate and Fencing:

1. Adopt findings of Categorical Exemption pursuant to Section 15301 (d) of the California Environmental Quality Act (CEQA) Guidelines
2. Approve an amendment to the Job Order Contracting (JOC) agreement between City of Fresno and Durham Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023
3. Approve an amendment to the Job Order Contracting (JOC) agreement between City of Fresno and Puma Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023
4. Authorize the Director of General Services to execute all related documents

**Sponsors:** General Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Job Order Contracting Contract History, 2. Job Order Contracting Projects by Contract Year, 3. Amendment No. 2 – Durham Construction Company, Inc., 4. Amendment No. 2 – Puma Construction Company, Inc.

Date	Ver.	Action By	Action	Result
3/30/2023	1	City Council	APPROVED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** BRIAN BARR, Director  
General Services Department

**BY:** ROBIN O'MALLEY, Facilities Manager  
General Services Department, Facilities Management Division

**SUBJECT**

Actions pertaining to amending Job Order Contracting Agreements necessary to complete such projects as the Animal Center Shade and Turf, Police Department Vehicle Training Course Repairs, Woodward Park Diesel Tank Installation and Fire Station 11 Motorized Gate and Fencing:

1. Adopt findings of Categorical Exemption pursuant to Section 15301 (d) of the California Environmental Quality Act (CEQA) Guidelines
2. Approve an amendment to the Job Order Contracting (JOC) agreement between City of Fresno and Durham Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023
3. Approve an amendment to the Job Order Contracting (JOC) agreement between City of

Fresno and Puma Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023

4. Authorize the Director of General Services to execute all related documents

## **RECOMMENDATION**

Staff recommends that Council authorize the Director of General Services to execute amendments to increase the current year contract authority from \$1,000,000 to a total of \$2,000,000 for each of the JOC agreements with Durham Construction Co., Inc. and Puma Construction Co., Inc., to complete such projects as the Animal Center Shade and Turf Additions, Police Department Vehicle Training Course Repairs, Woodward Park Diesel Tank Installation and Fire Station 11 Motorized Gate and Fencing.

## **EXECUTIVE SUMMARY**

The General Services Department, Facilities Management Division has been using the JOC program, as offered by The Gordian Group, successfully since 2009. The JOC Program enables the Facilities Management Division to provide improved responsiveness on building maintenance and construction projects at competitive “local market” pricing. The JOC Program administers competitively bid fixed-unit pricing for construction tasks from local contractors, which can be quickly accessed by General Services, Facilities Management to perform up to \$1,000,000 per year per contractor in needed building repairs, maintenance, alterations, installations, and other construction services, as previously authorized by the Council on September 24, 2020.

The contract amendments will increase contract authority by \$1,000,000 for Durham Construction Co., Inc. and \$1,000,000 for Puma Construction Co., Inc., for the current year ending September 2023. This is necessary to complete such projects as the Animal Center Shade and Turf Additions, Police Department Vehicle Training Course Repairs, Woodward Park Diesel Tank Installation, and Fire Station 11 Motorized Gate and Fencing. The increase also accounts for the need to be responsive to future various facility requests, unplanned emergencies, or fast track projects adopted in the FY24 budget cycle prior to the contract expiration in September 2023. A complete history of JOC Program projects have been included as an attachment to this staff report.

## **BACKGROUND**

The Facilities Management Division works diligently each year to complete budgeted building maintenance and renovation projects, as well as be responsive to the various approved unbudgeted facility service requests received from City Departments throughout the year. The JOC program allows Facilities Management to provide quality work, competitive costs, and improved responsiveness in completing building maintenance and renovation.

Since the contracts were awarded in 2020, there has been an unanticipated need for these types of projects utilizing the JOC contractors. These projects have included the First Responders Memorial, the Meux Home Wood Restoration, and the Orchid Restroom Roof Repair. We anticipate the costs of the multiple projects moving forward will bring Durham Construction Co., Inc. and Puma Construction Co., Inc. close to the amended \$2,000,000 maximum for each.

On September 24, 2020, Council awarded three-year contracts with multiple JOC contractors, including Durham Construction Co., Inc., and Puma Construction Co., Inc., with a maximum amount

of \$1,000,000 per year per contractor. The total three-year contract value with each contractor was \$3,000,000.

On June 24, 2021, Council approved an additional \$700,000 in contracting authority to the agreements with Puma Construction Co., Inc. and Durham Construction Co., Inc., for a total authorization of \$1,700,000 each for the contract year ending September 23, 2021.

On March 24, 2022, Council approved an additional \$700,000 in contracting authority to the agreements with Puma Construction Co., Inc. and Durham Construction Co., Inc. for a total authorization of \$1,700,000 each for the contract year ending September 23, 2022.

The amendments in 2021 and 2022, increased the total three-year contract value with Puma Construction Co., Inc. and Durham Construction Co., Inc. to \$4,400,000. Further information can be found in the attachments to this staff report.

General Services seeks Council approval of an additional \$1,000,000 in contracting authority to the agreements with Puma Construction Co., Inc. and Durham Construction Co., Inc. for a total authorization of \$2,000,000 each for the contract year ending September 23, 2023. The contracts will expire in September 2023 and will be rebid.

Upon approval, these amendments will bring the total three-year contract value to \$5,400,000 for each contractor. This is necessary to complete such projects as the Animal Center Shade and Turf, Police Department Training Course Repairs, Woodward Park Diesel Tank Installation, and Fire Station 11 Motorized Gate and Fencing.

The increase also accounts for the need to be responsive to future various facility requests, unplanned emergencies, or fast track projects adopted in the FY24 budget cycle prior to the contract expiration in September 2023. A complete history of JOC Program projects have been included as an attachment to this staff report.

The City Attorney has approved the amendments as to form.

## **ENVIRONMENTAL FINDINGS**

Staff has determined that a Categorical Exemption is appropriate, based on Class 1 Section 15301 (d) of the CEQA Guidelines, which exempts restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety. Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Staff recommends that the Council, based upon its own independent judgement, adopt a finding of Categorical Exemption per Staff determination, pursuant to Section 15301(d), Class 1 of the CEQA Guidelines for work intended under the JOC program. No new facilities will be built under this program; only facility rehabilitation projects will be using the JOC program.

## **LOCAL PREFERENCE**

Local preference was not implemented because these items are amendments to existing agreements.

## **FISCAL IMPACT**

The projects will be funded through appropriations included in the adopted FY2023 and FY2024 budgets.

### Attachments:

Job Order Contracting Contract History

Job Order Contracting Projects by Contract Year

Amendment No. 2 - Durham Construction Company, Inc.

Amendment No. 2 - Puma Construction Company, Inc.