



# CITY OF SAN MATEO

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## Agenda Report

Agenda Number: 18

Section Name: {{section.name}}

Account Number: 82-4681

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**TO:** City Council  
**FROM:** Drew Corbett, City Manager  
**PREPARED BY:** Public Works Department  
**MEETING DATE:** September 19, 2022  
**SUBJECT:**  
King Recreation Center Family Changing Room Construction – Contract

### RECOMMENDATION:

Adopt a Resolution to approve an alternative purchasing procedure and award a construction contract to Newton Construction & Management, Inc. for the conversion of part of an existing storage area in the Martin Luther King Jr. Recreation Center into a family changing room in the amount of \$270,954.02; establish a contingency reserve of \$40,000; and authorize the Public Works Director to execute the contract in substantially the form presented and issue change orders within the contingency amount.

### BACKGROUND:

The Martin Luther King Jr. Recreation Center is located in the North Central neighborhood and is home to many youth activities, including the Police Activities League, drop-in basketball, several dance and fitness classes, and a swimming pool. The swim center was constructed in the late 1960s and originally designed to fit the programs and social norms of that era. As a result, separate dressing rooms and bathrooms for each gender were created. Since then, the need for dressing areas has changed and includes accessibility, family accommodations, and gender neutrality. Therefore, the creation of a gender-neutral, family changing room will meet the safety and convenience needs of patrons of all ages and genders.

The construction drawings for the family changing room were developed by Public Works in coordination with the Parks and Recreation Department. The scope of work includes the construction of new walls, doors, an accessible ramp, new fixtures, partitions, flooring, wall finishes, lighting, a drinking fountain, and painting. The City's Building Department approved the construction drawings for a building permit, which was used as the basis for development of a fixed-price proposal utilizing a process called "job order contracting" (JOC). The JOC process includes a contract for a fixed term or maximum dollar value in which a contractor is selected based on a competitive bid to perform various and separate job orders in the future, during the life of the contract. The JOC contract serves as an "on call" contracting program that is procured through one umbrella or framework contract. The contract is competitively procured at the onset of the program using a unit price book (UPB), unit price list construction catalog, or custom list of construction prices as a basis for pricing in the procurement process. Each individual job order is then priced from that UPB and allows for rapid deployment of projects with a transparent pricing mechanism.

The JOC process is a competitive procurement method for construction services approved by the City Council by resolution on March 18, 2019, pursuant to San Mateo Municipal Code section 3.60.070(h)(3), which permits the use of procedures approved by the Council that are not set forth in the purchasing ordinance. Specifically, this process involves the development of a detailed project list, establishment of a firm price using a unit price book, and the selection of a pre-qualified construction contractor upon the City's authorization to proceed, all by the JOC contractor.

In this case, a multi-step process was used to tentatively select Newton Construction & Management, Inc. to perform the restroom remodeling work, subject to Council approval. First, Sourcewell (formerly known as the National Joint Powers Alliance or NJPA) conducted a competitive proposal process to select The Gordian Group, Inc. (Gordian) to implement JOC on behalf of Sourcewell member agencies. Second, Gordian competitively bids and administers the JOC process with the use of Gordian's unit pricing that will provide the best price to the City. This allows the City to complete required public improvements efficiently by eliminating the need to develop project specifications and eliminating solicitation of bids through a project-specific competitive bidding process. Here, Gordian used the JOC process to select Newton Construction & Management, Inc., the low bidder and pre-qualified contractor selected to construct the restroom project.

With contract approval, the procurement of materials would begin in October 2022 with construction in the spring of 2023 and completion before the end of 2023. Based on the above, staff recommends award of the contract to Newton Construction & Management, Inc. because of their experience and availability to perform construction services.

**BUDGET IMPACT:**

There is sufficient funds available in the King and Joinville Changing Room Improvements Project (46F011) for the construction contract and contingency.

**ENVIRONMENTAL DETERMINATION:**

This project is categorically exempt from CEQA as an "existing facility," because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.)

**NOTICE PROVIDED**

All meeting noticing requirements were met.

**ATTACHMENTS**

Att 1 – Proposed Resolution

Att 2 – Contract

**STAFF CONTACT**

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