



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 17

Section Name: {{section.name}}

Account Number: 460043

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: March 20, 2023

SUBJECT:
Martin Luther King Community Center Small Kitchen Remodel – Contract

RECOMMENDATION:

Adopt a Resolution to approve an alternative purchasing procedure to award a construction contract to Newton Construction & Management, Inc. to remodel the small kitchen at the Martin Luther King Community Center in the amount of \$149,127.11; establish a contingency reserve in the amount of \$25,000; 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 small kitchen at the Dr. Martin Luther King Community Center (King Center) has been serving a number of organizations that frequent the facility since 1987 and is due for renovation. The effort is part of a plan to replace old infrastructure and upgrade the recreation center to comply with current accessibility standards required by the Americans with Disabilities Act (ADA). In 2018, the Public Works Facilities Division and the Parks and Recreation Department developed a long-term solution for remodeling the facility based on greatest need and available funding. Two on-site kitchens were included, a large kitchen and a small kitchen. The construction drawings for the renovation of the small kitchen were developed by Public Works in coordination with the Parks and Recreation Department. The scope of work includes the construction of new floors, new cabinets and countertops, new fixtures, new ventilation, new electrical, infill of existing walls, new appliances, 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 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. The approval is 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, the JOC 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. In this case, Newton Construction & Management, Inc. was selected to perform the small kitchen remodeling work, subject to Council approval. The selection process is multi-step. 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 the 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 project.

Upon contract approval, the procurement of materials will begin in April 2023 with construction anticipated in winter 2023 and completion in spring 2024. 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 funding available in the King Center Kitchens Remodel (460043) and Public Facility and Site Improvements (461004) projects 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 existing or former use. (CEQA Guidelines Section 15301.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Attachment 1 - Proposed Resolution

Attachment 2 - Contract

STAFF CONTACT

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