



Agenda Submittal

Agenda #: 13 **Status:** Consent Calendar
Type: Report **Department:** General Services
File #: 19-726 **Contact:** Mark Hummel, 784-7908
Agenda date: 9/24/2019 **Final action:** 9/24/2019
Title: Approve a report on Best Value Project Delivery per Section 20155.7 of the Public Contract Code; and Authorize the Director of the General Services Department to transmit the report to the California Secretary of State, appropriate policy committees of the State Legislature and the Joint Legislative Budget Committee, relating to the SB1022 Rourk Vocational Training Center
Governing body: Board of Supervisors
District: All
Attachments: 1. A - California Public Contract Code Section 20155 et seq., 2. B - California Government Code Section 9795, 3. C - SB1022 Best Value Report, 4. Executed Letter and Report, 5. Minute Order

Date	Ver.	Action By	Action	Result
9/24/2019	1	Board of Supervisors		

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of General Services recommends that the Board of Supervisors:

1. Approve a report on Best Value Project Delivery per Section 20155.7 of the Public Contract Code; and
2. Authorize the Chairwomen of the Board of Supervisor to transmit the report to California Secretary of State, appropriate policy committees of the State Legislature and the Joint Legislative Budget Committee, relating to the SB1022 Rourk Vocational Training Center.

SUMMARY:

State Public Contract Code (PCC) Section 20155.7 requires the Board of Supervisors to submit a report before January 1, 2020 to California Secretary of State, appropriate policy committees of the State Legislature and the Joint Legislative Budget Committee regarding the County's delivery of projects under Best Value pilot legislation per PCC Section 20155 et seq.

FINANCIAL IMPACT:

The cost of preparation of the draft Best Value report by staff and associated agenda item are minimal and are absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

Solano County sponsored and supported SB762 (Wolk) which was chaptered into law as PCC Sections 20155 - 20155.9 on October 8, 2015 to establish a pilot program for the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, Solano, and Yuba in which the bidder may be selected on the basis of

the best value to the County for construction projects in excess of one million dollars (\$1,000,000). "Best value" means a procurement process whereby the selected bidder may be selected based on objective criteria for evaluating the qualifications of bidders with the resulting selection representing the best combination of price and qualifications.

On October 4, 2016, the Solano County Board of Supervisors approved use of "Best value" method of procurement for construction services for the Rourk Vocational Training Center (RVTC, a.k.a. SB1022) project consistent with PCC Section 20155 et seq. (Attachment A). On June 25, 2019, the Board approved the Notice of Completion, and on August 13, 2019, the Final Audit Report for the RVTC project.

Per Section 20155.7 (a) of the PCC:

"Before January 1, 2020, the Board of Supervisors of a participating county shall submit a report to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee. The report shall include, but is not limited to, the following information:

- (1) A description of the projects awarded using the best value procedures.
 - (2) The contract award amounts.
 - (3) The best value contractors awarded the projects.
 - (4) A description of any written protests concerning any aspect of the solicitation, bid, or award of the best value contracts, including the resolution of the protests.
 - (5) A description of the prequalification process.
 - (6) The criteria used to evaluate the bids, including the weighting of the criteria and an assessment of the effectiveness of the methodology.
 - (7) If a project awarded under this article has been completed, an assessment of the project performance, to include a summary of any delays or cost increases.
- (b) A report submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code." (Attachment B)

Staff of General Services Department's Capital Projects Management Division has prepared a report addressed to the California Secretary of State satisfying the requirements of PCC Section 20155.7, which is now submitted to the Board for approval (Attachment C) and transmittal. Copies will also be sent to State Legislative Counsel, Joint Legislative Budget Committee, Committee for Local Government Chair Assembly member Cecilia Aguiar-Curry, Governance and Finance Committee Chair Senator Mike McGuire and the Board of State and Community Corrections.

Additionally, State Senator Jim Beall (15th District) recently introduced Senate Bill 128: Best Value Construction Contracting for Counties Pilot Program. The bill, if passed and signed by the Governor this year, will add Santa Clara and Monterey Counties to the existing pilot program and extend the program until January 1, 2025. Staff from Solano County Capital Projects Management Division spoke in support of SB 128 before the State Assembly Committee on Local Government on July 3, 2019, and again before the State Senate Governance and Finance Committee on August 28, 2019.

ALTERNATIVES:

The Board could choose not to approve the report and/or to direct staff to revise the report and return with it again on a later date. This is not recommended because the report is required of California Counties that have used the pilot legislation, that satisfies the requirements of PCC Section 20155.7 (a) and the report is due before January 1, 2020.

OTHER AGENCY INVOLVEMENT:

County Administrator's staff and County Sheriff have reviewed and commented on the draft report.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION