



## County of Santa Cruz Board of Supervisors

### Agenda Item Submittal

**From:** General Services Department

**Subject:** Public Works Contract Award Streamlining Practice

**Meeting Date:** February 11, 2025

**Formal Title:** Adopt resolution authorizing the Director of the General Services Department to award public works contracts using the streamlined procedure, subject to the exceptions, and return to the Board for ratification

### Recommended Action

Adopt a resolution authorizing the Director of the General Services Department to award public works contracts subject to formal bidding requirements, excluding those subject to exceptions of the streamlined procedure, and return to the Board for ratification at the next available meeting.

### Executive Summary

On July 1, 2024, the Capital Projects Division transferred from the Department of Community Development and Infrastructure (CDI), formerly the Department of Public Works (DPW), to the General Services Department (GSD). GSD is requesting that the Board of Supervisors authorize the Director to award and execute public works contracts subject to formal bidding requirements, with an engineer's estimate not exceeding \$10,000,000, the apparent low bid not exceeding 10% of the estimate, and no unresolved bid protests, with subsequent ratification by the Board at the next available Board meeting following the Director's award and execution of the public works contract.

### Discussion

On April 14, 2020, the Board of Supervisors authorized the Department of Public Works (DPW) to streamline the Construction Contract Award Practice to reduce project delivery time [Link: [DOC ID 8795, DOC-2020-337: Construction Contract Award Streamlining Practice](#)]

Previously, the process required a Board memo for contract award, which significantly extended project timelines. The improved process reduced the time to execute a public works contract, from plan approval to the start of construction, by a minimum of 30 days.

The substantive modification to the practice was to authorize the Director of DPW to award the public works contract subject to formal bidding requirements and return to the Board for ratification. This approach meets legal requirements for contract award and is the County's current practice.

With the transition of Capital Projects from CDI (formerly DPW) to GSD, it is essential to grant the Director of GSD the same authority to ensure the continuation of the streamlined contract award procedure and maintain the reduced project delivery time.

The streamlined contract award procedure for public works projects shall not be used where:

1. The engineer's estimate is \$10,000,000 or more;
2. The apparent low bid exceeds 10% of the engineer's estimate; or
3. There are unresolved bid protests

The streamlined contract award procedure is as follows:

- Board memo (approve plans and specs, advertise for bids and authorize Director to award and return to ratify)
- Bid opening
- Director awards contract 3 working days after bid opening (allowing for the 3 days right to protest)
- Contract execution (internal signatures, contractor signatures, contract completion)
- Project Notice to Proceed
- Board memo (ratify award of contract)

To support this process, the internal processing requirements will consist of the following:

- All bids checked
- Apparent low bidder is identified
- Completion of all forms required have been verified
- Apparent low bid is not 10% over engineer's estimate
- Contract awards of less than \$10,000,000
- No unresolved protests
- Bidder's proposal items list checked for accuracy and initialed by the engineer
- Contractor's Qualification Questionnaire reviewed and meets the qualifications
- Surety check completed and initialed
- Confirm award of contract does not conflict with funding source for the contract

The project manager signs a memo confirming that all requirements have been met. Once completed, the Director of GSD then signs, awarding the contract as instructed by the Board, and the contract execution process begins.

GSD presents the item requesting the Board ratify the Director's award and execution of the public works contracts at the next available Board meeting following such award and execution.

### **Financial Impact**

Actions outlined in this memo will have no financial impact.

### **Strategic Initiatives**

Operational Plan - Reliable Transportation, Operational Excellence

### **Submitted By:**

Michael Beaton

### **Recommended By:**

Carlos J. Palacios, County Administrative Officer

**Artificial Intelligence Acknowledgment:**

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.