

22. 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 ()



## **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.



BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 12-2025

On the motion of Supervisor: Cummings  
Duly seconded by Supervisor: Koenig

The following resolution is adopted:

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF  
GENERAL SERVICES (GSD) TO AWARD PUBLIC WORKS CONTRACTS AND  
RETURN TO THE BOARD FOR RATIFICATION

WHEREAS, prior to April 2020, the County's standard procedure for the solicitation and contracting of public works projects included the following steps: (1) Board item to seek approval of plans and specifications and authority to advertise for bids, (2) Bidding period, (3) Bid opening, (4) Board item to award contract and authorize the contract to be executed, (5) Project start (the "Standard Procedure"); and

WHEREAS, on April 14, 2020, the Board of Supervisors created a streamlined procedure for the solicitation and contracting of public works projects administered by the Director of Public Works (the "Streamlined Procedure"); and

WHEREAS, the Streamlined Procedure includes the following procedural steps: (1) Board item to seek approval of plans and specifications and authority to advertise for bids; (2) Bidding period, (3) Bid opening, (4) Director awards and executes the public works contract 3 working days after bid opening (allowing for the 3 days right to protest); (5) Project start; (6) Director schedules a Board item to request that the Board ratify the Director's award and execution of the public works contract; and

WHEREAS, the Board ordered that the Streamlined Procedure 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 "Exceptions to the Streamlined Procedure"); and

WHEREAS, the Department of Public Works was merged into the Department of Community Development and Infrastructure in April 2022; and

WHEREAS, the Division of Capital Projects transitioned from the Department of Community Development and Infrastructure to the Department of General Services Department on July 1, 2024; and

WHEREAS, the Streamlined Procedure reduces the project delivery time by a minimum of thirty (30) days; and

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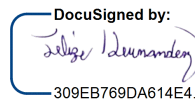
WHEREAS, the Department of General Services also administers public works projects, including through its Division of Capital Projects, and would benefit from the use of the Streamlined Procedure; and

WHEREAS, it is appropriate to grant the Director of the Department of General Services the same authority previously granted to the Director of Public Works to achieve reduced project delivery times.


NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz resolves and orders that the Director of the Department of General Services is authorized to administer public works contracts subject to formal bidding requirements (Design-Bid-Build) using the Streamlined Procedure described above subject to the Exceptions to the Streamlined Procedure, and orders that the item requesting that the Board ratify the Director's award and execution of the public works contract be presented at the next available Board meeting following such award and execution.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 11th day of February, 2025, by the following vote:

AYES: Supervisors Koenig, De Serpa, Cummings, Martinez and Hernandez  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

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Felipe Hernandez 2/13/2025  
 Chair of the Board of Supervisors

ATTEST:   
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 Juliette Rezzato 2/13/2025  
 Clerk of the Board

Approved as to Form:

Signed by:  
  
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 Arthur Wille, Assistant County Counsel  
 Office of the County Counsel



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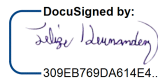
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