



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: May 18, 2021

10

TO: Board of Supervisors

SUBJECT

GENERAL SERVICES – AUTHORIZATION TO ADVERTISE AND AWARD CONSTRUCTION MANAGER AT RISK CONTRACTS (DISTRICTS: ALL)

OVERVIEW

On January 1, 2014, the California Legislature authorized counties to utilize the Construction Manager at Risk (CMAR) delivery method for projects in excess of \$1 million. In September 2016 the Board of Supervisors authorized the County to award CMAR contracts up to \$10 million for a period of 5 years. Since then, the Department of General Services, in collaboration with the Department of Purchasing and Contracting, has developed and implemented the CMAR procurement method. This procurement method provides an improved method of handling selected projects, primarily those funded by the Major Maintenance Improvement Plan (MMIP) Program. CMAR allows closer collaboration between the contractor and designer, which is a proven fundamental value of the CMAR procurement concept and allows alignment of project delivery schedules with client department requirements earlier in the process. The CMAR delivery method is a best practice industry standard used as an alternative to low bid contracting.

The Board of Supervisors is requested to authorize the Director, Department of Purchasing and Contracting to advertise and award CMAR contracts for various projects up to \$10 million pursuant to Public Contract Code Section 20146.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

- ~~1. Find that today's action is not subject to the California Environmental Quality Act (CEQA) under Article 5, Section 15060(c)(3) of the State CEQA Guidelines because it is not a project as defined by Section 15378.~~
- ~~2. Authorize the Director, Department of Purchasing and Contracting, for a period of five years, to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code and Public Contract Code Section 20146 to advertise and award Construction Manager at Risk contracts for various projects up to \$10 million.~~

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- ~~3. Designate the Director, Department of General Services, and the Director, Parks and Recreation, as the County officers responsible for administering the awarded Construction Manager at Risk contracts, as appropriate.~~

FISCAL IMPACT

There is no direct fiscal impact as a result of today's requested action. Funding for Construction Manager at Risk contracts is budgeted by departments for specific project requests and in the Major Maintenance Improvement Plan. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Expenditures for construction will create private sector jobs and economic opportunities in San Diego County.

THIS ITEM HAS BEEN CONTINUED TO JUNE 8, 2021 AT THE REQUEST OF THE CHIEF ADMINISTRATIVE OFFICER

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The implementation of Public Contract Code section 20146 allows a county, with approval of the board of supervisors, to utilize Construction Manager at Risk (CMAR) construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county. The CMAR delivery method allows the County to hire a construction manager early in the process to work collaboratively with the County's design team, which is contracted for separately under Board of Supervisors Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, and later with the general contractor. This collaborative effort between the CMAR, general contractor, and the design effort allows for design reviews and suggested cost saving alternative methods of construction at an earlier stage in the design process.

In an effort to continually improve the contracting and delivery process, the Department of General Services in collaboration with the Department of Purchasing and Contracting has developed and implemented the Construction Manager at Risk procurement method over the past 5 years to establish an improved method of handling mid-range projects, primarily in the Major Maintenance Improvement Plan (MMIP) Program or those charged to client departments. The CMAR delivery method is a best practice industry standard used as an alternative to low bid contracting.

In September 2016 the Board of Supervisors authorized the County to award CMAR contracts up to \$10 million for a period of 5 years. Without this authority the County would need to request Board authority for each project individually. To improve alignment of project delivery schedules with client department requirements, earlier advertisement and award of the CMAR contract will allow closer collaboration between the contractor and designer, which is a proven fundamental value of the CMAR procurement concept. To ensure equity, inclusionary contracting criteria will be incorporated into the source selection process.

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The Board of Supervisors is requested to authorize the Director, Department of Purchasing and Contracting to advertise and award CMAR contracts for various projects up to \$10 million, pursuant to Public Contract Code Section 20146.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action to authorize advertisement and award of Construction Manager at Risk contracts supports the Operational Excellence Initiative of the County of San Diego's 2021-2026 Strategic Plan by providing modern infrastructure, innovative technology and appropriate resources to ensure superior service delivery to our customers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Helen N. Robbins-Meyer".

HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

N/A

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

9-13-16 (22) GENERAL SERVICES – AUTHORIZATION TO ADVERTISE AND AWARD
CONSTRUCTION MANAGER AT RISK CONTRACTS

BOARD POLICIES APPLICABLE:

G-15 - Design Standards for County Facilities and Property
G-16 - Capital Facilities and Space Planning

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

Contracts will be awarded in compliance with Public Contract Code Section 20146.

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Department of General Services

OTHER CONCURRENCE(S): Department of Purchasing and Contracting
Department of Parks and Recreation

CONTACT PERSON(S):

Rich Grudman

Name

858-505-6357

Phone

Rich.Grudman@sdcounty.ca.gov

E-mail

Steve Schmidt

Name

858-694-2401

Phone

Stephen.Schmidt@sdcounty.ca.gov

E-mail