



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 07/05/22

* = Mandatory, information must be provided

or Procurement Director Award: ☐

***Contractor/Vendor Name/Grantor (DBA):**

Borderland Construction Company, Inc., Granite Construction Company, Markham Contracting Co., Inc., Sunland Asphalt & Construction, LLC, Tucson Asphalt Contractors, Inc.

***Project Title/Description:**

Job Order Master Agreement: Pavement Repair and Preservation

***Purpose:**

Amendment of Award: Master Agreement No. MA-PO-20-041, Amendment No. Five (5). This amendment increases the shared award amount by \$10,000,000.00 for a cumulative not-to-exceed amount of \$67,000,000.00 and temporarily increases the individual job order limit from \$2,000,000.00 to \$3,000,000.00 through the end of Fiscal Year 2023. Administering Department: Transportation.

This is an indefinite delivery/indefinite quantity job order master agreement. For projects estimated less than \$200,000.00, the department may select a contractor based on availability, specialty or other such basis as the department may determine at its sole discretion. For projects estimated at \$200,000.00 or more, all contractors will be given the opportunity to compete on the basis of cost or cost and schedule through a request for quotation. No individual job order may exceed \$3,000,000.00.

***Procurement Method:**

Pursuant to Solicitation for Qualifications (SFQ) No. SFQ-PO-2000001, on 10/15/19 the Board of Supervisors awarded an agreement for these services in an annual shared award amount of \$10,000,000.00 for an agreement term of 10/15/19 to 10/14/20.

Amendment No. One (1) was by approved by the Board of Supervisors on 01/21/20, to increase the annual shared award amount from \$10,000,000.00 to \$15,000,000.00 for a cumulative not-to-exceed amount of \$15,000,000.00, implemented a revised contract amendment notification process for a more efficient way to effect future renewals, extensions, and revisions, and update language in Articles 1 and 33.

Amendment No. Two (2) was approved by the Board of Supervisors on 06/09/20, to add a one-time increase of \$12,000,000.00 for a cumulative not-to-exceed amount of \$27,000,000.00 to complete planned pavement preservation work for FY20/21.

Amendment No. Three (3) was approved by the Procurement Director on 10/15/20, to add the full annual shared award amount of \$15,000,000.00 for a cumulative not-to-exceed amount of \$42,000,000.00 and extend the term of the agreement to 10/14/21.

Amendment No. Four (4) was approved by the Procurement Director on 09/21/21, to change the legal name from Sunland Asphalt & Construction, Inc. to Sunland Asphalt & Construction, LLC, add the full annual shared award amount of \$15,000,000.00 for a cumulative not-to-exceed amount of \$57,000,000.00 and extend the term of the agreement to 10/14/22.

Attachment: Amendment No. Five (5) and Department Memorandum to Procurement Dated 05/27/22.

***Program Goals/Predicted Outcomes:**

The Department of Transportation is able to utilize the job order contractors to quickly and efficiently complete pavement preservation work to keep the roads safe for the traveling public.

***Public Benefit:**

The Job Order Contractors are utilized in an equitable manner and all individual job orders are issued in accordance with the Master Agreement. In addition, resurfacing the roadways will deter pavement deterioration providing smooth and safe travel for the public.

***Metrics Available to Measure Performance:**

The performance will be measured using the contractor evaluation process as outlined in BOS Policy D29.1(E)(I).

***Retroactive:**

No.

TO COB 6/21/22 (1)
ASS: 7
VRS: 8

THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (*) fields

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____
 Commencement Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____
☐ Expense Amount \$ _____ * ☐ Revenue Amount: \$ _____

***Funding Source(s) required:** _____

Funding from General Fund? ☐ Yes ☐ No If Yes \$ _____ % _____

Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No

If Yes, is the Contract to a vendor or subrecipient? _____

Were insurance or indemnity clauses modified? ☐ Yes ☐ No
 If Yes, attach Risk's approval.

Vendor is using a Social Security Number? ☐ Yes ☐ No
 If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: MA Department Code: PO Contract Number (i.e., 15-123): 20-041
 Amendment No.: 05 AMS Version No.: 08
 Commencement Date: 07/05/22 New Termination Date: _____
 Prior Contract No. (Synergen/CMS): _____

☒ Expense ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 10,000,000.00

Is there revenue included? ☐ Yes ☒ No If Yes \$ _____

***Funding Source(s) required: Various Funds**

Funding from General Fund? ☐ Yes ☒ No If Yes \$ _____ % _____

Grant/Amendment Information (for grants acceptance and awards)

☐ Award ☐ Amendment

Document Type: _____ Department Code: _____ Grant Number (i.e., 15-123): _____
 Commencement Date: _____ Termination Date: _____ Amendment Number: _____
☐ Match Amount: \$ _____ ☐ Revenue Amount: \$ _____

***All Funding Source(s) required:** _____

*Match funding from General Fund? ☐ Yes ☐ No If Yes \$ _____ % _____

*Match funding from other sources? ☐ Yes ☐ No If Yes \$ _____ % _____

*Funding Source: _____

*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?

Contact: Denise Waldo Digitally signed by Denise Waldo
Date: 2022.06.02 15:45:08 -07'00'

Scott Loomis Digitally signed by Scott Loomis
Date: 2022.06.02 15:51:57 -07'00'

Department: Procurement

Terri Spencer Digitally signed by Terri Spencer
Date: 2022.06.03 09:58:06 -07'00'

Telephone: 724-8458

Department Director Signature: Kathryn Skinner

Digitally signed by Kathryn Skinner
DN: cn=Kathryn Skinner, ou=Transportation, ou=Pima
County, email=kathryn.skinner@pima.gov, c=US
Date: 2022.06.06 11:33:45 -07'00'

Date: _____

Deputy County Administrator Signature: _____

Date: 6/14/2022

County Administrator Signature: _____


Date: 6/14/2022



MEMORANDUM

DATE: May 27, 2022

TO: Terri Spencer
Procurement Director


FROM: Ana M. Olivares, P.E.
Director

SUBJECT: Contract Amendment MA-PO-20*041 and MA-PO-22*052

The Department of Transportation relies on different procurement methods to deliver the Pavement Repair and Preservation Program, particularly the hard bid process for larger projects and Job Order Contracts (JOCs) for smaller projects. The program uses two Job Order Master Agreements (JOMA) to issue the JOC contracts, JOMA Pavement Repair and Preservation Services - 20*0041 and JOMA Transportation Improvement and Maintenance - 22*052. The JOC contracts are also used to complete the ADA work, which gets broken into smaller projects to divide the work among multiple contractors. This reduces the number of working days to complete the concrete work and allows sufficient time in the latter half of the fiscal year to follow up with the milling and paving projects. The follow up milling and paving contracts are also accomplished through JOC contracts. Again, this is due to the limited number of working days left in the fiscal year and is a faster procurement method than the hard bid process.

Any JOC contracts over \$200,000 are competitively bid among the five contractors on the JOMA being used. This is still a relatively quick process and allows us to have a contract in place within weeks instead of months. The JOC process is also more flexible to accommodate projects with limited scope. This enables the department to reduce the amount of time it takes to develop the project scopes and enables us the ability to accomplish the high volume of work generated by the Pavement Repair and Preservation Program.

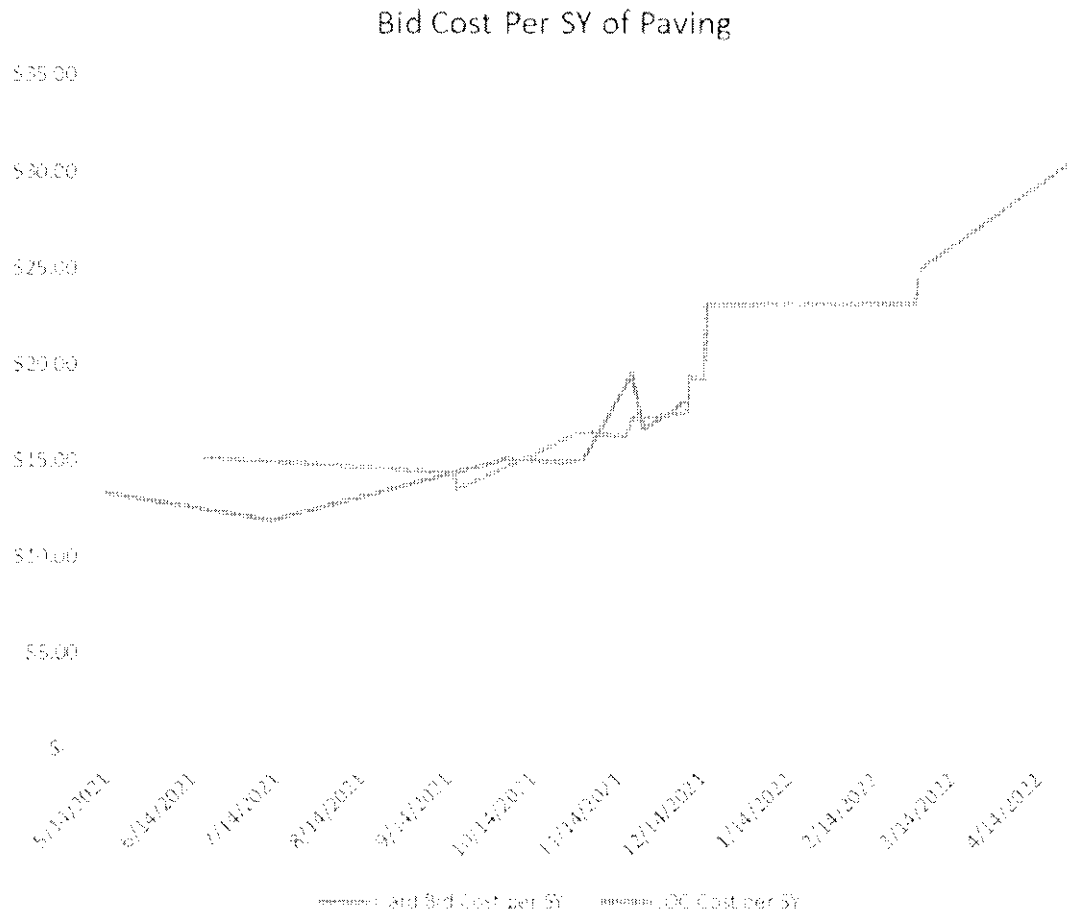
The two JOMAs utilized by the Pavement Repair and Preservation Program are currently limited to a \$2M maximum contract limit. In previous years this limit has worked very well for the needs of the program. The \$2M limit has allowed us to package several subdivisions of ADA ramp work together or to package a typical subdivision or two small subdivisions into a milling and paving project. As the projects were advertised during the FY22 program, there has been a marked increase in project costs due to inflation and current market conditions. The cost of milling and paving projects in cost/square yard is shown in the chart below.

Terri Spencer, Procurement Director

SUBJECT: Contract Amendment MA-PO-20*041 and MA-PO-22*052

May 27, 2022

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At the beginning of the fiscal year, our projects had an average cost at or below \$15/square yard. This cost has almost doubled in recent months. This cost escalation can be seen in both the JOC and hard bid procurement methods and is a reflection of current market constraints, inflation, and oil/gas prices. With current market conditions, half of the projects completed as JOC projects during FY22 could not be completed under the existing \$2M JOC limit.

We are respectfully requesting that the contract limit be temporarily increased to a \$3M maximum contract value per project between now and the end of FY23 so we can continue to use this useful procurement method to deliver the upcoming FY23 Pavement Repair Program.

To accompany the request to increase the maximum contract limit, we also request the Master Agreement total limits be increased as well to accommodate the increased project costs. Future projects utilizing these JOMA contracts within the next year are as follows:

Terri Spencer, Procurement Director

SUBJECT: Contract Amendment MA-PO-20*041 and MA-PO-22*052

May 27, 2022

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FY 2022/2023 Planned JOMA Projects

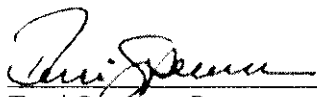
Project	Estimated Budget
Pavement Preservation	\$30,000,000
Maintenance and Operations Needs (guardrail, small sidewalk repairs, signal repairs, etc.)	\$5,000,000
4SANDR - Sandario Rd at Rudasill Rd Intersection Improvements	\$1,000,000
4FTLOW – Houghton Rd at Ft. Lowell Rd Intersection Improvements	\$1,500,000
Total	\$37,500,000

The impact of the increased cost is already being felt by our JOMA contracts, which has eroded our capacity for work next fiscal year. Currently there is \$11.4M in capacity between the two JOMAs. An additional \$15M in capacity will become available when the JOMA Pavement Repair and Preservation Services - 20*0041 renews in October 2022.

The current available capacity will be a limiting factor in advertising and awarding the planned pavement preservation contracts between now and October. After the master agreement renewal in October, the JOMA capacity will still fall below the anticipated need by almost \$12M. As a result, we request the JOMA Pavement Repair and Preservation Services - 20*041 receive an increase of \$10M and the JOMA Transportation Improvement and Maintenance - 22*052 receive a \$5M increase. The intent of the request is to address the increased project costs we are currently experiencing and anticipate will continue well into FY 2022/2023. We are hoping this is a temporary hurdle; therefore we are not requesting any modifications to the annual award amounts to either contract during their renewal processes.

AMO:MM:jh

APPROVED TO PROCEED WITH JOMA AMENDMENTS FOR BOS APPROVAL



Terri Spencer, Procurement Director

5/31/2022

Date

c: Kathryn Skinner, P.E., Deputy Director, Transportation
Lauren Ortega, P.E., Deputy Director, Transportation
Michelle Montagnino, P.E., Division Manager, Transportation
Scott Loomis, Division Manager, Procurement
Dawn Dargan, Procurement Officer, Procurement

PIMA COUNTY DEPARTMENT OF TRANSPORTATION

PROJECT: JOB ORDER MASTER AGREEMENT: PAVEMENT REPAIR AND PRESERVATION SERVICES

CONTRACTORS: Borderland Construction Company, Inc.
400 East 38th Street
Tucson, Arizona 85726

Granite Construction Company
4115 East Illinois Street
Tucson, Arizona 85714

Markham Contracting Co., Inc.
22820 North 19th Avenue
Phoenix, Arizona 85027

Sunland Asphalt & Construction, LLC
1625 E. Northern Avenue
Phoenix, Arizona 85020

Tucson Asphalt Contractors, Inc.
2425 West Curtis Road
Tucson, Arizona 85705

MASTER AGREEMENT NO.: MA-PO-20-041

AMENDMENT NO.: Five (5)

FUNDING: Various Funds

MASTER AGREEMENT TERM: 10/15/19 - 10/14/20	ORIGINAL AMOUNT:	\$	10,000,000.00
TERMINATION PRIOR AMENDMENT: 10/14/22	PRIOR AMENDMENTS:	\$	47,000,000.00
TERMINATION THIS AMENDMENT: 10/14/22	AMOUNT THIS AMENDMENT:	\$	10,000,000.00
	REVISED AMOUNT:	\$	67,000,000.00

MASTER AGREEMENT AMENDMENT

WHEREAS, COUNTY and CONTRACTORS entered into a Master Agreement (Agreement) for services, as referenced above; and

WHEREAS, COUNTY intends to add a one-time increase to complete planned Pavement Repair and Preservation work in FY2022/23; and

WHEREAS, COUNTY intends to temporarily increase the maximum individual job order threshold to address rising costs of construction materials.

NOW, THEREFORE, it is agreed as follows:

1. This Amendment increases the Master Agreement by \$10,000,000.00, without change to the annual shared award amount, for a cumulative not-to-exceed amount of \$67,000,000.00.
2. **CHANGE:** **ARTICLE 1 – BASIC TERMS, RENEWALS, EXTENSIONS AND REVISIONS**, Paragraph 5, as follows:

FROM: “No individual Job Order may exceed \$2,000,000.00, including change orders.”

TO: “No individual Job Order may exceed \$3,000,000.00, including change orders.”

3. **CHANGE:** **EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS**, paragraph 2, as follows:

FROM: "The Contract Price for each Job Order shall not exceed \$2,000,000.00, including any Change Orders."

TO: "The Contract Price for each Job Order shall not exceed \$3,000,000.00, including any Change Orders."

All other provisions of the Agreement, not specifically changed by this Amendment, shall remain in effect and be binding upon the Parties.

IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:

Authorized Officer Signature

Printed Name and Title

Company Name

Date

APPROVED AS TO FORM:



Deputy County Attorney

Lesley Lukach
Name (Please Print)

June 17, 2022
Date

3. **CHANGE:** **EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS**, paragraph 2, as follows:

FROM: "The Contract Price for each Job Order shall not exceed \$2,000,000.00, including any Change Orders."

TO: "The Contract Price for each Job Order shall not exceed \$3,000,000.00, including any Change Orders."

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:



Authorized Officer Signature

Steve Shepherd, President

Printed Name and Title

Borderland Construction Company, Inc.

Company Name

06-10-2022

Date

APPROVED AS TO FORM:

Deputy County Attorney

Name (Please Print)

Date

3. CHANGE: **EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS**, paragraph 2, as follows:

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:

Todd A. Hill
Authorized Officer Signature

Todd A. Hill, V.P. Region Manager
Printed Name and Title

Granite Construction Company
Company Name

June 10, 2022
Date

APPROVED AS TO FORM:

Deputy County Attorney

Name (Please Print)

Date

3. **CHANGE:** **EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS**, paragraph 2, as follows:

FROM: "The Contract Price for each Job Order shall not exceed \$2,000,000.00, including any Change Orders."

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:

Jennifer M. Gough
Authorized Officer Signature

Jennifer M Gough, CFO
Printed Name and Title

Markham Contracting
Company Name

June 9, 2022
Date

APPROVED AS TO FORM:

Deputy County Attorney

Name (Please Print)

Date

3. **CHANGE:** **EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS**, paragraph 2, as follows:

FROM: "The Contract Price for each Job Order shall not exceed \$2,000,000.00, including any Change Orders."

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:



Authorized Officer Signature

Alex DeClusin, Vice President

Printed Name and Title

Sunland Asphalt & Construction, LLC

Company Name

6/10/2022

Date

APPROVED AS TO FORM:

Deputy County Attorney

Name (Please Print)

Date

3. **CHANGE:** EXHIBIT "C", ARTICLE 1 – OVERVIEW AND DEFINITIONS, paragraph 2, as follows:

FROM: "The Contract Price for each Job Order shall not exceed \$2,000,000.00, including any Change Orders."

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:


Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

CONTRACTOR:



Authorized Officer Signature

Jennifer Niles, Chief Operating Officer

Printed Name and Title

Tucson Asphalt Contractors, Inc.

Company Name

06/09/2022

Date

APPROVED AS TO FORM:

Deputy County Attorney

Name (Please Print)

Date