



## BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: 05/21/24

\* = Mandatory, information must be provided

or Procurement Director Award:

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

Borderland Construction Company, Inc., Hunter Contracting Co., SMS Construction, LLC

**\*Project Title/Description:**

Job Order Master Agreement: Wastewater Reclamation Facilities Construction Services

**\*Purpose:**

Amendment of Award: Master Agreement No. MA-PO-20-215, Amendment No. Seven (7). This amendment is for a one-time increase in the amount of \$3,000,000.00 for a cumulative not-to-exceed amount of \$43,000,000.00 to address an increase in wastewater reclamation facilities construction projects and rising costs driven by inflation, reduced construction labor and supply chain materials delivery delays. Administering Department: Regional Wastewater Reclamation.

This is an indefinite delivery/indefinite quantity job order master agreement. Funding sources will be determined at time of project job order. For projects estimated less than \$250,000.00, the department may select a contractor based on availability, specialty or other such basis as the department may determine in its sole discretion. For projects estimated at \$250,000.00 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, including change orders.

**\*Procurement Method:**

Pursuant to Solicitation for Qualifications No. SFQ-PO-2000021, on 06/23/20, the Board of Supervisors awarded a shared master agreement for these services in an annual amount of \$10,000,000.00 for an agreement term of 07/01/20 to 06/30/21. Amendment No. One (1) was approved by the Procurement Director, on 06/29/21, to extend the term of the agreement to 06/30/22, add the full annual shared award amount of \$10,000,000.00 for a cumulative not-to-exceed amount of \$20,000,000.00 and removed The Ashton Company, Inc. Amendment No. Two (2) was approved by the Procurement Director, on 01/14/22, to add a third qualified Job Order Contractor, SMS Construction LLC to the existing Master Agreement. Amendment No. Three (3) was approved by the Procurement Director, on 06/15/22, to extend the term of the agreement to 06/30/23 and add the full annual shared award amount of \$10,000,000.00 for a cumulative not-to-exceed amount of \$30,000,000.00. Amendment No. Four (4) was approved by the Procurement Director, on 04/25/23, to add a Non-Disclosure Agreement for Sewerage System Protected Critical Infrastructure Information for each Contractor and add the Forced Labor of Ethnic Uyghurs clause. Amendment No. Five (5) was approved by the Procurement Director, on 07/07/23, to extend the term of the agreement to 06/30/24 and add the full annual shared award amount of \$10,000,000.00 for a cumulative not-to-exceed amount of \$40,000,000.00. Amendment No. Six (6) was approved by the Board of Supervisors on 08/21/23, to increase the competition threshold and maximum individual job order threshold from \$150,000.00 to \$250,000.00 and \$2,000,000.00 to \$3,000,000.00 respectively to address an increase in wastewater reclamation facilities construction projects.

Attachments: Amendment No. Seven (7) and Department Memo.

**\*Program Goals/Predicted Outcomes:**

Provides Regional Wastewater Reclamation Department the resources to provide construction related services for the repair, rehabilitation, re-construction and emergency responses to critical components within the public sewer treatment system.

**\*Public Benefit:**

Provides for the public's health and safety and for permit compliance by ensuring the continued operation and maintenance of wastewater treatment facilities.

**\*Metrics Available to Measure Performance:**

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

**\*Retroactive:**

No.

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): 20-215
Amendment No.: 7 AMS Version No.: 11
Commencement Date: 05/21/24 New Termination Date: \_\_\_\_\_
Prior Contract No. (Synergen/CMS): \_\_\_\_\_
Expense Revenue Increase Decrease
Amount This Amendment: \$ 3,000,000.00

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)?

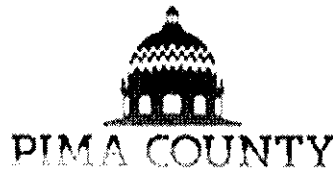
Contact: Procurement Officer: James Johnson Digitally signed by James Johnson Date: 2024.05.03 08:47:53 -0700 Acting Division Manager: Dawn Dargan Digitally signed by Dawn Dargan Date: 2024.05.03 09:22:29 -0700

Department: Acting Procurement Director: Scott Loomis Digitally signed by Scott Loomis Date: 2024.05.03 09:22:29 -0700 Telephone: 520-724-7465

Department Director Signature: Jackson Jenkins Date: 5/3/2024

Deputy County Administrator Signature: [Signature] Date: 5/3/2024

County Administrator Signature: [Signature] Date: 5-3-2024



**REGIONAL WASTEWATER RECLAMATION DEPARTMENT**  
201 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701-1207

**JACKSON JENKINS**  
DIRECTOR

PH: (520) 724-6500  
FAX: (520) 724-9635

April 30, 2024

TO: James Johnson, Procurement Officer  
THRU: Jackson Jenkins, Director - RWRD  
FROM: Jaime Rivera, Deputy Director – TS&E *Jaime Rivera*

SUBJECT: JOMA MA PO 20\*215 Annual Contract Limit Increase for RWRD Treatment Projects

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Pima County Regional Wastewater Reclamation Department would like to request an increase of \$3,000,000 for the remainder of the current 2023-2024 contract year for JOMA Wastewater Reclamation Facilities Construction Services MA PO 20\*215.

Our current maximum annual amount of \$10M for the JOC contract was set in 2020. In the past 2 years, the costs for materials and personnel have escalated substantially due to material and personnel shortages. The Association of General Contractors (AGC) has published an average bid price increase of 19.8% for the 2022 calendar year and similar increases for years 2023 and 2024. The bid price increases, driven by general inflation, reduced construction personnel and supply chain materials delivery delays are negatively impacting the delivery our Treatment assets repairs and rehabilitation program by reducing the amount of work per Job Order and expending the Master Agreement funds faster than originally anticipated.

If approved, the requested increase of \$3,000,000 for the current year will allow for the continued delivery of the program repairs for the ongoing year.

CONCUR:

*Jackson Jenkins*  
\_\_\_\_\_  
Jackson Jenkins, Director – RWRD

4/30/2024  
\_\_\_\_\_  
Date

**PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT**

**PROJECT:** JOB ORDER MASTER AGREEMENT:  
WASTEWATER RECLAMATION FACILITIES CONSTRUCTION SERVICES

**CONTRACTORS:** Borderland Construction Company, Inc.  
P.O. Box 27406  
Tucson, AZ 85726

Hunter Contracting Co.  
701 N Cooper Rd.  
Gilbert, AZ 85233

SMS Construction, LLC  
P.O. Box 26744  
Tucson, AZ 85726

**MASTER AGREEMENT NO.:** MA-PO-20-215

**AMENDMENT NO.:** Seven (7)

**FUNDING:** Various Funds

<b>CONTRACT TERM:</b> 07/01/20 - 06/30/21	<b>ORIGINAL CONTRACT AMOUNT:</b>	\$ 10,000,000.00
<b>TERMINATION PRIOR AMENDMENT:</b> 06/30/24	<b>PRIOR AMENDMENT(S):</b>	\$ 30,000,000.00
<b>TERMINATION THIS AMENDMENT:</b> 06/30/24	<b>AMOUNT THIS AMENDMENT:</b>	\$ 3,000,000.00
	<b>REVISED CONTRACT AMOUNT:</b>	\$ 43,000,000.00

**MASTER AGREEMENT AMENDMENT**

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

**WHEREAS**, COUNTY has an increased need for job order contractors for wastewater reclamation facilities construction services; and

**WHEREAS**, COUNTY is adding a one-time increase to the agreement in the amount of \$3,000,000.00 to address an increase in wastewater reclamation facilities construction projects and rising costs driven by inflation, reduced construction labor and supply chain materials delivery delays.

**NOW, THEREFORE**, it is agreed as follows:

1. This amendment is for a one-time increase to the agreement in the amount of \$3,000,000.00 for a cumulative not-to-exceed amount of \$43,000,000.00 with no increase to the shared annual award amount.

*Remainder of Page Intentionally Left Blank*

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

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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

\_\_\_\_\_  
Date

CONTRACTOR:

\_\_\_\_\_  
Contractor Name

\_\_\_\_\_  
Authorized Officer Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.

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

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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

CONTRACTOR:

BORDERLAND CONSTRUCTION COMPANY, INC.

\_\_\_\_\_  
Contractor Name

  
\_\_\_\_\_  
Authorized Officer Signature

AL HEIMPEL, VICE PRESIDENT  
\_\_\_\_\_  
Printed Name and Title

05/03/2024  
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

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\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

CONTRACTOR:

Hunter Contracting Co  
\_\_\_\_\_  
Contractor Name

  
\_\_\_\_\_  
Authorized Officer Signature

Chuck English, President  
\_\_\_\_\_  
Printed Name and Title

5/6/2024  
\_\_\_\_\_  
Date

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

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APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

CONTRACTOR:

SMS Construction, LLC

\_\_\_\_\_  
Contractor Name



\_\_\_\_\_  
Authorized Officer Signature

Shawn Silvester, President

\_\_\_\_\_  
Printed Name and Title

5/4/24

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.